

# MUNICIPAL REVENUE CODE

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## CHAPTER I. GENERAL PROVISIONS

### Article I. Short Title and Scope

Section 1.1. Short Title. The collection and payment of the General Code of the Municipality of Agayan, Province of Ilocos Sur.

Section 1.2. Scope and Application. The Code shall govern the collection and payment of taxes and other impositions within the territory of the Municipality of Agayan.

### Article II. Construction of Provisions

Section 2.1. Words and Phrases Not Herein Expressly Defined. Any word or phrase used in this Code not herein specifically defined shall have the same construction as in the General Code of the Municipality of Agayan.

Section 2.2. Rules of Construction. In construing the provisions of this Code, the following rules shall apply: (a) the words "shall" and "must" are synonymous and interchangeable with "must" and "shall" respectively.

Section 2.3. Gender of Words. All words and phrases shall be construed and interpreted according to the masculine gender unless the context clearly indicates otherwise. The masculine gender shall include the feminine gender.

Section 2.4. Number of Words. All words and phrases shall be construed and interpreted according to the singular number unless the context clearly indicates otherwise. The singular number shall include the plural number.

## MUNICIPAL REVENUE CODE

Republic of the Philippines  
Province of CAGAYAN  
Municipality of AMULUNG

Municipal Ordinance No. 28  
Series of 2005

# REVENUE CODE OF THE MUNICIPALITY OF AMULUNG PROVINCE OF CAGAYAN

Be it ordained by the Sangguniang Bayan of the Municipality of Amulung, Province of Cagayan, that

## CHAPTER 1. GENERAL PROVISIONS

### Article A. Short Title and Scope

**Section 1A.01. Short Title.** This ordinance shall be known as the Revenue Code of the Municipality of Amulung, Province of Cagayan.

**Section 1A.02. Scope and Application.** This Code shall govern the levy, assessment, and collection of taxes, fees, charges and other impositions within the territorial jurisdiction of this municipality.

### Article B. Construction of Provisions

**Section 1B.01. Words and Phrases Not Herein Expressly Defined.** Words and phrases embodied in this Code not herein specifically defined shall have the same definitions as found in RA 7160, otherwise known as the Local Government Code of 1991.

**Section 1B.02. Rules of Construction.** In construing the provisions of this Code, the following rules of construction shall be observed unless inconsistent with the manifest intent of the provisions.

(a) **General Rules.** All words and phrases shall be construed and understood according to the common and approved usage of the language; but the technical words and phrases and such other words in this Code which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar or appropriate meaning.

(b) **Gender and Number.** Every word in the Code importing the masculine gender shall extend to both male and female. Every word importing the singular number shall apply to several persons or things as well; and every word importing the plural number shall extend and be applied to one person or thing as well.

(c) *Reasonable Time.* In all cases where any act is required to be done within the reasonable time, the same shall be deemed to mean such time as may be necessary for the prompt performance of the act.

(d) *Computation of Time.* The time within which an act is to be done as provided in this Code, or in any rule or regulation issued pursuant to the provisions thereof, when expressed in days, shall be computed by excluding the first day and including the last day, except if the last day falls on a Sunday or holiday, in which case the same shall be excluded in the computation and the business day following shall be considered the last day.

(e) *References.* All references to chapters, articles, or sections are to the Chapters, Articles or Sections in this Code unless otherwise specified.

(f) *Conflicting Provisions of Chapters.* If the provisions of different chapters conflict with or contravene each other, the provisions of each chapter shall prevail as to all specific matters and questions involved therein.

(g) *Conflicting Provisions of Sections.* If the provisions of the different sections in the same article conflict with each other, the provisions of the Section which is the last in point of sequence shall prevail.

### Article C. Definition of Terms

#### Section 1C.01. Definitions. When used in this Code.

(a) *Business* means trade or commercial activity regularly engaged in as a means of livelihood or with a view to profit;

(b) *Charges* refer to pecuniary liability, as rents or fees against persons or property;

(c) *Cooperative* is a duly registered association of persons, with a common bond of interest, who have voluntarily joined together to achieve a lawful, common, social, or economic end, making equitable contributions to the capital required and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.

(d) *Corporations* includes partnerships, no matter how created or organized, joint-stock companies, joint accounts (cuentas en participacion), associations or insurance companies but does not include general professional partnerships and a joint venture or consortium formed for the purpose of undertaking construction projects or engaging in petroleum, coal, geothermal, and other energy operations or consortium agreement under a service contract with the government. General professional partnerships are partnerships formed by persons for the sole purpose of exercising their common profession, no part of the income of which is derived from engaging in any trade or business;

The term "resident foreign" when applied to a corporation means a foreign corporation not otherwise organized under the laws of the Philippines but engaged in trade or business within the Philippines.

(e) *Countryside and Barangay Business Enterprise* refers to any business entity, association, or cooperative registered under the provisions of RA 6810, otherwise known as Magna Carta for Countryside and Barangay Business Enterprises (Kalakalan 20);

(f) *Fee* means a charge fixed by law or ordinance for the regulation or inspection of a business or activity. It shall also include charges fixed by law or agency for the services of a public officer in the discharge of his official duties;

(g) *Franchise* is a right or privilege, affected with public interest that is conferred upon private persons or corporations, under such terms and conditions as the government and its political subdivisions may impose in the interest of public welfare, security and safety;

(h) *Gross Sales or Receipts* include the total amount of money or its equivalent representing the contract price, compensation or service fee, including the amount charged or materials supplied with the services and deposits or advance payments actually received during the taxable quarter for the services performed or to be performed for another person excluding discounts if determinable at the time of sales, sales return, excise tax, and value added tax (VAT);

(i) *Levy* means an imposition or collection of an assessment, tax, fee, charge, or fine.

(j) *License or Permit* is a right or permission granted in accordance with law or by a competent authority to engage in some business or occupation or to engage in some transactions.

(k) *Municipal Waters* include not only streams, lakes and tidal waters within the municipality, not being the subject of private ownership and not comprised within the national parks, public forest, timber lands, forest reserves or fishery reserves, but also marine waters included between two lines drawn perpendicularly to the general coastline from points where boundary lines of the municipality or city touch the sea at low tide and a third line parallel with the general coastline and fifteen (15) kilometers from it. Where two (2) municipalities are so situated on the opposite shores that there is less than fifteen (15) kilometers of marine waters between them, the third line shall be equally distant from opposite shores of the respective municipalities;

(l) *Operator* includes the owner, manager, administrator, or any other person who operates or is responsible for the operation of a business establishment or undertaking.

(m) *Privilege* means a right or immunity granted as a peculiar benefit, advantage or favor.

(n) *Persons* mean every natural or juridical being, susceptible of rights and obligations or of being the subject of legal relations;

(o) *Rental* means the value of the consideration, whether in money, or otherwise, given for the enjoyment or use of a thing.

(p) *Residents* refer to natural persons who have their habitual residence in the province, city, or municipality where they exercise their civil rights and fulfill their civil obligations, and to juridical persons for which the law or any other provision creating or recognizing them fixes their residence in a particular province, city or municipality. In the absence of such

laws, juridical persons are residents of the province, city or municipality where they have their legal residence or principal place of business or where they conduct their principal business or occupation;

(q) *Revenue* includes taxes, fees and charges that a state or its political subdivision collects and receives into the treasury for public purposes.

(r) *Services* mean the duties, work or functions performed or discharged by a government officer, or by a private person contracted by the government, as the case may be.

(s) *Tax* means an enforced contribution, usually monetary in form, levied by the law making body on persons and property subject to its jurisdiction for the precise purpose of supporting governmental needs.

(t) *Vessels* include every type of boat, craft or other artificial contrivance, capable of being used, as a means of transportation on water.

## CHAPTER II. TAXES ON BUSINESS

### Article A. Graduated Tax on Business

#### Section 2A.01. Definitions. When used in this Article.

(a) *Advertising Agency* includes all persons who are engaged in the business of advertising for others by means of billboards, posters, placards, notices, signs, directories, pamphlets, leaflets, handbills, electric or neon lights, airplanes, balloons or other media, whether in pictorial or reading form.

(b) *Agricultural Products* include the yield of the soil, such as corn, rice, wheat, rye, hay, coconut, sugarcane, tobacco, root crops, vegetables, fruits, flowers, and their by-products; ordinary salt; all kinds of fish; poultry; and livestock and animal products, whether in their original form or not.

The phrase "whether in their original form or not" refers to the transformation of said products by the farmer, fisherman, producer or owner through the application of processes to preserve or otherwise to prepare said products for the market such as freezing, drying, salting, smoking, or stripping for purposes of preserving or otherwise preparing said products for the market; to be considered an agricultural product whether in its original form or not, its transformation must have been undertaken by the farmer, fisherman, producer or owner.

Agricultural products as defined include those that undergo not only simple but even sophisticated processes employing advanced technological means in packaging like dressed chicken or ground coffee in plastic bags or Styrofoam or other packaging materials intended to process and prepare the products for the market.

The term by-products shall mean those materials which in cultivation or processing of an article remain over, and which are still of value and marketable, like copra cake from

opra or molasses from sugar cane;

c) *Amusement* is a pleasurable diversion and entertainment. It is synonymous to education, avocation, pastime, or fun;

d) *Amusement Places* include theaters, cinemas, concert halls, circuses and other places of amusement where one seeks admission to entertain oneself by seeing or viewing the show or performance;

e) *Banks and other Financial Institutions* include non-bank financial intermediaries, lending investors, finance and investment companies, pawnshops, money shops, insurance companies, stock markets, stock brokers, and dealers in securities and foreign exchange, as defined under applicable law, or rules and regulations thereunder;

f) *Brewer* includes all persons who manufacture fermented liquors of any description for sale or delivery to others but does not include manufacturers of tuba, basi, tapuy or similar domestic fermented liquors, whose daily production does not exceed two hundred, gauge liters.

g) *Business Agent* includes all persons who act as agents of others in the transaction of business with any public officer, as well as those who conduct collecting, advertising, employment, or private detective agencies.

h) *Cabaret/Dance Hall* includes any place or establishment where dancing is permitted to the public in consideration of any admission, entrance, or any other fee paid, on or before, or after the dancing, and where professional hostesses or dancers are employed.

i) *Capital Investment* is the capital that a person employs in any undertaking, or which he contributes to the capital of a partnership, corporation, or any other juridical entity or association in a particular taxing jurisdiction;

j) *Carinderia* refers to any public eating place where food already cooked are served at a price.

k) *Cockpit* includes any place, compound, building or portion thereof, where cockfights are held, whether or not money bets are made on the results of such cockfights.

l) *Contractor* includes persons, natural or juridical, not subject to professional tax under Section 139 of the Local Government Code of 1991, whose activity consists essentially of the sale of all kinds of services for a fee, regardless of whether or not the performance of the service calls for the exercise or use of the physical or mental faculties of such contractor or his employees;

As used in this Article, the term "contractor" shall include general engineering, general building and specialty contractors as defined under applicable laws, filling, demolition and salvage works contractors; proprietors or operators of mine drilling apparatus; proprietors or operators of dockyards; persons engaged in the installation of water system, and gas or electric light, heat, or establishments; proprietors or operators of smelting plants; engraving plating and plastic lamination establishments; proprietors or operators of establishments for repairing, repainting, upholstering, washing or greasing of vehicles, heavy equipment, vulcanizing, recapping and battery charging; proprietors or

operators of furniture shops and establishments for planning or surfacing and re-cutting of lumber and sawmills under contract to saw or cut logs belonging to others; proprietors or operators of dry-cleaning or dyeing establishments, steam laundries, and using washing machines; proprietors or owners of shops for the repair of any kind of mechanical and electrical devices; instruments, apparatus, or furniture and shoe repairing by machine or any mechanical and electrical devices; proprietors or operators of establishments or lots for parking purposes; proprietors or operators of tailor shops, dress shops, milliners and hatters, beauty parlors, barbershops, massage clinics, sauna, Turkish and Swedish baths, slenderizing and body-building saloon and similar establishments; photographic studios; funeral parlors; proprietors or operators of hotels, motels, and lodging houses; proprietors or operators of arrastre and stevedoring, warehousing, or forwarding establishments; master plumbers, smiths and house or sign painters; printers, bookbinders, lithographers, publishers except those engaged in the publication or printing of any newspaper, magazine, review or bulletin which appears at regular intervals with fixed prices for subscription and sale and which is not devoted principally to the publication of advertisements; business agents, private detectives or watchman agencies; commercial and immigration brokers; cinematographic film owners, lessors and distributors.

The term "contractor" shall also include, but shall not be limited to, tax subjects enumerated under Section 19 of Presidential Decree No. 231, but which are no longer included in the enumeration of "contractor" under Section 131 of Republic Act No. 7160, viz.: welding shops, service stations, white/blue, printing, recopying, or photocopying services, assaying laboratories, advertising agencies, shops for shearing animals, vaciador shops, stables, construction of motor vehicles, animal drawn vehicles, and/or tricycles, lathe machine shops, furniture shops, and proprietors of bulldozers and other heavy equipment available to others for consideration.

(m) *Dealer* means one whose business is to buy and sell merchandise, goods and chattels as a merchant. He stands immediately between the producer or manufacturer and the consumer and depends for his profit not upon the labor he bestows upon his commodities but upon the skill and foresight with which he watches the market;

(n) *Importer* means any person who brings articles, goods, wares or merchandise of any kind or class into the Philippines from abroad for unloading therein, or which after entry are consumed herein or incorporated into the general mass of property in the Philippines. In case of tax-free articles, brought or imported into the Philippines by persons, entities or agencies exempt from tax which are subsequently sold, transferred or exchanged in the Philippines to non-exempt private persons or entities, the purchaser or recipient shall be considered the importer thereof.

(o) *Manufacturer* includes every person who, by physical or chemical process, alters the exterior texture or form or inner substance of any such raw materials or manufactured or partially manufactured product in such manner as to prepare it for special use or uses to which it could not have been put in its original condition, or who by any such process, alters the quality of any such raw material or manufactured or partially manufactured products so as to reduce its marketable shape or prepare it for any of the use of industry, or who by any such process, combines any raw material or manufactured products with other materials or products of the same or of different kinds and in such manner that the finished products of such process or manufacture can be put to a special use or uses to which such raw material or manufactured or partially manufactured in their original condition could not have been put, and who in addition, alters such raw material or manufactured or partially manufactured

products, or combines the same to produce such finished products for the purpose of their sale or distribution to others and for his own use for consumption;

(p) *Marginal Farmer or Fishermen* refers to individuals engaged in subsistence farming or fishing which shall be limited to the sale, barter or exchange of agricultural or marine products produced by himself and his immediate family and whose annual net income from such farming or fishing does not exceed Fifty Thousand Pesos ( 50,000.00) or the poverty line established by NEDA for the particular region or locality, whichever is higher;

(q) *Motor Vehicle* means any vehicle propelled by any power other than muscular power using the public roads, but excluding road rollers, trolley cars, street sweepers, sprinklers, lawn mowers, bulldozers, graders, forklifts, amphibian trucks, and cranes if not used on public roads, vehicles that run only on rails or tracks, tractors, trailers, and traction engines of all kinds used exclusively for agricultural purposes;

(r) *Peddler* means any person who, either for himself or on commission, travels from place to place and sells his goods or offers to sell and deliver the same. Whether a peddler is a wholesale peddler or retail peddler of a particular commodity shall be determined from the definition of wholesale dealer or retail dealer as provided in this Ordinance;

(s) *Public Market* refers to any place, building, or structure of any kind designated as such by the local board or council, except public streets, plazas, parks, and the like.

(t) *Rectifier* comprises every person who rectifies, purifies, or refines distilled spirits or wines by any process other than by original or continuous distillation from mash, wort, wash, sap, or syrup through continuous closed vessels and pipes until the manufacture thereof is complete. Every wholesale or retail liquor dealer who has in his possession any still or mash tub, or who keeps any other apparatus for the purpose of distilling spirits, or in any manner refining distilled spirits, shall also be regarded as a rectifier and as being engaged in the business of rectifying.

(u) *Restaurant* refers to any place which provides food to the public and accepts orders from them at a price. This term includes caterers.

(v) *Retail* means a sale where the purchaser buys the commodity for his consumption, irrespective of the quantity of the commodity sold;

(w) *Vessel* includes every type of boat, craft, or other artificial contrivances used, or capable of being used, as a means of transportation on water.

(x) *Wharfage* means a fee assessed against the cargo of a vessel engaged in foreign or domestic trade based on quantity, weight, or measure received and/or discharged by vessel;

(y) *Wholesale* means a sale where the purchaser buys or imports the commodities for resale to persons other than the end user regardless of the quantity of the transaction.

**Section 2A.02. Imposition of Tax.** There is hereby imposed on the following persons who establish, operate, conduct or maintain their respective business within the municipality a graduated business tax in the amounts hereafter prescribed:

(a) On manufacturers, assemblers, repackers, processors, brewers, distillers, rectifiers, and compounders of liquors, distilled spirits, and wines or manufacturers of any article of commerce of whatever kind or nature. In accordance with the following schedule:

<u>Amount of Gross Sales/Receipts</u> <u>For the Preceding Calendar Year:</u>	<u>Tax Per Annum</u>
Less than 10,000.00	200.00
10,000.00 or more but less than 15,000.00	266.00
15,000.00 or more but less than 20,000.00	365.00
20,000.00 or more but less than 30,000.00	532.00
30,000.00 or more but less than 40,000.00	798.00
40,000.00 or more but less than 50,000.00	998.00
50,000.00 or more but less than 75,000.00	1,597.00
75,000.00 or more but less than 100,000.00	1,996.00
100,000.00 or more but less than 150,000.00	2,862.00
150,000.00 or more but less than 200,000.00	3,327.00
200,000.00 or more but less than 300,000.00	4,658.00
300,000.00 or more but less than 500,000.00	6,655.00
500,000.00 or more but less than 750,000.00	9,680.00
750,000.00 or more but less than 1,000,000.00	12,100.00
1,000,000.00 or more but less than 2,000,000.00	15,125.00
2,000,000.00 or more but less than 3,000,000.00	18,638.00
3,000,000.00 or more but less than 4,000,000.00	23,958.00
4,000,000.00 or more but less than 5,000,000.00	27,951.00
5,000,000.00 or more but less than 8,500,000.00	29,494.00
8,500,000.00 or more	At a rate not exceeding forty two and one fourth (42.25% of one percent (1%))

The preceding rates shall apply only to the amount of domestic sales of manufacturers, assemblers, repackers, processors, brewers, distillers, rectifiers and compounders of liquors, distilled spirits, and wines or manufacturers of any article of commerce of whatever kind or nature other than those enumerated under paragraph (c) of this Section.

(b) On wholesalers, distributors, or dealers in any article of commerce of whatever kind or nature in accordance with the following schedule:

<u>Gross Sales/Receipts for the</u> <u>Preceding Calendar Year</u>	<u>Amount of Tax Per Annum</u>
Less than 1,000.00	22.00
1,000.00 or more but less than 2,000.00	40.00
2,000.00 or more but less than 3,000.00	61.00
3,000.00 or more but less than 4,000.00	87.00
4,000.00 or more but less than 5,000.00	121.00
5,000.00 or more but less than 6,000.00	152.00
6,000.00 or more but less than 7,000.00	173.00
7,000.00 or more but less than 8,000.00	200.00
8,000.00 or more but less than 10,000.00	226.00
10,000.00 or more but less than 15,000.00	266.00

15,000.00 or more but less than 20,000.00	333.00
20,000.00 or more but less than 30,000.00	400.00
30,000.00 or more but less than 40,000.00	510.00
40,000.00 or more but less than 50,000.00	799.00
50,000.00 or more but less than 75,000.00	1,198.00
75,000.00 or more but less than 100,000.00	1,562.00
100,000.00 or more but less than 150,000.00	2,263.00
150,000.00 or more but less than 200,000.00	2,928.00
200,000.00 or more but less than 300,000.00	3,993.00
300,000.00 or more but less than 500,000.00	5,372.00
500,000.00 or more but less than 750,000.00	7,986.00
750,000.00 or more but less than 1,000,000.00	10,648.00
1,000,000.00 or more but less than 2,000,000.00	12,100.00
2,000,000.00 or more	At a rate not exceeding fifty percent (55%) of one percent (1%)

The businesses enumerated in paragraph (a) above shall no longer be subject to the tax on wholesalers, distributors, or dealers herein provided for.

(c) On exporters, and on manufacturers, millers, producers, wholesalers, distributors, dealers or retailers of essential commodities enumerated hereunder at a rate not exceeding one-half (1/2) of the rates prescribed under subsections (a), (b), and (d) of this Article;

- (1) Rice and Corn;
- (2) Wheat or cassava flour, meat, dairy products, locally manufactured, processed or preserved food, sugar, salt and agricultural marine, and fresh water products, whether in their original state or not;
- (3) Cooking oil and cooking gas;
- (4) Laundry soap, detergents, and medicine;
- (5) Agricultural implements, equipment and post-harvest facilities, fertilizers, pesticides, insecticides, herbicides and other farm inputs;
- (6) Poultry feeds and other animal feeds;
- (7) School supplies; and
- (8) Cement

For purposes of this provision, the term exporters shall refer to those who are principally engaged in the business of exporting goods and merchandise, as well as manufacturers and producers whose goods or products are both sold domestically and abroad. The amount of export sales shall be excluded from the total sales and shall be subject to the rates not exceeding one-half (1/2) of the rates prescribed under paragraphs (a), (b), and (d) of this Article.

(d) On retailers.

<u>Gross Sales/Receipts for the</u> <u>Preceding year</u>	<u>Rate of Tax Per Annum</u>
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400,000.00 or less	2.5%
More than 400,000.00	1.3%

The rate of two percent (2.5%) per annum shall be imposed on sales not exceeding Four Hundred Thousand Pesos (P 400,000.00) while the rate of one percent (1.3%) per annum shall be imposed on sales in excess of the first Four Hundred Thousand Pesos (P 400,000.00).

However, barangays shall have the exclusive power to levy taxes on stores whose gross sales or receipts of the preceding calendar year does not exceed Thirty Thousand Pesos (P 30,000.00) subject to existing laws and regulations.

(e) On contractors and other independent contractors in accordance with the following schedule.

<u>Gross Sales/Receipts for the</u> <u>Preceding Calendar Year</u>	<u>Amount of Tax Per Annum</u>
Less than 5,000.00	33.00
5,000.00 or more but less than 10,000.00	74.00
10,000.00 or more but less than 15,000.00	126.00
15,000.00 or more but less than 20,000.00	200.00
20,000.00 or more but less than 30,000.00	333.00
30,000.00 or more but less than 40,000.00	587.00
40,000.00 or more but less than 50,000.00	666.00
50,000.00 or more but less than 75,000.00	1,065.00
75,000.00 or more but less than 100,000.00	1,597.00
100,000.00 or more but less than 150,000.00	2,396.00
150,000.00 or more but less than 200,000.00	3,194.00
200,000.00 or more but less than 250,000.00	4,392.00
250,000.00 or more but less than 300,000.00	5,590.00
300,000.00 or more but less than 400,000.00	7,454.00
400,000.00 or more but less than 500,000.00	9,983.00
500,000.00 or more but less than 750,000.00	11,193.00
750,000.00 or more but less than 1,000,000.00	12,403.00
1,000,000.00 or more but less than 2,000,000.00	13,613.00
2,000,000.00 or more	At a rate not exceeding fifty percent (55%) of one percent (1%)

Provided, that in no case shall the tax on gross sales of P2,000,000.00 or more be less than P13,613.00.

For purposes of this section, the tax on multi-year projects undertaken general engineering, general building, and specialty contractors shall initially be based on the total contract price, payable in equal annual instalments within the project term.

Upon completion of the project, the taxes shall be recomputed on the basis of the gross receipts for the preceding calendar years and the deficiency tax, if there be

any, shall be collected as provided in this Code or the excess tax payment shall be refunded.

*In cases of projects completed within the year, the tax shall be based upon the contract price and shall be paid upon the issuance of the Mayor's Permit.*

(f) On banks and other financial institutions, at the rate of fifty percent of one percent (50% of 1%) of the gross receipts of the preceding calendar year derived from interest, commissions and discounts from lending activities, income from financial leasing, dividends, rentals on property, and profit from exchange or sale of property, insurance premium. All other income and receipts not herein enumerated shall be excluded in the computation of the tax.

(g) On any business establishment which the Sangguniang Bayan concerned may deem proper to tax provided that on any business subject to excise, vat or percentage tax under the National Internal Revenue Code as Amended, the rate of tax shall not exceed 2.5% and 1.3% of gross sales or receipts of the preceding year on the businesses hereunder enumerated:

1. Vulcanizing, welding and battery charging shop
2. Furniture shop
3. Bakery
4. Tailor and Dressmaking shop
5. Noodles Factory
6. Hollow blocks making/Manufacturing
7. Water seal, toilet bowl making
8. Electrical and automotive repair shop
9. Photo studio and Xerox/photocopying
10. Beauty Parlor and Barber shop
11. Funeral parlor
12. Cafes, cafeterias, ice cream and other refreshment parlors, restaurants, soda fountain bars, carinderias or food caterers;
13. Amusement places, including places wherein customers thereof actively participate without making bets or wagers, including but not limited to night clubs, or day clubs, cocktail lounges, cabarets or dance halls, karaoke bars, skating rinks, bath houses, swimming pools, exclusive clubs such as country and sports clubs, resorts and other similar places, billiard and pool tables, bowling alleys, circuses, carnivals, merry-go-rounds, roller coasters, ferris wheels, swings, shooting galleries, and other similar contrivances, theaters and cinema houses, boxing stadia, race tracks, cockpits and other similar establishments.
14. Commission agents
15. Lessors, dealers, brokers of real estate;
16. On travel agencies and travel agents
17. On boarding houses, pension houses, motels, apartments, apartelles, and condominiums
18. Subdivision owners/ Private Cemeteries and Memorial Parks
19. Privately-owned markets;
20. Hospitals, medical clinics, dental clinics, therapeutic clinics, medical laboratories, dental laboratories;
21. Operators of Cable Network System

- 22. Operators of computer services establishment
- 23. General consultancy services
- 24. All other similar activities consisting essentially of the sales of services for a fee.

(h) On peddlers engaged in the sale of any merchandise or article of commerce, at the rate of one hundred sixty-five pesos (P165.00) annually.

Delivery trucks, vans or vehicles used by manufacturers, producers, wholesalers, dealers or retailers enumerated under Section 141 of R.A. 7160 shall be exempt from the peddlers tax herein imposed.

The tax herein imposed shall be payable within the first twenty (20) days of January. An individual who will start to peddle merchandise or articles of commerce after January 20 shall pay the full amount of the tax before engaging in such activity.

### Article B. Fixed tax on Businesses

(j) On operators of public utility vehicles maintaining booking office, terminal, or waiting station for the purpose of carrying passengers from this municipality under a certificate of public convenience and necessity or similar franchises:

Air-conditioned buses	50.00 per unit/year
Buses without air conditioning	30.00 per unit/year
"Mini" buses	20.00 per unit/year
Jeepneys/Vans	10.00 per unit/year

**Section 2A.03. Presumptive Income Level.** For every tax period, the Treasurers Office shall prepare a stratified schedule of "presumptive income level" to approximate the gross receipt of each business classification.

**Section 2A.04. Exemption.** Business engaged in the production, manufacture, refining, distribution or sale of oil, gasoline, and other petroleum products shall not be subject to any local tax imposed in this Article.

**Section 2A.05. Tax on Newly-Started Business.** In the case of a newly started business under this Section, the tax shall be one-twentieth of one percent (1/20 of 1%) of the capital investment. In the succeeding calendar year, regardless of when the business started to operate, the tax shall be based on the gross receipts for the preceding calendar year or any fraction thereof, as provided in the pertinent schedules in this Article.

### Article C. Situs of Tax

**Section 2C.01. Situs of the Tax.**

(a) For purposes of collection of the business tax under the "situs" of the tax law, the following definition of terms and guidelines shall be strictly observed:

1. Principal Office - the head or main office of the businesses appearing in the pertinent documents submitted to the Securities and Exchange Commission, or the

Department of Trade and Industry, or other appropriate agencies as the case may be.

The city or municipality specifically mentioned in the articles of the incorporation or official registration papers as being the official address or said principal office shall be considered as the situs thereof.

In case there is a transfer or relocation of the principal office to another city or municipality, it shall be the duty of the owner, operator or manager of the business to give due notice of such transfer or relocation to the local chief executives of the cities or municipalities concerned within fifteen (15) days after such transfer or relocation is effected.

2. Branch or Sales Office - a fixed place in a locality which conducts operations of the business as an extension of the principal office. However, offices used only as display areas of the products where no stocks or items are stored for sale, although orders for the products may be received thereat, are not branch or sales offices as herein contemplated. A warehouse which accepts orders and/or issues sales invoices independent of a branch with sales office shall be considered as a sales office.

3. Warehouse - a building utilized for the storage of products for sale and from which goods or merchandise are withdrawn for delivery to customers or dealers, or by persons acting on behalf of the business. A warehouse that does not accept orders and/or issue sales invoices as aforementioned shall not be considered a branch or sales office.

4. Plantation - a tract of agricultural land planted to trees or seedlings whether fruit bearing or not, uniformly spaced or seeded by broadcast methods or normally arranged to allow highest production. For purpose of this Article, inland fishing ground shall be considered as plantation.

5. Experimental Farms - agricultural lands utilized by a business or corporation to conduct studies, tests, researches or experiments involving agricultural, agri-business, marine or aquatic livestock, poultry, dairy and other similar products for the purpose of improving the quality and quantity of goods and products.

However, on-site sales of commercial quantity made in experimental farms shall be similarly imposed the corresponding tax under paragraph (b), Section 2A.02 of this Ordinance.

#### 3) Sales Allocation

1. All sales made in a locality where there is branch or sales office or warehouse shall be recorded in said branch or sales office or warehouse and the tax shall be payable to the city or municipality where the same is located.

2. In cases where there is no such branch, sales office, plant or plantation in the locality where the sale is made, the sale shall be recorded in the principal office along with the sale made by said principal office and the tax shall accrue to the city or municipality where said principal office is located.

3. In cases where there is a factory, project office, plant or plantation in pursuit of business, thirty percent (30%) if all sales recorded in the principal office shall be taxable by the city or municipality where the principal office is located and seventy percent (70%) of all sales recorded in the principal office shall be taxable by the city or municipality where the factory, project office, plant or plantation is located.

The sales allocation in (a) and (b) above shall not apply to experimental farms. LGUs where only experimental farms are located shall not be entitled to the sales allocation herein provided for.

4. In case of a plantation located in a locality other than that where the factory is located, said seventy percent (70%) sales allocation shall be divided as follows:

Sixty percent (60%) to the city or municipality where the factory is located; and

Forty percent (40%) to the city or municipality where the plantation is located.

5. In cases where there are two (2) or more factories, project offices, plants or plantations located in different localities, the seventy percent (70%) sales allocation shall be pro-rated among the localities where such factories, project offices, plants and plantations are located in proportion to their respective volumes of production during the period for which the tax is due.

In the case of project offices of services and other independent contractors, the term production shall refer to the costs of projects actually undertaken during the tax period.

6. The foregoing sales allocation under par. (3) hereof shall be applied irrespective of whether or not sales are made in the locality where the factory, project office, plant or plantation is located. In case of sales made by the factory, project office, plant or plantation, the sale shall be covered by paragraph (1) or (2) above.
7. In case of manufacturers or producers which engage the services of an independent contractor to produce or manufacture some of their products, the rules on situs of taxation provided in this article as clarified in the paragraphs above shall apply except that the factory or plant and warehouse of the contractor utilized for the production or storage of the manufacturer's products shall be considered as the factory or plant and warehouse of the manufacturer.
8. All sales made by the factory, project office, plant or plantation located in this municipality shall be recorded in the branch or sales office which is similarly located herein, and shall be taxable by this municipality. In case there is no branch or sales office or warehouse in this municipality, but the principal office is located therein, the sales made in the said factory shall be taxable

by this municipality along with the sales made in the principal office.

(c) **Port of Loading** - the city or municipality where the port of loading is located shall not levy and collect the tax imposable under Article A, Chapter 2 of this Ordinance unless the exporter maintain in said city or municipality its principal office, a branch, sales office, warehouse, factory, plant or plantation in which case the foregoing rule on the matter shall apply accordingly.

(d) **Route Sales** - sales made by route trucks, vans or vehicles in this municipality where a manufacturer, producer, wholesaler, maintains a branch or sales office or warehouse shall be recorded in the branch or sales office or warehouse and shall be taxed therein.

This municipality shall tax the sales of products of sugarcane and cassava and its bi-products sold by manufacturing firm/grower/planter using the above rates.

#### **Article D. Payment of Business Taxes**

##### **Section 2D.01. Payment of Business Taxes.**

(a) The taxes imposed under Section 2A.01 and Section 2B.01 of this Ordinance shall be payable for every separate or distinct establishment or place where the business subject to the tax is conducted and one line of business does not become exempt by being conducted with some other businesses for which such tax has been paid. The tax on a business must be paid by the person conducting the same.

The conduct or operation of two or more related businesses provided for under Section 2A.01 and Section 2B.01 of this Code any one person, natural or juridical, shall require the issuance of a separate permit or license to each business.

(b) In cases where a person conducts or operates two (2) or more of the businesses mentioned in Section 2A.01 of this Ordinance which are subject to the same rate of imposition, the tax shall be computed on the combined total gross sales or receipts of the said two (2) or more related businesses.

(c) In cases where a person conducts or operates two (2) or more businesses mentioned in Section 2A.01 of this Ordinance which are subject to different rates of imposition, the taxable gross sales or receipts of each business shall be reported independently and tax thereon shall be computed on the basis of the pertinent schedule.

**Section 2D.02. Accrual of Payment.** Unless specifically provided in this Article, the taxes imposed herein shall accrue on the first day of January of each year.

**Section 2D.03. Time of Payment.** The tax shall be paid once within the first twenty (20) days of January or in quarterly installments within the first twenty (20) days of January, April, July, and October of each year. The Sangguniang Bayan may, for a justifiable reason or cause, extend the time for payment of such taxes without surcharges or penalties, but only for a period not exceeding six (6) months.

**Section 2D.04. Administrative Provisions.**

(a) *Requirement.* Any person who shall establish, operate or conduct any business, trade or activity mentioned in this Chapter in this municipality shall first obtain a Mayor's Permit and pay the fee therefore and the business tax imposed under the pertinent Article.

(b) *Issuance and Posting of Official Receipt.* The Municipal Treasurer shall issue an official receipt upon payment of the business tax. Issuance of the said official receipt shall not relieve the taxpayer of any requirement imposed by the different departments of this municipality.

Every person issued an official receipt for the conduct of a business or undertaking shall keep the same conspicuously posted in plain view at the place of business or undertaking. If the individual has no fixed place of business or office, he shall keep the official receipt in his person. The receipt shall be produced upon demand by the Municipal Mayor, Municipal Treasurer, or their duly authorized representatives.

(c) *Invoices or Receipt.* All persons subject to the taxes on business shall, for each sale or transfer of merchandise or goods, or for services rendered, valued at Twenty-Five Pesos (P 25.00) or more at any one time, prepare and issue sales or commercial invoices and receipts serially numbered in duplicate, showing among others, their names or styles, if any, and business address. The original of each sales invoice or receipts shall be issued to the purchaser or customer and the duplicate to be kept and preserved by the person subject to the said tax, in his place of business for a period of five (5) years. The receipts or invoices issued pursuant to the requirement of the Bureau of Internal Revenue for determination of national internal revenue taxes shall be sufficient for purposes of this Code.

(d) *Sworn Statement of Gross Receipts or Sales.* Operators of business subject to the taxes on business shall submit a sworn statement of the capital investment before the start of their business operations and upon application for a Mayor's permit to operate the business. Upon payment of the tax levied in this Chapter, any person engaged in business subject to the business tax paid based on gross sales and/or receipts shall submit a sworn statement of his gross sales/receipts for the preceding calendar year or quarter in such manner and form as may be prescribed by the Municipal Treasurer. Should the taxpayer fail to submit a sworn statement of gross sales or receipts, due among others to his failure to have a book of accounts, records or subsidiaries for his business, the Municipal Treasurer or his authorized representatives may verify or assess the gross sales or receipts of the taxpayer under the best available evidence upon which the tax may be based.

(e) *Submission of Certified Income Tax Return Copy.* All persons who are granted a permit to conduct an activity or business and who are liable to pay the business tax provided in this Code shall submit a certified photocopy of their income tax returns (ITR) on or before April 30 of each year. The deficiency in the business tax arising out of the difference in gross receipts or sales declared in the application for Mayor's Permit/Declaration of gross sales or receipts and the gross receipts or sales declared in the ITR shall be payable on or before May 20 of the same year with interest at the rate of ten percent (10%) corresponding to the two percent (2%) per month from January to May. Payments of the deficiency tax made after May 20 shall be subject to the twenty-five percent (25%) surcharge and two percent (2%) interest for every month counted from January up to the month payment is made.

(f) *Issuance of Certification.* The Municipal Treasurer may, upon presentation or

satisfactory proof that the original receipt has been lost, stolen or destroyed, issue a certification to the effect that the business tax has been paid, indicating therein, the number of the official receipt issued, upon payment of a fee of *Twenty Pesos (P20.00)*.

(g) *Transfer of Business to Other Location.* Any business for which a municipal business tax has been paid by the person conducting it may be transferred and continued in any other place within the territorial limits of this municipality without payment of additional tax during the period for which the payment of the tax was made.

(h) *Retirement of Business.*

- (1) Any person natural or juridical, subject to the tax on business under Article A, Chapter 11 of this Ordinance shall, upon termination of the business, submit a sworn statement of the gross sales or receipts for the current calendar year within thirty (30) days following the closure. Any tax due shall first be paid before any business or undertaking is fully terminated.

For the purposes hereof, termination shall mean that business operations are stopped completely. Any change in ownership, management and/or name of the business shall not constitute termination as herein contemplated. Unless stated otherwise, assumption of the business by any new owner or manager or re-registration of the same business under a new name will only be considered by the LGU concerned for record purposes in the course of the renewal of the permit or license to operate the business.

The Municipal Treasurer shall see to it that the payment of taxes of a business is not avoided by simulating the termination or retirement thereof. For this purpose, the following procedural guidelines shall be strictly followed:

- (a) The Municipal Treasurer shall assign every application for the termination or retirement of business to an inspector in his office who shall go to address of the business on record to verify if it is really not operating. If the inspector finds that the business is simply placed under a new name, manager and/or new owner, the Municipal Treasurer shall recommend to the Municipal Mayor the disapproval of the application of the termination or retirement of said business;
  - (b) Accordingly, the business continues to become liable for the payment of all taxes, fees, and charges imposed thereon under existing local tax ordinance; and
  - (c) In addition, in the case of a new owner to whom the business was transferred by sale or other form of conveyance, said new owner shall be liable to pay the tax or fee for the business and shall secure a new Mayor's permit therefore.
- (2) In case it is found that the retirement or termination of the business is legitimate and the tax paid during the current year be less than the tax due for the current year based on the gross sales or receipts, the difference in the amount of the tax shall be paid before the business is considered officially

retired or terminated.

- (3) The permit issued to a business retiring or terminating its operation shall be surrendered to the Local Treasurer who shall forthwith cancel the same and record such cancellation in his books.

**Death of Licensee.** When any individual paying a business tax dies, and the business is continued by a person interested in his estate, no additional payment shall be required for the residue of the term for which the tax was paid.

#### **Article E. Tax on Ambulant and Itinerant Amusement Operators**

**Section 2E.01. Imposition of Tax.** There is hereby imposed a tax on ambulant and itinerant amusement operators during fiestas and fairs at the following rates:

Circus, carnivals, or the like

Merry-Go-Round, roller coaster, ferris wheel,  
swing, shooting gallery and other  
similar contrivances

Sports contest/exhibitions

**NOTE: Subject to bidding to be conducted by the Committee on Market Operations and the table price varies from year to year.**

The Committee On Market Operation shall conduct bidding activities and the table price varies from year to year.

For this purpose, the Committee On Market Operation shall conduct public bidding to be constituted as follows:

The Municipal Treasurer as chairman

Consist Members – Committee Chairman on Appropriation

- Committee Chairman on Health

3. Representatives: - PNP

- BFD

- MHO

- DA

- Engineer

The table price shall be determined by the Committee with varies from year to year.

Such activities shall be monitored by the Committee on Market-Operation

**Section 2D.02. Time of Payment.** The tax herein imposed shall be payable before engaging in such activity.

## Article E. Tax on Mining Operations

### Section 2E.01. Definitions. When used in the Article.

(a) *Minerals* refer to naturally occurring inorganic substances (found in nature) whether in solid, liquid, gaseous or any intermediate state.

(b) *Mineral Products* shall mean things produced and prepared in a workable state by simple treatment processes such as washing or drying but without undergoing any chemical change or process or manufacturing by the lessee, concessionaire or owner of mineral lands.

(c) *Quarry Resources* means any common stone or other common mineral substances such as but not restricted to marble, granite, volcanic cinders, basalt, tuff, and rock phosphate.

Section 2E.02. **Imposition of Tax.** There is hereby levied an annual tax at the rate of one percent (1 %) based on the gross receipts for the preceding year of mining operations. (The tax should not exceed 2% of the gross receipts during the preceding year.)

Section 2E.03 **Situs of the Tax.** Payment of the tax shall be made to this municipality which has jurisdiction over the mining area. In case the area transcends two (2) or more local government units, payment shall be made to the municipality having the largest area.

Section 2E.04. **Exclusion.** Extraction of the following are excluded from the coverage of the tax levied herein:

(a) Mineral Products such as ordinary stones, sand, gravel, earth and other quarry resources;

(b) Indigenous petroleum such as mineral oil, hydrocarbon gas, bitumen, crude asphalt, mineral gas and all other similar or naturally associated substances.

Section 2E.05. **Time of Payment.** The tax shall be paid once within the first twenty (20) days of January or in quarterly installments within the first twenty (20) days of January, April, July, and October of each year.

### Section 2E.06. Administrative Provisions.

(a) The Municipal Treasurer shall keep a registry of mining operators on which all instruments concerning mining rights, such as acquisition, sub-lease, operating agreements, transfers, assignments, conditions, cancellation and others, are recorded.

(b) It shall be the duty of every lessee, owner, or operator to make a true and complete return setting forth the quantity and the actual market value of the minerals or mineral products or quarry resources to be removed.

## Article F. Tax on Forest Concessions and Forest Products

### Section 2F.01. Definitions. When used in this Article.

**Forest Products** means timber, pulp-wood/chip wood, firewood, fuel wood and minor forest products such as bark, tree tops, resins, gum, wood, oil, honey, beeswax, nipa, rattan or other forest growth such as grass, shrub, and flowering plants, the associated water, fish, scenic, historical, recreational, and geologic resources in forest lands.

**Forest Lands** include the public forest, the permanent forest or the forest reserves, and forest reservations.

**Section 2F.02. Imposition of Tax.** There is hereby imposed a tax on forest concessions and forest products at a rate of one percent (1 %) of the annual gross receipts of the concessionaire during the preceding year.

**Section 2F.03. Time of Payment.** The tax shall be paid once within the first twenty (20) days of January or in quarterly installments within the first twenty (20) days of January, April, July, and October of each year.

## ARTICLE G. RETIREMENT OF BUSINESS

### SECTION 2G.01 - RETIREMENT OF BUSINESS -

(a) any person natural or juridical, the subject to the tax business under article A Chapter II of this ordinance shall upon termination of the business submit a sworn statement of the gross sales or receipts of the calendar year.

For the purpose thereof, termination shall mean that business operations are stopped completely. Any change in the ownership, management and/or name of the business shall not constitute termination as herein contemplated. Unless stated otherwise, assumption of the business by any new owner or new manager or registration of the same business under a new name will only be considered by the LGU concerned for record purposes in case of the renewal of the permit or license to operate the business.

The Municipal Treasurer shall see to it that the payment of taxes of a business is not avoided by simulating the termination or retirement thereof. For the purpose, the following procedural guidelines shall be strictly followed:

(1) The Municipal Treasurer shall assign every application of the termination or retirement of business to an inspector in his office who shall go to the address of the business on record to verify if it is really not operating. If the inspector finds that the business is simply placed under a new name, manager and/or new owner, the Municipal Treasurer shall recommend to the Municipal Mayor the disapproval of the application of the termination or retirement of said business:

(2) Accordingly, the business continues to become liable for the payment of all taxes,

fees and charges imposed therein under the existing Local Tax ordinance; and

In addition, in the case of the owner to whom the business was transferred by sale or other form of conveyance, said new owner shall be liable to pay the tax or fee of Two Hundred (P200.00) Pesos for the transfer of the business to him.

(b). In case it is found that the retirement or termination of the business is legitimate, and tax due here from be less than the tax due for the current year based in the gross sales or receipts, the difference in the amount of the tax shall be paid before the business is considered officially retired or terminated.

(c). The permit issued to a business retiring or terminating is operation shall be surrendered to the local treasurer who shall for with cancelled the same and record such cancellation in his books.

### CHAPTER III. PERMIT AND REGULATORY FEES

#### Article A. Mayor's Permit Fee on Business

Section 3A.01. **Imposition of Fee.** There shall be collected an annual fee for the issuance of a Mayor's Permit to operate a business, pursue an occupation or calling, or undertake an activity within the municipality.

The permit fee is payable for every distinct or separate business or place where the business or trade is conducted. One line of business of trade does not become exempt by being conducted with some other business of trade for which the permit fee has been obtained and the corresponding fee paid for.

For purpose of the Mayor's Permit Fee, the following Philippine definition of business size is hereby adopted:

Characteristics	Asset Size
Cottage	PhP 20,000.00 and below.
Small	Over PhP 20,001.00 to PhP 50,000.00
Medium	Over PhP 50,001.00 to PhP 100,000.00
Large	Over PhP 100,001.00 and above

The permit fee shall either be based on asset size or number of workers, whichever will yield the higher fee.

(a) On business subject to graduated Fixed taxes  
Amount of Fee

Per Annum

1. On Manufacturers/Importers/Producers

Cottage

P 200.00

Small	500.00
Medium	1,000.00
Large	2,000.00
2. On Banks	
Rural, Thrift and Savings Banks	P 1,000.00
Commercial, Industrial and Development Banks	3,000.00
Universal Banks	5,000.00
3. On Other Financial Institutions	
Small	P 1,000.00
Medium	3,000.00
Large	5,000.00
4. On Contractors/Service Establishments	
Cottage	P 200.00
Small	400.00
Medium	800.00
Large	1,000.00
5. On Wholesalers/Retailers/Dealers or Distributors	
Cottage	P 200.00
Small	400.00
Medium	800.00
Large	1,000.00
6. On Transloading Operations	
Medium	P 2,000.00
Large	4,000.00
6. Other Businesses	
Cottage	P 100.00
Small	400.00
Medium	800.00
Large	1,000.00

**Section 3A.02. Time and Manner of Payment.** The fee for the issuance of a Mayor's Permit shall be paid to the Municipal Treasurer upon application before any business or undertaking can be lawfully begun or pursued and within the first twenty (20) days of January of each year in case of renewal thereof.

For a newly-started business or activity that starts to operate after January 20, the fee shall be reckoned from the beginning of the calendar quarter. When the business or

activity is abandoned, the fee shall not be exacted for a period longer than the end of the calendar quarter. If the fee has been paid for a period longer than the current quarter and the business activity is abandoned, no refund of the fee corresponding to the unexpired quarter or quarters shall be made.

### Section 3A.03. Administrative Provisions.

(a) **Supervision and control over establishments and places.** The Municipal Mayor shall supervise and regulate all establishments and places subject to the payment of the permit fee. He shall prescribe rules and regulations as to the mode or manner on which they shall be conducted in so far as may be necessary to maintain peaceful, healthy, and sanitary conditions in the municipality.

(b) **Application for Mayor's Permit: False Statement.** An application for a Mayor's Permit shall be filed with the Office of the Municipal Mayor. The form for the purpose shall be issued by the same Office and shall set forth the requisite information including the name and residence of the applicant, the description of business or undertaking that is to be conducted, and such other data or information as may be required.

1. For a newly-started business
  - a. Location sketch of the new business
  - b. Paid-up capital of the business as shown in the Articles of Incorporation, if a corporation or partnership, or a sworn statement of the capital invested by the owner or operator, if a sole proprietorship (for businesses classified as "large")
  - c. A certificate attesting to the tax exemption if the business is tax exempt
  - d. Certification from the office in charge of zoning that the location of the new business is in accordance with zoning regulations
  - e. Tax clearance showing that the operator has paid all tax obligations in the municipality
  - f. Barangay clearance
  - g. Three (3) passport size pictures of the owner or operator or in cases of a partnership or corporation the picture of the senior or managing partners and that of the President or General Manager
  - h. Health certificate for all food handlers, and those required under Chapter IV, Art. D of this Revenue Code.
  
2. For renewal of existing business permits
  - a. Previous year's Mayor's permit
  - b. One ( 1 ) copy of the annual or quarterly tax payments
  - c. One ( 1 ) copy of all receipts showing payment of all regulatory fees as provided for in this Code
  - d. Municipal Tax Clearance
  - e. Certificate of tax exemption from local taxes or fees, if exempt
  - f. Barangay Clearance

Upon submission of the application, it shall be the duty of the proper authorities to check if other municipal requirements regarding the operation of the business or activity such as sanitary requirements, installation of power and light requirements, as well as other

safety requirements are complied with. The permit to operate shall be issued only upon compliance with such safety requirements and after the payment of the corresponding inspection fees and other impositions required by this Revenue Code and other municipal ordinances.

Any false statement deliberately made by the applicant shall constitute sufficient ground for denying or revoking the permit issued by the Mayor, and the applicant or licensee may be prosecuted in accordance with the penalties provided in this Article.

A Mayor's Permit shall be refused to (1) any person who previously violated any ordinance or regulation governing permits granted; (2) whose business establishment or undertaking does not conform with zoning regulations, and safety, health and other requirements of the municipality; (3) who has unsettled tax obligation, debt or other liability to the government; (4) who is disqualified under any provision of law or ordinance to establish or operate the business applied for.

Likewise, a Mayor's permit shall be denied to any person or applicant for a business who declares an amount of gross sales or receipts that are manifestly below industry standards or the Presumptive Income Level of gross sales or receipts as established in the municipality for the same or a closely similar type of activity or business.

(c) **Issuance of Permit; Contents of Permit.** Upon approval of the application of a Mayor's Permit, two (2) copies of the application duly signed by the Municipal Mayor shall be returned to the applicant. One (1) copy shall be presented to the Municipal Treasurer as basis for the collection of the Mayor's Permit fee and the corresponding business tax.

The Mayor's Permit shall be issued by the Municipal Mayor upon presentation of the receipt for the payment of the Mayor's Permit and the official receipt issued by the Municipal Treasurer for the payment of the business tax.

Every permit issued by the Mayor shall show the name and residence of the applicant, his nationality and marital status; nature of the organization, that is whether the business is a sole proprietorship, corporation or partnership, etc.; location of the business; date of issue and expiration of the permit; and other information as may be necessary.

The Municipality shall, upon presentation of satisfactory proof that the original of the permit has been lost, stolen or destroyed, issue a duplicate of the permit upon the payment of *One Hundred Pesos* (P100.00).

(d) **Posting of Permit.** Every permittee shall keep his permit conspicuously posted at all times in his place of business or office or if he has no place of business or office, he shall keep the permit in his person. The permit shall be immediately produced upon demand by the Municipal Mayor, the Municipal Treasurer or any of their duly authorized representatives.

(e) **Duration of Permit and Renewal.** The Mayor's Permit shall be granted for a period of not more than one (1) year and shall expire on the thirty-first (31st) of December following the date of issuance unless revoked or surrendered earlier. Every permit shall cease to be in force upon revocation or surrender thereof. The permit issued shall be renewed within the first twenty (20) days of January. It shall have a continuing validity only upon renewal thereof and payment of the corresponding fee.

(f) **Revocation of Permit.** When a person doing business under the provisions of this Code violates any provision of this Article, refuses to pay an indebtedness or liability to the municipality or abuses his privilege to do business to the injury of the public moral or peace; or when a place where such business is established is being conducted in a disorderly or unwholesome manner, is a nuisance, or is permitted to be used as a resort for disorderly characters, criminals or women of ill-repute, the Municipal Mayor may, after investigation, revoke the Mayor's Permit. Such revocation shall operate to forfeit all sums which may have been paid in respect of said privilege, in addition to the fines and imprisonment that maybe imposed by the Court for violation of any provision of this Ordinance governing the establishment and maintenance of business, and to prohibit the exercise thereof by the person whose privilege is revoked, until restores by the Sangguniang Bayan.

**Section 3A.04. Rules and Regulations on Certain Establishments.**

(a) On cafes, cafeterias, ice cream and other refreshment parlors, restaurants, soda fountain bars, carinderia or food caterers. No owner of said establishments shall employ any cook, or food dispenser without a Food Handler's Certificate from the Municipal Health Officer, renewable every six months.

Establishments selling cooked and readily edible foods shall have them adequately covered and protected from dust, flies and other insects, and shall follow strictly the rules and regulations on sanitation promulgated by the Municipal Health Officer and existing laws or Ordinances.

(b) Sauna bath, massage, barber and beauty shops. Said shops shall not be allowed to operate with masseurs, barbers, and beauticians without having secured the necessary corresponding medical certificate from the Municipal Health Officer.

**Article B. Permit Fee for Cockpits Owners/Operators/Licensees/  
Promoters and Cockpit Personnel**

**Section 3B.01. Definitions.** When used in this Article.

(a) Cockpit includes any place, compound, building or portion thereof, where cockfights are held, whether or not money bets are made on the results of such cockfights.

(b) Bet taker or Promoter refers to a person who alone or with another initiates a cockfight and/or calls and take care of bets from owners of both gamecocks and those of other bettors before he orders commencement of the cockfight thereafter distributes won bets to the winners after deducting a certain commission, or both.

(c) Gaffer (laga-tari) refers to a person knowledgeable in the art of arming fighting cocks with gaffs on one or both legs.

(d) Referee (Sentenciador) refers to a person who watches and oversees the proper gaffing of fighting cocks; determines the physical condition of gamecocks while cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting, and decides and makes known his decision either by word or gesture the result of the cockfighting by announcing the winner or deciding a tie in a contest game.

**Section 3B.02. Imposition of Fees.** There shall be collected the following Mayor's Permit Fees from cockpit operators/owners/licensees and cockpit personnel:

(a) From the owner/operator/licensees of the cockpit:

1.	Application filing fee	P	100.00
2.	Annual cockpit permit fee		1,500.00

(b) From cockpit personnel:

1.	Promoters/Hosts	250.00/Derby.
2.	Pit Manager	150.00
3.	Referee	100.00
4.	Bet Taker "Kristo/Llamador"	100.00
5.	Bet Manager "Maciador/Kasador"	100.00

**Section 3B.03. Time and Manner of Payment.**

(a) The application filing fee is payable to the Municipal Treasurer upon application for a permit or license to operate and maintain cockpits.

(b) The annual cockpit permit fee is payable upon application for a permit before a cockpit shall be allowed to operate and within the first twenty days of January of each year in case of renewal thereof.

(c) The permit fees on cockpit personnel shall be paid before they participate in a cockfight and shall be paid annually.

**Section 3B.04. Administrative Provisions.**

(a) Ownership, operation and management of cockpit. Only Filipino citizens not otherwise inhibited by existing ordinances or laws shall be allowed to own, manage and operate cockpits. Cooperative capitalization is encouraged.

(b) Establishment of cockpit. The Sangguniang Bayan shall determine the number of cockpits to be allowed in this municipality.

(c) Cockpit-size and construction. Cockpits shall be constructed and operated within the appropriate areas as prescribed in the Zoning Law or ordinance. In the absence of such law or ordinance, the Municipal Mayor shall see to it that no cockpits are constructed within or near existing residential or commercial areas, hospitals, school buildings, churches or other public buildings. Owners, lessees, or operators of cockpits which are now in existence and do not conform to this requirement are required to comply with these provisions within a period to be specified by the Municipal Mayor. Approval or issuance of building permits for the construction of cockpits shall be made by the Municipal Engineer in accordance with existing ordinances, laws and practices.

(d) Only duly registered and licensed promoters, referees, cashiers, bet managers, pit

referees, bet takers, shall take part in all kinds of cockfights held in this Municipality. No operator or owner of a cockpit shall employ or allow to participate in a cockfight any of the above-mentioned personnel unless he has registered and paid the fee herein required.

Upon payment of the fees herein imposed, the corresponding Mayor's Permit shall be issued.

**Section 3B.05. Applicability Clause.** The provision of PD 449, otherwise known as the Cockfighting Law of 1974, PD 1802 (Creating the Philippine Game fowl Commission), and such other pertinent laws shall apply to all matters regarding the operation of cockpits and the holding of cockfights in this Municipality.

### Article C. Special Permit Fee for Cockfighting

**Section 3C.01. Definitions.** When used in this Article.

Cockfighting is the sport of pitting or evenly matching gamecocks to engage in an actual fight where bets on either side are laid. Cockfighting may also be termed as "cockfighting derby, pintakasi," or its equivalent in different Philippine localities.

Local Derby is an invitational cockfight participated in by game cockers or cockfighting "aficionados" of the Philippines with "pot money" awarded to the proclaimed winning entry.

International Derby refers to an invitational cockfight participated in by local and foreign gamecockers or cockfighting "aficionados" with "pot money" awarded to the proclaimed winning entry.

**Section 3C.02. Imposition of Fees.** There shall be collected the following fees per day for cockfighting:

(a)	Special Cockfights (Pintakasi)	500.00
(b)	Special Derby Assessment from Promoters of -	
	Two-Cock Derby	1,000.00
	Three-Cock Derby	2,000.00
	Four-Cock Derby	3,000.00
	Five-Cock Derby	4,000.00

**Section 3C.03. Exclusions.** Regular cockfights i.e., those held during Sundays, legal holidays and local fiestas and international derbies shall be excluded from the payment of fees herein imposed.

**Section 3C.04. Time and Manner of Payment.** The fees herein imposed shall be payable to the Municipal Treasurer before the special cockfights and derbies can be lawfully held.

**Section 3C.05. Administrative Provisions.**

2) **Holding of cockfights.** Except as provided in this Article, cockfighting shall be allowed in this municipality only in licensed cockpits during Sundays and legal holidays and during local fiestas for not more than three (3) days. It may also be held during municipal, agricultural, commercial, or industrial fairs, carnival, or exposition for a similar period of three (3) days upon resolution of the Sangguniang Bayan. No cockfighting on the occasion of such affair, carnival or exposition shall be allowed within the month if a local fiesta or for more than two (2) occasions a year. No cockfighting shall be held on December 30 (Rizal Day), June 12 (Philippine Independence Day), November 30 (National Heroes Day), Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for such election or referendum.

3) **Cockfighting for entertainment of tourists or for charitable purposes.** Subject to the preceding subsection hereof, the holding of cockfights may also be allowed for the entertainment of foreign dignitaries or for tourists, or for returning Filipinos, commonly known as "Balikbayans", or for the support of national fund-raising campaigns for charitable purposes as may be authorized upon resolution of the Sangguniang Bayan, in licensed cockpits or in playgrounds or parks. This privilege shall be extended for only one (1) time, for a period not exceeding three (3) days, within a year.

4) **Cockfighting officials.** Gaffers, referees, bet takers, or promoters shall not act as such in any cockfight in the municipality without first securing a license renewable every year on their birth month from the municipality where such cockfighting is held. Only gaffers, referees, bet takes, or promoters licensed by the municipality shall officiate in all kinds of cockfighting authorized herein.

**Section 3C.06. Applicability Clause.** The provision of PD 449, otherwise known as the Cockfighting Law of 1974, PD 1802 (Creating the Philippine Game fowl Commission), and such other pertinent laws shall apply to all matters regarding the operation of cockpits and the holding of cockfights in this Municipality.

#### **Article D. Permit Fee on Pedaled Tricycle**

**Section 3D.01. Imposition of Fee.** There shall be collected from the owner of pedaled tricycle operated within the municipality, a permit fee of one hundred pesos (100) per annum.

**Section 3D.02. Time of Payment.** The imposed herein shall be due on the first day of January and payable to the Municipal Treasurer within the first twenty (20) days of January of every year. For pedaled tricycle acquired after the first twenty (20) days of January, the permit fee shall be paid without the penalty within the first twenty (20) days of the quarter following the date of purchase.

**Section 3D.03. Administrative Provisions.**

A metal plate or sticker shall be provided by the owner of the pedaled tricycle granted a permit.

The Municipal Treasurer shall keep a register of all pedaled tricycles containing

information such as the make and brand of the tricycle, the name and address of the owner and the number of the permit plate.

## Article E. Fees on Impounding of Astray Animals

**Section 3E.01. Definitions.** When used in this Article.

- (a) *Astray Animal* means an animal which is set loose unrestrained, and not under the complete control of its owner, or the charge or in possession thereof, found roaming at-large in public or private places whether fettered or not.
- (b) *Public Place* includes national, provincial, municipal, or barangay streets, parks, plazas, and such other places open to the public.
- (c) *Private Place* includes privately-owned streets or yards, rice fields or farmlands, or lots owned by an individual other than the owner of the animal.
- (d) *Large Cattle* includes horses, mules, asses, carabacs, cows, and other domestic members of the bovine family.

**Section 3E.02. Imposition of Fee.** There shall be imposed the following fees for each day or fraction thereof on each head of astray animal found running or roaming at large, or fettered in public or private places:

	<u>Amount of Fee</u>
(a) Large Cattle	200.00
(b) All other four legged animals	50.00

**Section 3E.03. Time of Payment.** The impounding fee shall be paid to the Municipal Treasurer prior to the release of the impounded animal to its owner.

**Section 3E.04. Administrative Provisions.**

- (a) For purposes of this Article, the Members of the PNP and Barangay Officials of the Municipality are hereby authorized to apprehend and impound astray animals in the municipal corral or a place duly designated for such purpose. The Barangay Official concerned shall also cause the posting of notice of the impounded astray animal in the Municipal Hall, Barangay Hall and any other conspicuous places, and radios or any other communication facilities available for fifteen (15) consecutive days, starting one day after the animal is impounded, within which the owner is required to claim and establish ownership of the impounded animal. The Municipal Mayor and Municipal Treasurer shall be informed of the impounding.
- (b) Impounded animals not claimed within fifteen (15) days after the date of posting of the notice shall be sold at public auction under the following procedures:
  1. The Municipal Treasurer shall post a notice to be posted within fifteen days after the animal was impounded starting one day after the animal is impounded.

2. The owner may stop the sale by paying at any time before or during the auction sale, the impounding fees due and the cost of the advertisement and conduct of sale to the Municipal Treasurer, otherwise, the sale shall proceed.
3. The proceeds of the sale shall be applied to satisfy the cost of impounding, advertisement and conduct of sale. The residue over these costs shall accrue to the General Fund of the Municipality.
4. In case the impounded animal is not disposed of within the fifteen (15) days from the date of notice of public auction, the same shall be considered sold to the Municipal Government for the amount equivalent to the poundage fees due.

**Section 3E.05. Penalty.** Owners whose animals are caught astray and incurring damages to plants and properties shall pay the following fines:

(a)	First offense	P 100.00 per day
(b)	Second offense	150.00 per day
(c)	For the third offense and each subsequent offense	200.00 per day

In addition to the fine, the owners shall pay the amount of damage incurred, if any, to the property owner as determined by the Barangay Lupon Tagapamayapa.

#### **Article F. Permit Fee on Circus, Parades and the Like**

**Section 3F.01. Imposition of Fee.** There shall be collected a Mayor's Permit Fee of Five Hundred Pesos (P500.00) per circus and other parades using banners, floats or musical instruments carried on in this municipality.

**Section 3F.02. Time and Manner of Payment.** The fee imposed herein shall be due and payable to the Municipal Treasurer upon application for a permit to the Municipal Mayor at least five (5) days before the scheduled date of the circus or parade and on such activity shall be held.

**Section 3F.03. Exemption.** Civic and military parades as well as religious processions shall not be required to pay the permit fee imposed in this Article.

**Section 3F.04. Administrative Provisions.**

(a) Any persons who shall hold a parade within this municipality shall first obtain from the Municipal Mayor before undertaking the activity. For this purpose, a written application in a prescribed form shall indicate the name, address of the applicant, the description of the activity, the place or places where the same will be conducted and such other pertinent information as may be required.

(b) The Station Commander of the Philippine National Police shall promulgate the necessary rules and regulations to maintain an orderly and peaceful conduct of the activities mentioned in this Article. He shall also define the boundary within which such activities may be lawfully conducted.

## Article G. Registration and Transfer Fees on Large Cattle.

**Section 3G.01. Definition.** For purposes of this Article, "large cattle" includes a two-year old horse, mule ass, carabao, cow or other domesticated member of the bovine family.

**Section 3G.02. Imposition of Fee.** The owner of a large cattle is hereby required to register said cattle with the Municipal Treasurer for which a certificate of ownership shall be issued to the owner upon payment of a registration fee as follows:

	<u>Amount of Fee</u>
(a) For Certificate of Ownership	P 100.00/head
(b) For Certificate of Transfer	150.00/head
(c) For Registration of Private Brand	80.00/mark

The transfer fee shall be collected only once if large cattle is transferred more than once in a day.

**Section 3G.03. Time and Manner of Payment.** The registration fee shall be paid to the Municipal Treasurer upon registration or transfer of ownership of the large cattle.

### **Section 3G.04. Administrative Provisions.**

(a) Large cattle shall be registered with the Municipal Treasurer upon reaching the age of two (2) years.

(b) The ownership of a large cattle or its sale or transfer of ownership to another person shall be registered with the Municipal Treasurer. All branded and counter-branded large cattle presented to the Municipal Treasurer shall be registered in a book showing among others, the name and residence of the owner, the consideration or purchase price of the animal in cases of sale or transfer, and the class, color, sex, brands and other identification marks of the cattle. These data shall also be stated in the certificate of ownership issued to the owner of the large cattle.

(c) The transfer of the large cattle, regardless of its age, shall be entered in the registry book setting forth, among others, the names and the residence of the owners and the purchaser; the consideration or purchase price of the animal for sale or transfer, class, sex, brands and other identifying marks of the animals; and a reference by number to the original certificate of ownership with the name of the municipality issued to it. No entries of transfer shall be made or certificate of transfer shall be issued by the Municipal Treasurer except upon the production of the original certificate of ownership and certificates of transfer and such other documents that show title to the owner.

**Section 3G.05. Applicability Clause.** All other matters relating to the registration of large cattle shall be governed by the pertinent provisions of the Revised Administrative Code and other applicable laws, ordinances and rules and regulations.

## Article H. Permit Fee for Excavation

**Section 3H.01. Imposition of Fee.** There shall be imposed the following fees on every person who shall make or cause to be made any excavation on municipal roads and streets within this municipality.

For crossing streets with concrete pavement: Amount of Fee

1. For crossing concrete pavement P 500.00
2. For crossing across base of streets with concrete pavement, per linear meter (boring method) 20.00

For crossing streets with asphalt pavement:

1. Minimum fee 400.00
2. Additional fee for each linear meter crossing the streets (minimum width of excavation, 0.80m) 15.00

For crossing the streets with gravel pavement:

1. Minimum fee 200.00
2. Additional fee for each linear meter crossing the streets (minimum width of excavation, 0.3 meters) 10.00

For crossing existing curbs and gutters resulting in the damage 100.00

Additional fee for every day of delay in excess of excavation period provided in the Mayor's permit 100.00

**Section 3H.02. Time and Manner of Payment.** The fee imposed herein shall be paid to the Municipal Treasurer by every person who shall make any excavation or cause any excavation to be made upon application for Mayor's Permit, but in all cases, prior to the excavation.

A cash deposit in an amount equal to sixty percent (60%) of the estimated project cost shall be deposited with the Municipal Treasurer at the same time the permit is paid. The cash deposit shall be forfeited in favor of the Municipal Government in case the

restoration to its original form of the street excavated is not made within the project estimated timeframe of completion.

### Section 3H.03. Administrative Provisions.

3H.03.01. No person shall undertake or cause to undertake any digging or excavation, of any part or portion of the municipal streets of the municipality of Amulung, Cagayan unless a permit shall have been first secured from the Office of the Municipal Mayor specifying the location of the excavation.

3H.03.02. The Municipal Engineer/Municipal Building Official shall supervise the digging and excavation and shall determine the necessary width of the streets to be dug or excavated. Said official shall likewise inform the Municipal Treasurer of any delay in the completion of the excavation work for purposes of collection of the additional fee.

3H.03.03. In order to protect the public from any danger, appropriate signs must be placed in the area where work is being done.

## Article I. Fee for Sealing and Licensing of Weights and Measures

Section 3I.01. **Implementing Agency.** The Municipal Treasurer shall strictly enforce the provisions of the Regulation of Practices Relative to Weights and Measures, as provided in Chapter II of the Consumer Act, Republic Act No. 7394.

Section 3I.02. **Sealing and Testing of Instruments of Weights and Measures.** - All instruments for determining weights and measures in all consumer and consumer related transactions shall be tested, calibrated and sealed every six (6) months by the official sealer who shall be Municipal Treasurer or his duly authorized representative upon payment of fees required under this Article. Provided, That all instruments of weights and measures shall continuously be inspected for compliance with the provisions of this Article.

Section 3I.03. **Imposition of Fees.** Every person before using instruments of weights and measures within this municipality shall first have them sealed and licensed annually and pay therefore to the Municipal Treasurer the following fees:

	<u>Amount of Fee</u>
(a) For sealing linear metric measures:	
Not over one (1) meter	P 75.00
Measure over one (1) meter	85.00
(b) For sealing metric measures of capacity:	
Not over ten (10) liters	P 100.00
Over ten (10) liters	125.00
(c) For sealing metric instruments of weights:	
With capacity of not more than 30 kg.	P 150.00
With capacity of more than 30 kg. But not more than 300 kg.	200.00

With capacity of more than 300 kg. but not more than 3,000 kg.	250.00
With capacity of more than 3,000 kg. Plus ten pesos (P10.00) per kg.	300.00

(d) For sealing apothecary balances of precision 200.00

(e) For sealing scale or balance with complete set of weights:

For each scale or balances or other Balances with complete set of weights for use therewith	200.00
For each extra weight	25.00

(f) For each and every re-testing and re-sealing of weights and measures instruments including gasoline pumps outside the office upon request of the owner or operator, an additional service charge of Five Hundred Pesos (P500.00) for each instrument shall be collected.

**Section 31.04. Payment of Fees and Surcharge.** The fees herein imposed shall be paid and collected by the Municipal Treasurer when the weights or measures instruments are sealed, before their use and thereafter, on or before the anniversary date thereof.

The official receipt serving as license to use the instrument is valid for one (1) year from the date of sealing unless such instrument becomes defective before the expiration period. Failure to have the instrument re-tested and the corresponding fees therefore paid within the prescribed period shall subject the owner or user to a surcharge of five hundred percent (500%) of the prescribed fees which shall no longer be subject to interest.

**Section 31.05. Place of Payment.** The fees herein levied shall be paid in the municipality where the business is conducted by persons conducting their business therein. A peddler or itinerant vendor using only one (1) instrument of weight or measure shall pay the fee in the municipality where he maintains his residence.

**Section 31.06. Exemptions.**

All instruments for weights and measures used in government work or maintained for public use by any instrumentality of the government shall be tested and sealed free.

Dealers of weights and measures instruments intended for sale.

**Section 31.07. Administrative Provisions.**

The official receipt for the fee issued for the sealing of a weight or measure shall serve as a license to use such instrument for one year from the date of sealing, unless deterioration or damage renders the weight or measure inaccurate within that period. The license shall expire on the day and the month of the year following its original issuance. Such license shall be preserved by the owner and together with the weight or measure covered by the license, shall be exhibited on demand by the Municipal Treasurer or his deputies.

(2) The Municipal Treasurer is hereby required to keep full sets of secondary standards, which shall be compared with the fundamental standards in the Department of Science and Technology annually. When found to be sufficiently accurate, the secondary standards shall be distinguished by label, tag or seal and shall be accompanied by a certificate showing the amount of its variation from the fundamental standards. If the variation is of sufficient magnitude to impair the utility of instrument, it shall be destroyed at the Department of Science and Technology.

(3) The Municipal Treasurer or his deputies shall conduct periodic physical inspection and test weights and measures instruments within the locality.

(4) Instruments of weights and measures found to be defective and such defect is beyond repair shall be confiscated in favor of the government and shall be destroyed by the Municipal Treasurer in the presence of the Provincial Auditor or his representative.

#### **Section 3H.08. Fraudulent Practices Relative to Weights and Measures**

The following acts related to weights and measures are prohibited:

- a) for any person other than the official sealer or his duly authorized representative to place an official tag, seal, sticker, mark, stamp, brand or other characteristic sign used to indicate that such instrument of weight and measure has officially been tested, calibrated, sealed or inspected;
- b) for any person to imitate any seal, sticker, mark stamp, brand, tag or other characteristic design used to indicate that such instrument of weight or measure has been officially tested, calibrated, sealed or inspected;
- c) for any person other than the official sealer or his duly authorized representative to alter in any way the certificate or receipt given by the official sealer or his duly authorized representative as an acknowledgement that the instrument for determining weight or measure has been fully tested, calibrated, sealed or inspected;
- d) for any person to make or knowingly sell or use any false or counterfeit seal, sticker, brand, stamp, tag, certificate or license or any dye for printing or making the same or any characteristic sign used to indicate that such instrument of weight or measure has been officially tested, calibrated, sealed or inspected;
- e) for any person other than the official sealer or his duly authorized representative to alter the written or printed figures, letters or symbols on any official seal, sticker, receipt, stamp, tag, certificate or license used or issued;
- f) for any person to use or reuse any restored, altered, expired, damaged stamp, tag certificate or license for the purpose of making it appear that the instrument of weight or measure has been tested, calibrated, sealed or inspected;

for any person engaged in the buying and selling of consumer products or of furnishing services the value of which is estimated by weight or measure to

possess, use or maintain with intention to use any scale, balance, weight or measure that has not been sealed or if previously sealed, the license therefore has expired and has not been renewed in due time;

h) for any person to fraudulently alter any scale, balance, weight or measure after it is officially sealed;

for any person knowingly use any false scale, balance, weight or measure, whether sealed or not;

for any person to fraudulently give short weight or measure in the making of a scale;

for any person, assuming to determine truly the weight or measure of any article brought or sold by weight or measure, to fraudulently misrepresent the weight or measure thereof; or

for any person to procure the commission of any such offense abovementioned by another.

Instruments officially sealed at some previous time which have remained unaltered and accurate and the seal or tag officially affixed therein remains intact and in the same position and condition in which it was placed by the official sealer or his duly authorized representative shall, if presented for sealing, be sealed promptly on demand by the official sealer or his duly authorized representative without penalty except a surcharge equal to two (2) times the regular fee fixed by law for the sealing of an instrument of its class, this surcharge to be collected and accounted for by the Municipal Treasurer in the same manner as the regular fees for sealing such instruments.

### Section 3H.09. Penalties

(a) Any person who shall violate the provisions of paragraphs (a) to (f) and paragraph (l) of Section 3K.06 shall, upon conviction, be subject to a fine of not less than Two hundred pesos (P200.00) but not more than One thousand pesos (P1,000.00) or by imprisonment of not more than one (1) year, or both, upon the discretion of the court.

(b) Any person who shall violate the provisions of paragraph (g) of Section 3K.06 for the first time shall be subject to fine of not less than Five hundred pesos (P500.00) or by imprisonment of not less than one (1) month but not more than five (5) years, or both, upon the discretion of the court.

(c) The owner-possessor or user of instrument of weights and measure enumerated in paragraph (h) to (k) of Section 3K.06 shall, upon conviction, be subject to a fine of not less than Three hundred pesos (P300.00) or imprisonment not exceeding one (1) year, or both, upon the discretion of the court.

### Article I. Permit Fee on Film-Making

Section 3I.01. Imposition of Fee. There shall be collected the following permit fee from any person who shall go on location-filming within the territorial jurisdiction of this municipality.

	Rate of Fee Per Filming
a. Commercial movies	P 4,000.00/film
b. Commercial advertisements	5,000.00/film
c. Documentary film	2,000.00/film
d. Videotape coverage	100.00/coverage

In cases of extension of filming time, the additional amount required must be paid prior to extension to filming time.

**Section 3I.02. Time of Payment.** The fee imposed herein shall be paid to the Municipal Treasurer upon application for the Mayor's Permit Five Days (5) days before location-filming is commenced.

### Article K. Permit Fee for Agricultural Machinery and Other Heavy Equipment

**Section 3K.01. Imposition of Fees.** There shall be collected an annual permit fee at the following rates for each agricultural machinery or heavy equipment from non-resident operators of said machinery, renting out said equipment in this municipality.

	Rate of Fee Per Annum
a. Hand tractors	P200.00
b. Light Tractors	500.00
c. Heavy Tractors	1,000.00
d. Bulldozer	1,000.00
e. Forklift	1,000.00
f. Heavy Graders	1,000.00
g. Light Graders	1,000.00
h. Mechanized Threshers	200.00
i. Manual Threshers	200.00
j. Cargo Truck	1,000.00
k. Dump Truck	1,000.00
l. Road Rollers	1,000.00
m. Pay loader	1,000.00
n. Prime movers/Flatbeds	1,000.00
o. Backhoe	1,000.00
p. Rock crusher	2,000.00
q. Batching Plant	2,000.00
r. Transit/Mixer Truck	1,000.00
s. Crane	1,000.00
t. Other agricultural machinery Equipment not enumerated above	200.00
u. Other heavy equipment not enumerated above	1,000.00

**Section 3K.02. Time and Manner of Payment.** The fee imposed herein shall be payable prior to the rental of the equipment upon application for a Mayor's permit.

**Section 3M.03. Administrative Provisions.** The Municipal Treasurer shall keep a registry of all heavy equipment and agricultural machinery which shall include the make and brand of the heavy equipment and agricultural machinery and name and address of the owner.

#### **Article N. Permit Fees on Tricycle Operation**

**Section 3N.01. Definitions.** When used in this Article,

- (a) Motorized Tricycle is a motor vehicle propelled other than by muscular power, composed of a motorcycle fitted with a single wheel sidecar or a motorcycle with a two wheeled cab, the former having a total of four wheels, otherwise known as the motorela.
- (b) Tricycle Operators are persons engaged in the business of operating tricycles.
- (c) Tricycle-for-Hire is a vehicle composed of a motorcycle fitted with a single-wheel side car or a motorcycle with a two-wheel cab operated to render transport services to the general public for a fee.
- (d) Motorized Tricycle Operator's Permit (MTO) is a document granting franchise or license to a person, natural or juridical, allowing him to operate tricycles-for-hire over specified zones.
- (e) Zone is a contiguous land area or block, say a subdivision or barangay, where tricycles-for-hire may operate without a fixed origin and destination.

**Section 3N.02. Imposition of Fees.** There shall be collected an annual fee in the amount of Two Hundred Pesos (P200.00) for the operation of tricycle-for-hire per unit.

Other fees on tricycle operations:

1. FILING FEE	
a. Fare adjustment fee for fare increase/matrix	100.00
2. Filing fee for amendment of MTO	100.00
3. a.) Plate	100.00

**Section 3N.03. Time of Payment.**

- (a) The fee shall be paid to the Municipal Treasurer upon application or renewal of the permit.
- (b) The filing fee shall be paid upon application for an MTO based on the number of units.
- (c) Filing fee for amendment of MTO shall be paid upon application for transfer to another zone, change of ownership of unit or transfer of MTO.

**Section 3N.04- FRANCHISE FEE-** There shall be a collected franchise fee in the amount of One Thousand (P1,000.00) Pesos for the first three (3) years per unit.

- (a) The franchise fee shall be paid to the Office of the Treasurer before the start of operation and to be paid every after three (3) years thereafter.

**Section 3N.05. Administrative Provisions.**

(a) Prospective operators of tricycles should first secure a Motorized Tricycle Operator's Permit (MTOP) from the Sangguniang Bayan.

(b) The Sangguniang Bayan of this municipality shall:

1. Issue, amend, revise, renew, suspend, or cancel MTOP and prescribe appropriate terms and conditions therefore; determine, fix, prescribe or periodically adjust fares or rates for the service provided in a zone after public hearing; prescribe and regulate zones of service in coordination with the barangay; fix, impose and collect, and periodically review and adjust but not oftener than once every three (3) years, reasonable fees and other related charges in the regulation of tricycles-for-hire; and establish and prescribe the conditions and qualifications of service.
2. Only Filipino citizens and partnership or corporation with sixty percent (60%) Filipino equity shall be granted the MTOP. No MTOP shall be granted by the municipality unless the applicant is in possession of units with valid registration papers from the Land Transportation Office (LTO).
3. The grantee of the MTOP shall carry a common carriers insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accidents;
4. Operators of tricycles-for-hire shall employ drivers duly licensed by LTO for tricycles-for-hire.
5. Operators who intend to stop service completely, or suspend service for more than one (1) month shall report in writing such termination or suspension to the Sangguniang Bayan;

(c) The Sangguniang Bayan may impose a common color for tricycles for hire in the same zone. Each tricycle unit shall be assigned and bear an identification number, aside from its LTO license plate number.

It shall establish a fare structure that will provide the operator a reasonable return on profit, and still be affordable to the general public. The fare structure may either be flat (single fare regardless of distance) as a minimum amount plus a basic rate per kilometer.

The official rate to be initially adopted shall be a minimum fee of Five Pesos (P5.00) plus \_\_\_\_\_ centavos (P0.\_\_\_\_) per km. in excess of four (4.0) km. distance pending the enactment of the prescribed fare structure for the zone by the Sangguniang Bayan.

Operators of tricycles-for-hire are required to post in the conspicuous part of the tricycle the schedule of fares.

(d) The zones must be within the boundaries of this municipality. The existing zones which covers the territorial unit not only of the municipality but other adjoining municipalities or cities as well shall be maintained provided the operators serving the said zone secure the MTOP.

(e) For the purpose of this Article, a Municipal Tricycle Operator's Permit Regulatory Board is hereby as follows:

- Chairman - SB Committee on Transportation
- Vice-Chairman - ABC President
- Member: SB, Chairman, Peace and Order  
Chief of Police, PNP  
1 Authorized Rep. from the Office of the Mayor
- Secretary: SB Secretary

(f) The Municipal Treasurer shall keep a registry of all tricycle operators which shall include among others, the name and address of the operator and the number and brand of tricycles owned and operated by said operator.

#### Article O.- Permit Fee on Occupation/Calling Not Requiring Government Examination

**Section 30.01. Imposition of Fee** - There shall be collected as annual fee at the rate prescribed hereunder for the issuance of Mayor's Permit to every person who shall be engaged in the practice of the occupation or calling not requiring government examination with the municipality as follows:

Occupation or Calling	Rate of Fee/Annum
(a) On employees and workers in generally Considered "Offensive and Dangerous Business Establishments"	P 100.00
(b) On employees and workers in commercial establishments who cater or attend to the daily needs of the inquiring or paying public	50.00
(c) On employees and Workers in food or eatery establishment	50.00
(d) On employees and workers in night or night and day establishment	50.00

**Section 30.02. Exemption** - All professionals who are subject to the Provincial Tax imposition pursuant to Section 139 of the Local Government Code; and government employees are exempted from payment of this fee.

**Section 30.03. Person Governed**- The following workers or employees whether working on temporary or permanent basis, shall secure the individual Mayor's Permit prescribed herewith;

(a) Employees or workers in generally considered offensive and dangerous business establishment such as but not limited to the following:

- (1) Employees or workers in industrial or manufacturing establishment such as: Aerated water and soft drink factories; air rifle and pellets manufacturing; battery charging shops, blacksmith; breweries; candy and confectionery factories; canning factories; coffee cocoa and tea factories; cosmetics and toiletries factories; cigar and cigarette factories; construction and / or repair shops of motor vehicles; carpentry shop; drug manufacturing; distillers, edible oil or lard factories; electric bulbs or neon lights factories; electric plant, electronics manufacturing; oxidizing plants; food and flour mills; fish curing and drying shops; footwear factories, foundry shops; furniture manufacturing; garments manufacturing, general building and other construction jobs during the period of construction; glass and glassware factories; handicraft manufacturing; hollow block and tile factories; ice plants; milk, ice cream and other allied products factories; metal closure manufacturing; iron steel plants; leather and leatherette factories; machine shops, match factories, paints and allied products manufacturing; plastic products factories, perfume factories; plating establishment; pharmaceutical laboratories, repair shops of whatever kind and nature; rope and twine factories; sash factories; smelting plants; tanneries; textile and knitting mills; upholstery shops; vulcanizing shops and welding shops.
- (2) Employees and workers in commercial establishments cinematography film storage; cold storage's or refrigerating plants; delivery and messengerial services; elevator and escalator services; funeral parlors; janitorial services; junk shop; hardware; pest control services; printing and publishing houses; service station; slaughter-houses; textile stores; warehouses; and parking lots.
- (3) Employees and workers on other industrial and manufacturing firms or commercial establishments who are normally exposed to excessive heat, light, noise, cold and other environmental factors which endanger their physical and health well-being.

(b) Employees and workers in commercial establishment who generally enter or attend to the daily needs of the general public such as but not limited to the following: Employees and workers in drugstores; department stores; groceries supermarkets; beauty saloons; tailor shops; dress shop; bank teller; receptionist, receiving clerk in paying outlets of public utilities corporation, except transportation companies; and other commercial establishment whose employees and workers attend to the daily needs of the inquiring or paying public.

(c) Employees and workers in food or eatery establishments such as but not limited to the following:

- Employees and workers in canteen, carinderia, catering services, bakeries, ice cream or ice milk factories, refreshment parlor, restaurants, sari-sari stores, and soda fountains;
- Stallholders, employees and workers in public markets;
- Peddlers of cook or uncooked foods;
- All other food peddlers, including peddlers of seasonal merchandise.

(d) Employees or workers in night or night and day establishments such as but not limited to the following:

Workers or employees in bars; boxing stadium; bowling alleys; billiards and pool halls; cinema houses; cabarets and dance halls; cocktail lounges; circuses; carnivals and the like; day clubs and night clubs; golf clubs; massage clinics, sauna baths or similar establishment; hotels; motels; horse racing clubs; pelota courts; polo clubs; private detective or watchman security agencies; supper clubs and all other business establishment whose business activities are performed and consumed during night time.

In cases of night and day clubs, night clubs, day clubs, cocktail lounges, bars, cabarets, sauna bath houses and other similar places of amusements, they shall under no circumstances allow hostesses, waitress, waiters, entertainers, or hospitality girl below 18 years of age to work as such. For those who shall secure the Individual Mayor's Permit on their 18<sup>th</sup> birth year, they shall present their respective baptismal or birth certificate duly issued by the local civil registrar concerned.

(e) All other employees and persons who exercise their profession, occupation or calling within the jurisdiction limits of the Municipality aside from those already specifically mentioned in Section P.02.

**Section 30.04. Time and Manner of Payment.** The fees prescribed in this Article shall be paid to the Municipal Treasurer this municipality upon filing of the application for the first time and annually thereafter within the first twenty (20) days of January and every quarter thereafter. The permit fee is payable for every separate or district occupation or calling engaged in. Employer shall advance the fees to the Municipality for its employees.

**Section 30.05. Surcharge for Late Payment.** Failure to pay the fee prescribed in this Article within the time prescribed shall subject a taxpayer to a surcharge of Twenty-five percent (25%) of the original amount of the fee due, such surcharge shall be paid at the same time and in the same manner as the tax due.

In case of change of ownership of the business as well as the location thereof from municipality to another, it shall be the duty of the new owner, agent or manager of such business to secure a new permit as required in this Article and pay the corresponding permit fee as though it were new business.

Newly hired workers and/or employees shall secure their individual Mayor's Permit from the moment they are actually accepted by the management of any business or industrial establishment to starts working.

The individual Mayor's Permit so secured shall be renewed during the respective birth month of the permittee next following calendar.

**Section 30.06. Administrative Provisions.**

(a) The Municipal Treasurer shall keep a record of persons engaged in occupation and/or calling not requiring government examination and the corresponding payment of fees required under personal data for reference purpose.

(b) Persons engaged in the above mentioned occupation or calling with valid Mayor's Permit shall be required to surrender such permit and the corresponding Official Receipt for the payment of fees to the Municipal Treasurer and to the Municipal Mayor respectively for cancellation upon retirement or cessation of the practice of the said occupation or calling.

## Article P. Building Permit

**Section 3P.01. Imposition of Fee.** There shall be collected from each applicant for a building permit fees pursuant to (PD 1096) REVISED AND UPDATED IMPLEMENTING RULES AND REGULATIONS OF THE NATIONAL BUILDING CODE OF THE PHILIPPINES.

**Section 3P.02. Time and Payment.** The fees specified under this article shall be paid to the Municipal Treasurer upon application for a building permit from the Municipal Building Official.

**Section 3P.03. Administrative Provisions.** The application for the construction and/or repair shall be in writing and shall set forth the required information, such as the location and the general dimension of the building and/or other infrastructure of the owners as well as that of the architect or engineer who draw the plan, an estimate of the entire cost of proposed work, and the following:

a. A copy of the plan showing the location of the building to be constructed with the reference boundaries of the lot and is constructed in the town proper or poblacion.

General drawing showing:

- b.1 Floor and roof plans
- b.2 Foundation and footing plans
- b.3 Transverse and longitudinal plan
- b.4 Elevation
- b.5 Framing plans showing complete forming of the building or structure
- b.6 Isometric view of plumbing layout
- b.7 Electrical layout, and
- b.8 Detail of structure and architectural parts.

**Section 3P.04. Penalty.** Any violation of the provision of this article shall be punished by a fine of not more than Five Hundred Pesos (P 500.00) or imprisonment of not more than (2) months, or both at the discretion of the Court. Provided, that notwithstanding the imposition of fine and imprisonment, the offender shall be further required to secure the necessary building permit and to pay the corresponding fees thereof or as required by existing ordinances; Provided further, that in case the construction of the building or structure is not in conformity with existing regulations, the offender shall be required to remove or demolish the said building or structure within reasonable period upon receipt of the order of demolition; and Provided, finally, that upon failure to remove or demolish the said building or structure, the Municipal Mayor or his duly authorized representative shall undertake such removal or demolition at the expense of the offender.

## Article Q. Permit Fee for the Storage of Flammable and Combustible Materials

**Section 3Q.01. Imposition of Fee.** There shall be collected an annual permit fee for the storage of combustible materials at the rates as follows:

a. Storage of gasoline, diesel, fuel, kerosene and similar products

500 to 2,000 liters	P	50.00
2,001 to 5,000 liters		75.00
5,001 to 20,000 liters		200.00
20,001 to 50,000 liters		300.00
50,0001 to 100,000 liters		400.00
Over 100,000 liters		500.00

b. Storage of tar, resin and similar materials

1) Less than 1,000 kls.	50.00
2) 1,000 to 2,500 kls.	75.00
3) 2,500 to 5,000 kls.	100.00
4) Over 5,000 kls.	150.00

d. Storage of coal deposits

1) Below 100 tons	1,000.00
2) 100 tons or above	2,000.00

e. Storage of combustible, flammable or explosive Substance not mentioned above

100.00

**Section 3Q.02. Time of Payment.** The fees imposed in Article shall be paid to the Municipal Treasurer upon application for his permit with the Mayor to store the aforementioned substances.

**Section 3Q.03. Administrative Provisions.**

(a) No person shall keep or store at his place of business any of the following flammable, combustible or explosive substances without securing a permit therefor. Gasoline or naphtha not exceeding the quantity of One Hundred (100) gallons, kept in and used by launches or motor vehicles shall be exempt from the Permit fee herein required.

(b) The Mayor shall promulgate regulations for the proper storing of said substances and shall designate the proper official and shall supervise therefor.

## Article R. Permit and Inspection Fee on Machineries and Engines

**Section 3R.01. Imposition of Fee.** There shall be imposed an annual inspection fee on internal combustion engines generators and other machines in accordance with the following schedules:

(a) Internal combustible engines:

1. 2 HP and below	P	50.00
2. 5HP and below but not lower than 3 HP		60.00
3. 10HP and below but not lower than 5 HP		70.00
4. 14HP and below but not lower than 10HP		80.00
5. Above 15HP		100.00

(b) Other stationary engines or machines:

1. 3 HP and below		50.00
2. 5 HP and below but not lower than 3 HP		60.00
3. 10 HP and below but not lower than 5 HP		70.00
4. 14 HP and below but not lower than 10 HP		80.00
5. Above 14 HP		100.00

(c) Electrical generators and other machine propelled by electric motors will be levied the same rates found in subsection (1).

**Section 3R.02. Time of Payment.** The annual fee imposed in this Article shall be paid to the Municipal Treasurer upon application of the Permit with the Mayor but not later than fifteen (15) days after the actual inspection by person authorized in writing by the Mayor. Thereafter, the fee shall be paid within twenty (20) days of January, or of every quarter as the case may be.

**Section 3R.03. Administrative Provision.** No engine or machine mentioned above shall be installed or operated within the limits of this municipality, without the permit of the Municipal Mayor and the payment of the inspection fee prescribed in this Article

## Article S. Permit Fee for Inspection and Verification of Subdivision

**Section 3S.01. Imposition of Fee.** There shall be collected a Mayor's Permit Fee for the verification and inspection of subdivision in this municipality, in accordance with the rates prescribed by the HLURB, as follows:

Permit Fee for Verification:	Annual Fee
1) For subdivision less than five (5) has.	P500.00
2) For subdivision from five (5) to less than ten (10) has.	800.00
3) For subdivision over ten (10) has.	1,000.00

In addition, subdivision owner shall pay an annual fee of One Thousand Five hundred Pesos (P1,500.00) for verification and inspection per hectare or fraction thereof until the construction of the roads, bridges, drainage system, installation of electric post, and water system, if any are complete.

b) Final Permit for Inspection:

1) For the first twenty (20) linear meters	50.00
2) For every meter in excess of linear meters	10.00
3) Streets:	
a. For the first square meter	50.00
b. For every sq. m. in excess of 20 sq. m.	10.00
4) Reinforced concrete culvert for every meter	20.00
5) Bridge	100.00

If upon verification and inspection, it is found out that the subdivision is of a bigger area than what was reported as its areas, the applicant shall pay the fees corresponding to the area difference and the official receipt therefor shall be presented to the Mayor before final action is taken on the application.

**Section 3S.02. Time of Payment.** The fees imposed in this article shall be paid by the subdivision owner or his representative to the Municipal Treasurer before verification or inspection is conducted.

**Section 3S.03. Administrative Provisions.** The Municipal Mayor shall administer the provision of this article and other existing ordinance, executive orders, laws, regulating to, and governing subdivision and housing projects.

**Article T. Permit Fee for Zoning/Locational Clearance**

**Section 3T.01. Imposition of Fee.** There shall be collected a Mayor's Permit Fee for Zoning/Locational Clearance for all structures a constructed in this municipality in accordance with prescribed HLURB rates.

**Section 3T.02. Time of Payment.** The fees in this Article shall be paid by the applicant or his representative to the Municipal Treasurer when zoning/locational clearance is granted.

**Section 3T.03. Administrative Provision.** The Municipal Mayor shall administer the provision of this Article and other existing ordinances, executive orders, laws relating to and governing zoning/locational clearance.

**Article U. Permit Fee for Temporary Use of Roads, Streets, Sidewalk, Alleys, Patios, Plazas and Playgrounds**

**Section 3U.01. Imposition of Fee.** Any person that shall temporarily use and/or occupy a street, sidewalk, or alley or portion thereof in this municipality in connection with their construction works and other purposes, shall first secure a permit from the Mayor and pay a fee in the following schedule:

1) For construction	P10.00 /sq.m. per week or fraction thereof
2) Others	5.00/sq.m. per day

For wake and other charitable, religious and educational purposes, use and/or occupancy is exempted from the payment of permit fee provided a corresponding permit is secured prior to such use and/or occupancy.

**Section 3U.02. Time of Payment.** The fee shall be paid to the City Treasurer upon application of the permit with the City Mayor.

**Section 3U.03. Administrative Provisions.** The period of occupancy and/or use of the street, sidewalk, or alley or portion thereof shall commence from the time the construction permit is issued and shall terminate only upon the issuance of the certificate of building occupancy. The Municipal Engineer shall report to the Municipal Treasurer the area occupied for purposes of collecting the fee.

### **Article V. Permit Fee for the Conduct of Group Activities**

**Section 3V.01. Imposition of Fee.** Every person who shall conduct, or hold any program, or activity involving the grouping of people within the jurisdiction of this municipality shall obtain a Mayor's permit therefor for every occasion of not more than twenty-four (24) hours and pay the Municipal Treasurer the corresponding fee in the following schedule:

1. Conference, meetings, rallies and demonstration in outdoor, in parks, plazas, roads/streets	P500.00
2. Dances	100.00
3. Coronation and ball	100.00
4. Promotional sales	200.00
5. Other Group Activities	100.00

**Section 3V.02. Time of Payment.** The fee imposed in this article shall be paid to the Municipal Treasurer upon filing of application for permit with the Municipal Mayor.

**Section 3V.03. Exemption.** Programs or activities conducted by educational, charitable, religious and governmental institutions free to the public shall be exempted from the payment of the fee herein imposed, provided, that the corresponding Mayor's Permit shall be secured accordingly. Programs or activities requiring admission fees for attendance shall be subject to the fees herein imposed even if they are conducted by exempt entities.

**Section 3V.04. Administrative Provision.** A copy of every permit issued by the Municipal Mayor shall be furnished to the Chief of Police or Station Commander of the Philippine National Police (PNP) of the municipality who shall assign police officers to the venue of the program or activity to help maintain peace and order.

## CHAPTER IV. SERVICE FEES

### Article A. Secretary's Fees

**Section 4A.01. Imposition of Fees.** There shall be collected the following fees from every person requesting for copies of official records and documents from the offices of this municipality.

	<u>Amount of Fee</u>
a) For every page or fraction thereof typewritten (not including the certificate and notation)	P20.00
b) For each certificate of correctness (with seal of Office) written on the copy or attached thereto	50.00
c) For certifying the official act of the Municipal Judge or other judicial certificate with seal	50.00
d) For certified copies of any papers, records, decrees, judgment or entry of which any person is entitled to demand and receive a copy (in connection with judicial proceedings) for each page	20.00
e) Photocopy or any other copy produced by copying machine per page	1.50

**Section 4A.02. Exemption.** The fees imposed in this Article shall not be collected for copies furnished to other offices and branches of the government for official business, except for those copies required by the Court at the request of the litigant, in which case, charges shall be in accordance with the above-mentioned schedule.

**Section 4A.03. Time and Manner of Payment.** The fees shall be paid to the Municipal Treasurer at the time the request, written or otherwise, for the issuance of a copy of any municipal record or document is made.

### Article B. Local Civil Registry Fees

**Section 4B.01. Imposition of Fees.** There shall be collected for services rendered by the Municipal Local Civil Registrar of this municipality the following fees:

a) <b>Marriage Fees:</b>	
1. Application for marriage license	P200.00
2. Marriage license fee	50.00
Additional Fee	2.00

(b) For registration of the following:

1.	Legitimation by adoption thru court decree	P200.00
2.	Legitimation by subsequent Marriage of Parents	200.00
3.	Adoption	2,000.00
4.	Annulment/Legal Separation/Declaration Nullity	1,000.00
5.	Naturalization	3,000.00
7.	Correction of Entries in the Civil Registrar under RA 9048	
	- Change of First Name	3,000.00
	- Correction of Clerical Error	1,000.00
8.	Migrant Petition	
	- Change of First Name	1,000.00
	- Correction of Clerical Error	500.00
9.	Correction of Entries by Court Decree	1,000.00
10.	Other Legal Instruments and Court Decrees	100.00

(c) Fees for Delayed Registration

1.	Birth	500.00
2.	Marriage	500.00
3.	Death	500.00
4.	Court Decrees & Legal Instruments	500.00

(d) Civil Registry Certificates P 70.00

(e) All Other Certificates Subject to Endorsement 200.00

**Section 4B.02. Exemptions.** The fee imposed in this Article shall not be collected in the following cases:

- (a) Issuance of certified copies of documents for official use at the request of a competent court or other government agency, except those copies required by courts at the request of litigants, in which case the fee should be collected.
- (b) Issuance of birth certificates of children reaching school age when such certificates are required for admission to the primary grades in a public school.
- (c) Burial permit of a pauper, per recommendation of the Municipal Mayor.

**Section 4B.03. Time of Payment.** The fees shall be paid to the Municipal Treasurer before registration or issuance of the permit, license or certified copy of local registry records or documents.

**Section 4B.04. Administrative Provision.** A marriage license shall not be issued unless a certification is issued by the Family Planning Coordinating Council that the applicants have undergone lectures on family planning.

### Article C. Police Clearance Fee

**Section 4C.01. Imposition Fee.** There shall be paid for each police clearance certificate obtained from the Station Commander of the Philippine National Police of this municipality the following fees:

	<u>Amount of Fee</u>
1. For employment	
local	50.00
abroad	250.00
2. Scholarship, study grant, and other purposes not hereunder specified	P 30.00
3. For change of name	100.00
4. For application for Filipino citizenship	500.00
5. For pasaport or visa application	300.00
6. For firearms permit application	500.00
7. For PLEB clearance	50.00

**Section 4C.02. Time of Payment.** The service fee provided under this Article shall be paid to the Municipal Treasurer upon application for police clearance certificate.

### Article D. Sanitary Inspection Fee

**Section 4D.01. Imposition of Fee.** There shall be collected the following annual fees from each business establishment in this municipality or house for rent, for the purpose of supervision and enforcement of existing rules and regulations and safety of the public in accordance with the following schedule:

	<u>Amount of Fee</u>
For house for rent	P 100.00
For each business, industrial, or agricultural establishment	200.00
For Sari-sari store and carinderia	75.00

**Section 4D.02. Time of Payment.** The fees imposed in this Article shall be paid to the Municipal Treasurer upon filing of the application for the sanitary inspection certificate with the Municipal Health Officer and upon renewal of the same every year thereafter within the first twenty (20) days of January.

**Section 4D.03. Administrative Provisions.**

a) The Municipal Health Officer or his duly authorized representative shall conduct an annual inspection of all establishments and buildings, and accessories and houses for rent, in order to determine their adequacy of ventilation, general sanitary conditions and propriety of habitation.

(b) The Municipal Health Officer shall require evidence of payment of the fee imposed herein before he issues the sanitary inspection certificate.

### Article E. Service Fees for Health Examination

**Section 4E.01. Imposition of Fee.** There will be collected a fee of Fifty Pesos (P50.00) from any person who is given a physical examination by the Municipal Health Officer or his duly authorized representative, as required by existing ordinances.

A fee of Twenty Five Pesos (P25.00) shall be collected for each additional copy of subsequent issuance of a copy of the initial medical certificate issued by the Municipal Health Officer.

**Section 4E.02. Time of Payment.** The fee shall be paid to the Municipal Treasurer before the physical examination is made and the medical certificate is issued.

**Section 4E.03. Administrative Provisions.**

(a) Individuals engaged in an occupation or working in the following establishments, are hereby required to undergo physical and medical examination before they can be employed and once every six months (6) thereafter.

1. Food establishments - establishments where food or drinks are manufactured, processed, stored, sold or served.
2. Public swimming or bathing places.
3. Dance schools, dance halls and night clubs - include dance instructors, hostess, cooks, bartenders, waitresses, etc.
4. Tonsorial and beauty establishments - include employees of barber shops, beauty parlors, hairdressing and manicuring establishments, exercise gyms and figure slenderizing saloons, facial centers, aromatherapy establishments, etc.
5. Massage clinics and sauna bath establishments - include masseurs, massage clinic/sauna bath attendants, etc.
6. Hotel, motels and apartments, lodging, boarding, or tenement houses, and condominiums.

(b) Owners, managers or operators of the establishments shall see to it that their employees who are required to undergo physical and medical examinations have been issued the necessary medical certificates.

(c) The Municipal Health Officer shall keep a record of physical and other health examinations conducted, and the copies of medical certificates issued indicating the name of the applicant, the date and the purpose for which the examination was made.

**Section 4E.04. Penalty.** A fine of One Hundred Pesos (P100.00) shall be paid by the owner, manager or operators of the establishment for each employee found to be without the necessary medical certificates.

### **Article F. Dog Vaccination Fee**

**Section 4F.01. Imposition Fee.** There shall be collected/imposed from every owner of the dog a vaccination fee of Fifty Pesos (P50.00) for every dog vaccinated within the territorial jurisdiction of this municipality.

**Section 4F.02. Time of Payment.** The fee shall be paid to the Municipal treasurer prior to the vaccination of the dog in close coordination with the Municipal Agricultural Office and the Office of the Provincial Veterinarian.

**Section 4F.03. Administrative Provisions.**

1. **Vaccination Against Rabies** – means the inoculation of a dog with rabies vaccine licensed for the species by the Bureau of Animal Industry, Department of Agriculture. Such vaccination must be performed by trained individual from BAU, Provincial Veterinarian Office and Municipal Agriculture Office.

(a) Every dog 3 months of age and older should be submitted by the owner for vaccination against rabies every year. Young dogs shall be vaccinated within thirty (30) days after they have reached three months of age.

(b) During free mass dog rabies vaccination campaign, every dog 3 months of age and older should be submitted by the owner for vaccination. Dogs not submitted on the scheduled date or within one month thereafter shall be exterminated under the supervision of the Municipal Rabies Control Authority.

Becomes optional after a mass dog rabies vaccination campaign covering at least 80% of the dog population.

2. It shall be the duty of each trained vaccinator when vaccinating any dog to complete certificate of rabies vaccination (in duplicate for each animal vaccinated). The certificate shall include the following information.

- (a) Owners name, address and telephone number if any
- (b) Description of dog (color, sex, markings, age, name, species and breed if any)
- (c) Dates of vaccination and vaccine expiration if known
- (d) Rabies vaccination tag number
- (e) Vaccine brand/manufacturer
- (f) Vaccinator's signature
- (g) Veterinarians license number/ vaccinator's address

2. The Composition of the Municipal Control Rabies Authorities:

- Chairman - Municipal Mayor
- Vice Chairman - Department of Agriculture
- Members - Committee chairman on Agriculture  
Department of Health  
Chief of Police  
ABC  
Barangay Health Worker  
Tenods  
NGO's

The dog owner shall be provided with a copy of the certificate. The veterinarian/ vaccinator will retain one copy for the duration of the vaccination. A durable metal or plastic tag, serially numbered issued by the veterinarian/ vaccinator, shall be securely attached to the collar of the dog.

NOTE : The above provisions may not apply in a mass vaccination program. During a free mass dog vaccination, the cost shall be borne by the owner after the scheduled date.

4. Dog Registration or Licensing - Every dog shall be registered by their owner upon reaching the age of 3 months and every year thereafter. Unvaccinated dogs registered after reaching the age of 3 months and dogs 3 months old and above not previously registered shall be vaccinated upon registration. The dog owner shall pay such registration fee as may be determined by the Municipal Council. The registration officer shall provide the owner with a certificate of certification for the dog and affix to a distinguished collar tag as proof of registration.
5. Elimination of Unregistered Dog - Unregistered dogs over the age of 4 months shall be seized and humanely exterminated under the supervision of a licensed veterinarian or the Municipal Rabies Control Authority.

The licensed veterinarian/ trained vaccinator or the Municipal Rabies Control Authority shall give the guidance on the extermination methods to be used (shooting, poisoning, carbon dioxide or anesthetic overdose or decapitation) in a different environment (area of habitation, marketplace, rubbish dumps, open countryside, etc.)

The license veterinarian, trained vaccinator, the Municipal Rabies Control Authority or a police officer shall seek approval to the property owner before seizing or exterminating a dog which is liable to be seized under this section.

NOTE : Elimination is based on the presence or absence of a dog tag and/or a registration or vaccination certificate.

The Provincial Veterinarian and the MAO is tasked to determine the age of the dogs.

6. Reporting of Biting Incidents - The owner of a dog which has bitten any person and the person who has been bitten shall, within 24 hours of the occurrence, report the incident to the Municipal Rabies Control Authority, a health care worker or a police officer receiving such information who shall immediately transmit it to the Municipal Rabies Control Authority for investigation.
7. The owner of a dog which has bitten any person shall be responsible for all the Treatment and dog examination.
8. Financial support for the activity shall be borne by the Municipal Government, Provincial Government and the Barangay Government.

**Section 4F.04. Penalty.** Any dog owner who fails to abide by any of the provisions of this ordinance shall be subjected to a fine of Two Thousand Five Hundred (P2,500.00) Pesos without prejudice to the provision of Section 3 (7).

It shall be the responsibility of the Municipal Rabies Control Authority to administer this ordinance, and to promulgate the necessary rules and regulations for its implementation. Enforcement shall be the responsibility of the Municipal Rabies Control Authority as defined under Section 1 of this article.

## **CHAPTER V. MUNICIPAL CHARGES**

### **Article A. Fishery Rentals, Fees and Charges**

**Section 5A.01. Definitions.** When used in this Article.

(a) *Marginal Fisherman* refers to an individual engaged in subsistence fishing which shall be limited to the sale, barter or exchange of marine products produced by himself and his immediate family, and whose annual net income from fishing does not exceed Fifty Thousand Pesos (P50,000.00) or the poverty line established by NEDA for the particular region or locality whichever is higher.

(b) *Municipal Waters* include not only streams, lakes and tidal waters within the municipality, not being the subject of private ownership, and not comprised within national parks, public forests, timber lands, forest reserves, or fishery reserves, but also marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality to the sea at low tide and a third parallel with the general coastline and fifteen (15) kilometers from it.

(c) *Vessels* include every sort of boat, craft, or other artificial contrivance used as a means of transportation on water.

**Section 5A.02. Fishery Rentals, Fees and Charges.** This municipality shall have the exclusive authority to grant the following fishery privileges within its municipal waters and impose rentals, fees, or charges therefrom:

(a) To erect fish corrals, mussel, or other aquatic beds.

(b) To gather, take or catch kawag-kawag or fry of other species and fish from municipal waters by nets, traps or other fishing gears. However, marginal fishermen shall be exempt from any rentals, charge or any other imposition whatsoever.

**Section 5A.03. Grant of Fishery Rights by Public Auction.** Exclusive fishery privileges to erect fish corrals, mussel or aquatic beds or "kawag-kawag" or fry of other species of fish for propagation shall be awarded to the highest bidder in a public auction to be conducted by a committee upon authorization of the Sangguniang Bayan.

However, duly registered organizations and cooperatives of marginal fishermen shall have the preferential right to such fishery privileges without being required to undergo the bidding. In the absence of such organizations and cooperatives or upon failure to exercise their preferential right, other parties may participate in the said public bidding.

For this purpose, there is hereby created a committee to conduct the public auction to be constituted as follows:

- (a) The Mayor or his duly authorized representative as Chairman;
- (b) Three (3) members of the Sangguniang Bayan to be designated by said body.
  - 1. Committee Chairman on Appropriation
  - 2. Committee chairman on Agriculture
  - 3. Committee Chairman on Laws, Rules and Ethics
- (c) The Municipal Treasurer.

The Committee shall advertise the call for sealed bids for the leasing of a zone or zones of municipal waters in public auction for two (2) consecutive weeks in the bulletin board of the municipal hall. If no bids are received within two (2) weeks, such notice shall be posted for another two (2) weeks. If after said two (2) notices for the grant of exclusive fishery rights through public auction, there are no interested bidders, the Sangguniang Bayan shall grant the rights within the definite area or portion of the municipal waters to any interested individual upon payment of a license fee fixed herein.

The notice advertising the call for bids shall indicate the date and time when such bids shall be filed with the Municipal Treasurer.

An application to participate in the public bidding shall be submitted to the Municipal Mayor in a form prescribed therefor. Upon submitting a sealed bid, a person shall accompany such bid with a deposit of at least ten percent (10%) which amount shall be deducted from the first rental by the person should the bid be awarded to him.

At the time and place designated in the notice, the Committee sitting en banc shall open all the bids and award the lease to the qualified bidder offering the highest bid. The lease shall be executed within ten (10) days after the award is made by a committee and if the successful bidder refuses to accept, or fails or neglects to execute the lease within such time, his deposit shall be forfeited to the municipal government, in such a case another bidding shall be held in the manner provided above.

The deposits of the unsuccessful bidders shall be returned upon the execution of the lease contract by the successful bidder or before the calling of another bid.

At the time and place designated in the notice, the Committee sitting en banc shall open all the bids and award the lease to the qualified bidder offering the highest bid. The lease shall be executed ten (10) days after the award is made by the Committee and should the successful bidder refuse to accept, or fails or neglects to execute the lease within such time, his deposit shall be forfeited to the Municipal Government. In such case, another bidding shall be held in the manner herein prescribed.

**Section 5A.04. Duration of Lease.** The grant of lease of fishery rights through public auction shall be for a period of Five (5) years.

**Section 5A.05. Zonification of Municipal Waters.** The municipal waters of this municipality are hereby divided and classified into zones for purposes of granting a lease or exclusive fishery rights through public auction as prescribed in Section 5A.02. as follows:

- Zone 1 - From Boundary of Municipality of Igug to Centro, Amulung
- Zone 2 - From Calamagul, Amulung to Alcala Boundary

**Section 5A.06. Imposition of Fees.** There shall be collected the following license fee for the grant of exclusive fishery rights to erect fish corrals, operate fishponds or take or catch fry of other species of fish for propagation, if there are no interested bidders in the public auction.

	<u>Amount of Fee</u>
1. Operation of fishponds beds, per hectare or fraction thereof	P 200.00
2. Catching, Tilapia, mudfish and catfish fry and other marine species	P 100.00

**Section 5A.07. Privilege of Residents to Take Fish in Municipal Waters.** Any person who is not a grantee of license or privilege to engage in commercial fishing is hereby allowed to fish for domestic use, in every municipal water, for as long as no communal fishery therein is not yet established; Provided, That, such fishing shall not take place within two hundred (200) meters from a fish corral licensed by this municipality, and that such fish caught under this privilege shall not be sold.

Furthermore, no rental fee, charge, or any other imposition whatsoever shall be collected from marginal fishermen.

**Section 5A.08. Time and Manner of Payment.**

- (a) The annual rental for the lease shall be paid in advance. For the initial year of the lease, the rental shall be paid at the time all the necessary documents granting the lease are executed, and the subsequent installments within the first twenty (20) days after the anniversary date of the grant of such lease. The deposit made by the successful bidder accompanying the sealed bid shall be applied against the rental due from him.

b) The license fees for the privilege to catch fish from municipal waters with nets, traps, and other fishing gears and the operation of fishing vessels shall be paid upon application for a license and within the first twenty (20) days of January of every year for subsequent renewal thereof.

#### Section 5A.09. Administrative Provisions.

a) A licensee of other localities shall not fish within the municipal waters of this Municipality without first securing the necessary permit from the Municipal Mayor and paying the corresponding fee to the Municipal Treasurer.

b) No fish net without eyelet or the opening of which is at least one-fourth (1/4) inch shall be used in this municipal waters.

c) Failure to pay the rental of license fees for fishery rights for two (2) consecutive years shall cause automatic cancellation of said fishing rights.

Section 5A.010. **Applicability of Pertinent Provisions of Laws.** All existing laws, rules and regulations governing municipal waters and municipal fisheries are hereby adopted as part of this Article.

### Article B. Rentals of Personal and Real Properties Owned by the Municipality

Section 5B.01. **Imposition.** The following rates of rental fees for the use of real and personal properties of this municipality shall be collected:

	Rate of Rental
1) Land Only	
(a) Located in commercial/industrial area	P 20.00/sq.m/month
(b) Located in residential area	15.00/sq.m/month
(c) Agricultural	1,000.00/ha./year
2) Building (par sq.m of floor area)	
(a) Located in commercial/industrial area	35.00/sq.m/month
(b) Located in residential area	30.00/sq.m/month
(c) Others (gymnasium, multipurpose hall)	10.00/sqm/day

(Note: For multi-storey structures rates can be categorized based on floor location as in ground floor, corner, etc.)

3) Vehicles and Equipment (Note: List down and refer to pending tax ordinance)

DUMP TRUCKS:	
-10 wheeler	P2,500.00/day
- 6 wheeler	P2,000.00/day

PAY LOADER	P4,000.00/day
GRADER	P2,000.00/day

7) FARM TRACTOR:

**Section I – POLICY DECLARATION** – It is the Policy of the Municipality of Amulung to provide its constituent farmers the best support in terms of a low cost rental of farm facilities and equipments in modernizing their practice of farming for better yield.

**Section II – DEFINITION OF TERMS**

All definition of terms stipuisted herewith is solely for the purpose of this Ordinance.

- FARMER** – any person whose occupation is farming land.  
- owner, operator or a manager of a farm.
- TRACTOR** – a powerful four wheeled vehicle use in farming.
- HARROWING** – is the process of preparing farm lots for planting by flattening plowed earth or breaking lump of earth.
- PLOWING** – also a process of preparing farm lots for planting by cutting, turning over, and stirring of soil.
- FARM LOTS** – tract of lands devoted to cultivation of crops like: corn, peanuts, tobacco, vegetables, palay and others.
- UP-LAND** – refers to a hilly/rolling lands which is above the earth surface.
- LOW-LAND** – refers to a flat land.
- RENTAL** – an amount paid or to be paid for a service rendered or to be rendered.
- MOBILIZATION FEE** – an amount to be paid for the movement of the Municipal Tractor from the Municipal garage to the site of operation and/or from its boarding house to a new site of operation.
- OPERATION** – the process of harrowing or plowing by the Tractor.
- HECTARE** – a metric unit of area equal to Ten Thousand square meters.
- IMPLEMENTS** – are the tools to be used by the Tractor to prepare farm lots for planting such as the harrow and the plow.
- FARMER BENEFICIARY** – the owner or caretaker of the farm lot to be plowed or harrowed.
- 50% DOWNPAYMENT** – half of the total amount to be paid by the farmer beneficiary before the operation.
- 50% BALANCE** – the remaining balance to be paid after operation and after taking the actual measurement of the farm lots area finished.

16. **HONORARIUM** – payment to be given to the team leader as payment for services rendered.
17. **COMPENSATION** – payment to be given to the tractor driver and tractor helper on percentage basis for services rendered.
18. **BOARDING HOUSE** – the house of the team leader to which the operators of the tractor shall stay during the duration of their operation.
19. **OPERATORS** – the tractor driver and tractor helper.
20. **NEW SITE OF OPERATION** – another barangay or place to where the tractor shall undertake operation.
21. **UNIT** – A Tractor
22. **TFOF** – Task Force Operation Farming
23. **WEEKLONG OPERATION** – Monday to Friday operation of the Tractor.
24. **MUNICIPAL GARAGE** – shall be the motor pool at the East and the Sub Office in Annafatan at the West.
25. **GROSS INCOME** – Total amount paid by farmer beneficiaries for the operation.

### **Section III. MUNICIPAL COUNCIL ON THE USE OF THE MUNICIPAL TRACTORS.**

Is to be created to formulate other policies that will further strengthen this ordinance for its successful implementation and shall compose of the following:

<b>CHAIRMAN</b>	:	Municipal Mayor
<b>VICE CHAIRMAN</b>	:	Head Department of Agriculture
<b>MEMBERS</b>	:	1. Municipal Treasurer
		2. SB Chair – Agriculture
		3. ABC President
		4. NGO – Farmers Organization or Cooperatives of Farmer

### **Section IV. TASK FORCE OPERATION FARMING SHALL BE CREATED AND SHALL COMPOSE OF THE FOLLOWING:**

1. TEAM LEADER
2. TRACTOR DRIVER
3. TRACTOR HELPER
4. INSPECTOR – MUNICIPAL AGRICULTURE PERSONNELS

### **Section V. DUTIES AND RESPONSIBILITIES OF "TASK FORCE OPERATION FARMING"**

1. **TEAM LEADER**
  - a. Shall not act as the Landlord/Landlady of the "TFOF".
  - b. Shall be the one to group the farmers to be serviced by "TFOF"

- c. Shall be the one to register to the office of the Municipal Agricultural Officer the names and corresponding lot areas of farmer beneficiaries for scheduling.
- d. Shall make the compulsory down payment of fifty percent collected from the farmer to the office of the Municipal Treasurer upon registration.
- e. Shall collect the remaining fifty percent as full payments of the job accomplished and to remit same to the treasurer.
- f. Shall collect and remit in full the mobilization fee to the office of the treasurer.

## 2. INSPECTOR

- a. Shall take note of the arrival of the tractor to its scheduled place of operation, the start and finally the end of its operation in that place or barangay;
- b. Shall validate the type of work done, the kind of lot done and the total areas accomplished;
- c. Shall assist the team leader collect remaining balances for full payment.
- d. Shall submit official report to Municipal Agriculturist Head for all works done for consolidation and verification every Monday following a weeklong operation.

## 3. TRACTOR DRIVER

- a. Shall take care of the fitness of the tractor by doing regular check up;
- b. Shall conduct regular check up of the tractor as to its oil, fuel, water and other minimum maintenance requirement to include the presence or absence of any damages on the unit and its implements before moving to its destination to operate;
- c. Shall do cleaning and check up of the tractor every after a day's operation and shall have it garaged to their boarding house/municipal garage;
- d. Shall be responsible in determining the suitability of the farm lot and shall have the full authority to reject whole or any part of the farm lot if it will endanger the personnel's life and/or could cause damage to the unit during operation;
- e. To report any damage of the unit/implement for proper action by the D.A. Head;
- f. Shall make all necessary requisition needed by the unit/implements like oil, fuel, spare parts, and other maintenance requirements to the office of the D.A. Head;
- g. To make a week-end report to be submitted to the Office of the Municipal Agricultural Head after every operation on the following:
  - 1). Total areas accomplished to include type of work and kind of farm lots done.
  - 2). Total fuel and oil consumptions.
  - 3). Damage and repair of the unit and its implements if any.
  - 4). Maintenance service done if any.
  - 5). Delays including number of hours and cause if any.

#### 4. TRACTOR HELPER

- a. Do actual measurement of the farm lots of every farm beneficiaries and record it.
- b. Assist the tractor driver, team leader and inspector by following legal order coming from them.
- c. Shall be responsible on the safekeeping of the tape measure use in the measurement of farm lots area.
- d. Shall help in the preparation and accomplishing of their weekend report.

### SECTION VII - MINIMUM QUALIFICATIONS OF THE PERSONNELS-

#### 1). Driver

- a. Must be a bonafide residence of the municipality of Amulung.
- b. Must have at least one (1) year experience in operating a tractor.
- c. Must be honest and without any past or present criminal cases/administrative cases pending any court.
- d. Must be willing to reside in any place where work is being performed.
- e. Must be 20 - 50 years old and in good health.

#### 2). TRACTOR HELPER

- a. Must be a bonafide residence of the municipality of Amulung.
- b. Must be of good moral character without any past or present criminal cases/administrative cases in court.
- c. Must be 20 - 50 years of age and in good health.
- d. Must be willing to reside in the place of operation.
- e. Must know how to drive a four-wheeled vehicle.

#### 3). TEAM LEADER

- a. Must be a residence of the place/barangay of operation and preferably a Barangay official or a Farmer Coop or Association Leader.
- b. Must be of good moral character without any past or present criminal case/administrative cases in court.
- c. Must be willing to let his/her house to be the boarding house of the driver and helper.
- d. Must be willing to cooperate to the successful implementation of the operation.

#### 4). INSPECTOR

1. Must be a permanent employee of the Municipal Agricultural Office.
2. Must be the assigned Municipal Agricultural Personnel in the area of operation.

### SECTION VII - MANNER OF THE OPERATION

- a. The operation of the tractor shall under direct control and supervision of the office of the Municipal Agriculture Head.
- b. Priority shall be given to farm lots within the Municipality and shall be on first come first basis.

- c. The tractor shall operate daily except during Sunday, Holidays and unforeseen calamities like typhoon and floods.
- d. Shall start leaving the Municipal/boarding garage at 7:00 AM and shall stop operation at 5:00 PM daily.
  - e. Shall conduct harrowing/plowing of farm lots whether upland or low land.
  - f. Shall only render its services to farm lots that were scheduled by the office of the Department of Agriculture, Head.
  - g. Operation outside of the Municipality will be the least priority.

**SECTION VIII – CHARGES – A very reasonable rental and mobilization fees shall be collected as follows:**

**a. PLOWING**

- 1. Upland - P1,700.00/hac.
- 2. Lowland - P1,500.00/hac.

**b. HARROWING**

- 1. Upland - P1,200.00/hac.
- 2. Lowland - P1,000.00/hac.

**c. MOBILIZATION FEE**

- 1. First Four Kilometers – None
- 2. First Eight kilometers and the 40.00 pesos be charged on the next 8 kilometers.

- d. Delay the payments of any balances of any farmer beneficiary/beneficiaries shall be levied a Twenty-five Percent (25%) surcharge, penalty of 50% of the total balance plus a one percent (1%) interest for every month or fraction thereof delay, compounded.

- e. Above charges shall be adjusted according to the dictates of the prevailing market rental and mobilization fees but not to exceed Ten Percent (10%) of the current charges.

**SECTION IX – MODE OF PAYMENTS**

- a. Team Leader shall get a job order from the office of the D.A. upon registering in that office.
- b. Team leader shall present job order to the office of the treasurer for the payment of the compulsory down payment of fifty percent (50%) and the mobilization fee.
- c. The team leader shall present official receipt of the fifty percent (50%) down payment and mobilization fee payment to the D.A. Office for the final scheduling.
- d. The remaining balance of fifty percent (50%) shall be collected by the team leader and shall be remitted to the office of the treasurer after the job order and actual measurement of it is done.

## SECTION X - PENAL PROVISIONS

### A. For Drivers and Tractor Helpers

First Offense - Reprimanded

Second Offense - Three (3) Months Suspension

Third Offense - Dismissal and Prohibition to be employed to any position in the Municipality for life and forfeiture of compensation due, if any

### B. Team Leader - For Non-Remittance of collected payments.

1. First Offense - Reprimanded

2. Second Offense - Shall pay all subcharges, penalties and interest due to

all payments to be collected total amount due.

3. Third Offense - Shall pay all subcharges, penalties and interest plus total amount due and shall be prohibited to act as Team Leader for life in the operation.

### C. Farmer - Beneficiaries

a. For delay of payment due:

1. First Offense - Reprimanded and shall be required to make immediate payments within ten days upon receipt of notice of payment of balances plus other charges as stipulated at Section IX.d.

2. Second Offense - Shall make payments within ten days upon receipt of notice of payments plus other charges as stipulated at Section IX.d plus denial of Tractor service for one (1) year from last service rendered.

3. Third Offense - payments shall make payments within five days upon receipt of notice of payments plus other charges as stipulated at Section IX.d and denial of tractor services for life.

## SECTION XIV - This Ordinance Shall Take Effect Immediately After Its Approval.

Musical Equipment (Combo)

4,500.00/occasion

4) Other Properties that may be acquired after the promulgation of this ordinance)

As may be decided by the Sangguniang Bayan

Section 5B.02. **Time of Payment.** The fees imposed herein shall be paid to the Municipal Treasurer or his duly authorized representative, before the use or occupancy of the property.

## ARTICLE C. ASSESSOR'S FEE

Section 4C.01. **IMPOSITION OF FEES:** There shall be collected for services rendered by the Municipal Assessor these Municipality the following fees:

1. Certification Fee	-	P50.00/owner
2. Mortgage annotation Fee	-	P50.00/Tax Declaration
3. Bail bond Annotation Fee	-	P50.00/Tax Declaration
4. Research Fee	-	P20.00/Title
5. Certified True Copy Fee	-	P 20.00/Tax Declaration

Section 4C.02 **EXEMPTION.** The fees imposed in this Article shall not be collected for copies furnished to other offices and branches of the Government for Official Business, except for those copies require by the court at the request of litigant, in which cases charges shall be in accordance with the above-mentioned schedule.

Section 4C.03 **TIME AND MANNER OF PAYMENT.** The fees shall be paid to the Municipal Treasurer at the time of request, written or otherwise, for the issuance of a copy of any Municipal Record or documents is made.

## Article D. Service Charge for Garbage Collection

Section 5D.01. **Imposition of Fee.** There shall be collected from every owner or operator of a business establishment an annual garbage fee in accordance with the following schedule:

Manufacturers, Millers, Assemblers, Processors and Similar Business		
a. Not more than 100 sq. m.		P 100.00
b. More than 100 sq. m.		150.00
Hotels, Apartments, Motels and Lodging Houses		
a. Not more than 100 sq. m.		100.00
b. More than 100 sq. m.		150.00
Restaurants, Day and Night Clubs, Cafes, and Eateries		
a. Not more than 50 sq. m.		100.00
b. More than 50 sq. m.		150.00
Hospitals, Clinics, Laboratories and similar businesses		
a. Not more than 10 sq. m.		200.00
b. More than 10 sq. m.		300.00
Movie houses and Retailers		
a. Not more than 10 sq. m.		100.00
b. More than 10 sq. m.		150.00

Other Business not mentioned above	50.00
a. Not more than 10 sq. m.	
b. More than 10 sq. m.	

**Section 5D.02. Time of Payment.** The fees prescribed in this Article shall be paid to the Municipal Treasurer on or before the tenth (10<sup>th</sup>) day of every month or the authorized representative who shall collect the said fee from the establishment.

**Section 5D.03. Administrative Provisions.**

- a) For purposes of the imposition, the area of garbage collection shall only be the business area of the town proper and Public Market.
- b) The owner or operator of the aforementioned business establishments shall provide for his premises the required garbage can or receptacle, which shall be placed in front of his establishment before the time of garbage collection.
- c) The Sanitary Inspector (for the Municipal Health Officer) shall inspect once every month of the said business establishment to find out whether garbage is properly disposed of within the premises.
- d) This Article shall not apply to business operators or establishments which provides their own system of garbage disposal.

**Article E. Charges for Parking**

**Section 5E.01. Imposition of Fee.** There shall be collected fees for the use of municipal owned parking area or designated streets for pay parking in accordance with the following schedule:

**a. Day Parking Rates**

Vehicle Type	Daily
Tricycle	P 5.00/day
Private Cars and Service Vehicles	5.00/day
Passenger Jeeps	10.00/day
Cargo Trucks/Delivery Vans	20.00/day
Passenger Bus	20.00/day

**b. Overnight Parking Rates**

All types of vehicles	20.00/night
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**Section 5E.02. Time of Payment.** The fees herein imposed shall be paid to the Municipal Treasurer or to his duly delegated representative upon parking thereof.

## Article F. Municipal Hospital Service Fees

Section 5F.01, Imposition of Municipal Hospital/Clinic/Lying in Clinic Service Fees.  
The following schedule of fees is hereby imposed for services of facilities rendered by the  
Municipal Hospital/Clinic/Lying in Clinic.

	<u>Amount of Fee</u>
1. Dental Services:	
Temporary extraction per tooth (including anesthesia)	<u>40.00</u>
Permanent extraction per tooth (including anesthesia)	<u>75.00</u>
Temporary filling per tooth	<u>50.00</u>
Permanent filling per tooth	<u>150.00</u>
silicate cement	<u>100.00</u>
composite filling	<u>150.00</u>
cementation	<u>150.00/tooth</u>
prophylaxis/cleaning	<u>100.00</u>
2. Laboratory Examination Fees:	
Hematology	
Complete blood count	<u>55.00</u>
Hemoglobin/Hematocrit	
Determination	<u>50.00</u>
WBC, Differential Count	<u>50.00</u>
RBC Count	<u>50.00</u>
ESR	
Bleeding/Clotting Time	<u>50.00</u>
Thrombocyte Count	
Malaria Detection	<u>50.00</u>
Parasitology	
Routine Stool Examination	<u>30.00</u>
Clinical Microscopy	
Routine Analysis/urinalysis	<u>30.00</u>
Pregnancy Test	<u>120.00</u>
Bacteriology	
Acid Fast Stain Smear (TB Leprosy)	<u>50.00</u>
Gram Stain Smear	<u>75.00</u>
Pap Smear	<u>          </u>

**Section 5F.02. Time and Manner of Payment.** The fees herein shall be paid upon application or after the extension of service.

**Section 5F.03. Exemptions.** Residents who are certified by the assigned Municipal Officer as indigent and upon approval by the Municipal Mayor may be exempted from the payment of any or all fees in this schedule.

An indigent is one who belongs to a family whose family income does not exceed P50,000.00 per year of the poverty line established by NEDA, whichever is higher.

### **Article G. Cemetery Charges**

**Section 5G.01. Imposition of Fees.** There shall be collected the following rental fees for a period of ten (10) years renewable for the rental of Municipal Cemetery lots:

#### **Fee for Lease Period**

- |  |         |
|--|---------|
| (a) Rental fee for each burial lot     | P 50.00 |
| (b) For every additional layer thereof | 25.00   |
| (c) Renewal                            | 50.00   |

#### **Section 5G.01.A**

- |               |       |
|---------------|-------|
| a) Burial Fee | 50.00 |
|---------------|-------|

**Section 5G.02. Time of Payment.** The fee shall be paid to the Municipal Treasurer upon application for a burial permit prior to the construction thereon of any structure whether permanent or temporary, or to the interment of the deceased. Thereafter, the fee shall be paid within twenty (20) days before the expiration of the lease period.

The fee shall not be collected in a pauper's burial, upon recommendation of the Municipal Mayor.

#### **Section 5G.03. Administrative Provisions.**

- (a) As used in this Article, Municipal Cemetery shall refer to the lot owned by this municipality located at Anquiray, Cordova, and Baysbat, Amulung.
- (b) A standard cemetery lot shall be three (3) meters long and one (1) meter wide or three (3) square meters.
- (c) Except in cases allowed under existing laws and regulations, no person may be buried or interred, permanently or temporarily, other than in properly designated cemeteries or burial grounds.
- (d) In addition to the burial permit, a certificate of death issued by the attending physician or Municipal Health Officer; or, if no medical officer is available, by the Municipal Mayor, Municipal Administrator, or any member of the Sangguniang Bayan shall be required.

- (e) Any construction of whatever kind or nature in the public cemetery whether for temporary or perpetual use, shall only be allowed after the approval of a permit issued by the Municipal Mayor, upon recommendation of the Municipal Health Officer.
- (f) In case a lessee intends to renew the lease after its termination, he must inform the Municipal Treasurer within thirty (30) days before the expiry date of the lease, and shall pay the corresponding fees therefor.
- (g) It shall be the duty of the Municipal Treasurer to prepare and submit to the Municipal Mayor a list of the leases that are to expire five (5) days prior to the expiration date. The Municipal Treasurer shall send a reminder to the lessee of the expiration of his lease, two (2) weeks prior to the expiration date of the lease.
- (h) The Municipal Treasurer shall keep a register in account of the cemetery, together with such additional information as may be required by the Sangguniang Bayan.

## Article H. Rental Fee on Mineral Lands

### Section 5H.01. Definitions. When used in this Article.

- (a) *Minerals* mean all naturally occurring inorganic substances in solid, liquid, or any intermediate state including coal. Soil which supports organic life, sand and gravel, guano, petroleum, geothermal energy and natural gas are included in this term but are governed by special laws.
- (b) *Mineral Lands* are those lands in which minerals exist in sufficient quantity and grade to justify the necessary expenditures in extracting and utilizing such minerals.

**Section 5H.02. Collection of Fee.** There shall be collected an annual rental fee from the lessee of mineral lands in this municipality for the exploration, development and exploitation and disposition of minerals from said lands covered by lease in accordance with the following rates:

- (a) On coal-bearing public lands
- Five pesos (P 5.00) per hectare or fraction thereof for each and every year for the first ten (10) years; and
- Ten pesos (P 10.00) per hectare or fraction thereof for each and every year thereafter during the lease period.
- (b) On public lands bearing quarry resources
- Fifty pesos (P50.00) per hectare or fraction thereof for each and every year during the lease period
- (c) On all other mineral lands containing metallic or non-metallic minerals under Existing mining laws and decrees.

Ten pesos (P10.00 per hectare, or a fraction thereof for each and every year during the lease period.

**Section 5H.03. Time of Payment.** The rental fee shall be paid in advance to the Municipal Treasurer or his duly authorized representative on the date of the granting of the lease and on the same date every year thereafter during the life of the lease.

#### **Article I. Occupation Fee for Mining Claims**

**Section 5I.01. Definition.** When used in this Article *Occupation Fee* is a fee payable by any locator or occupant of any mining claim.

**Section 5I.02. Collection of Fee.** There shall be collected an annual occupation fee on locator, holder or occupant of mining claim in the amount of Five Hundred Pesos (P500.00) per hectare or fractional part thereof, until the lease covering the mining claim shall have been granted.

**Section 5I.03. Time of Payment.** The fee shall be payable to the Municipal Treasurer on the date of registration of the mining claim and on the same date every year thereafter, until the lease covering the mining claim shall have been granted.

**Section 5I.04. Administrative Provisions.** The Municipal Treasurer shall keep a list of all registered mining claims indicating therein the name of locators, area in hectares and date of registration:

#### **Article K. Slaughter and Corral Fees**

**Section 5K.01. Imposition of Fees.** There shall be imposed the following:

(a) **Permit Fee to Slaughter.** The permit fee to be collected are as follows:

	Per Head
Large cattle/Horse	P 50.00
Hogs	20.00
Goat/Sheep	20.00
All others	10.00

(b) **Slaughter Fee.** The fee shall be paid to cover the cost of serve in the slaughter of animals at the municipal slaughterhouse, in accordance with the following rates:

	Per Head
Large cattle/Horse	P 100.00
Hogs	40.00
Goat/Sheep	40.00
All others	25.00

(c) **Corral Fee, per head, per day or fraction thereof:**

Large cattle/Horse	P 20.00
Hogs	10.00
Goat/Sheep	10.00
All others	10.00

**Section 5K.02. Prohibition.** Permit to slaughter shall not be granted nor the corresponding fee collected on animals condemned by the Municipal Veterinarian/duly authorized representative.

**Section 5K.03. Time of Payment.**

- (a) **Permit Fee.** The fee shall be paid to the Municipal Treasurer upon application for a permit to slaughter to be issued by the Office of the Local Chief Executive.
- (b) **Slaughter Fee.** The fee shall be paid to the Municipal Treasurer or his authorized representative before the slaughtered animal is removed from the public slaughterhouse, or before the slaughtering of the animal if it takes place elsewhere outside the public slaughterhouse.
- (d) **Corral Fee.** The fee shall be paid to the Municipal Treasurer before the animal is kept in the city corral or any place designated as such. If the animal is kept in the corral beyond the period for, the fees due on the unpaid period shall first be paid before the same animal is released from the corral.

**Section 5K.04. Administrative Provisions.**

- (a) The slaughter of any kind of animal intended for sale shall be done only in the municipal slaughterhouse designated as such by the Sengguniang Bayan. The slaughter of animals intended for home consumption may be done elsewhere. The animal slaughtered for home consumption shall not be sold.
- a.1 In cases of extreme necessity, large cattles could be slaughtered elsewhere but with the approval of the Municipal Veterinarian/duly authorized representative.
- a.2 Large cattles who met untimely death shall be allowed to be slaughtered and be sold after passing proper procedure as to legal ownership of the animal fro human consumption.
- (b) Before issuing the permit for the slaughter of large cattle the Municipal Treasurer shall require for branded cattle, the production of the certificate of ownership and certificate of transfer showing title in the name of the person applying for the permit if he is not the original owner. If the applicant is not the original owner, and there is no certificate of transfer made in his favor, one such certificate shall be issued and the corresponding fee to be collected therefor.

For unbranded cattle that have not yet reached the age of branding, the Municipal Treasurer shall require such evidence as will be satisfactory to him/her regarding the ownership of the animal for which permit to slaughter has been requested.

For unbranded cattle of the required age, the necessary certificate of ownership and/or transfer shall be issued, and the corresponding fees collected therefore before the slaughter permit is granted.

- (c) Before any animal is slaughtered for public consumption, a permit therefore shall be secured from the Office of the LCE or his duly authorized representative, through the Municipal Treasurer. The permit shall bear the date and month of issue and the stamp of

the Municipal Veterinarian, as well as the page of the book in which said permit number is entered and wherein the name of the permittee, the kind and sex of the animal to be slaughtered appears.

4) The permit to slaughter as herein required shall be kept by the owner to be posted in a conspicuous place in his/her stall at all times.

## CHAPTER VI - COMMUNITY TAX

**Section 6.01. Imposition of Tax.** There shall be imposed a community tax on persons, natural or juridical, residing in the municipality.

**Section 6.02. Individuals Liable to Community Tax.** Every inhabitant of the Philippines who is a resident of this municipality, eighteen (18) years of age or over who has been regularly employed on a wage or salary basis for at least thirty (30) consecutive working days during any calendar year, or who is engaged in business or corporation, or who owns real property with an aggregate assessed value of One Thousand (P1,000.00) Pesos or more, or who is required by law to file an income tax return shall pay an annual community tax of Five (P5.00) Pesos and an annual additional tax of One Peso (P1.00) for every One Thousand Pesos (P1,000.00) of income regardless of whether from business, exercise of profession or from property which in no case shall exceed Five thousand Pesos (P5,000.00)

In the case of husband and wife, the additional tax herein imposed shall be based upon the total property owned by them and the total gross receipts or earnings derived by them.

**Section 6.03. Juridical Persons Liable to Community Tax.** Every corporation no matter how created or organized, whether domestic or resident-foreign, engaged in or doing business in the Philippines whose principal office is located in this Municipality shall pay an annual Community Tax of Five Hundred Pesos (P500.00) and an additional tax, which in no case, shall exceed Ten Thousand Pesos (P10,000.00) in accordance with the following schedule:

(a) For every Five Thousand (P5,000.00) Pesos worth of real property in the Philippines owned by it during the preceding year based on the valuation used in the payment of real property tax under existing laws, found in the assessment rolls of this municipality where the real property is situated - Two (P2.00) Pesos; and

(b) For every Five Thousand (P5,000.00) Pesos of gross receipts or earnings derived by it from its business in the Philippines during the preceding year - Two (P2.00) Pesos.

The dividends received by a corporation from another corporation shall, for the purpose of the additional tax, be considered as part of the gross receipts or earnings of said corporation.

**Section 6.04. Exemptions.**

The following are exempted from the Community Tax:

- a) Diplomatic and consular representatives; and
- b) Transient visitors when their stay in the Philippines does not exceed three (3) months.

**Section 6.05. Place of Payment.** The Community Tax shall be paid in the Office of the Municipal Treasurer or to the deputized Barangay Treasurer.

**Section 6.06. Time of Payment ; Penalties for Delinquency.**

a) The Community Tax shall accrue on the first (1<sup>st</sup>) day of January each year which shall be paid not later than the last date of February of each year.

b) If a person reaches the age of eighteen (18) years or otherwise loses the benefit of exemption on or before the last day of June, he shall be liable for the community tax on the day he reaches such age or upon the day the exemption ends. However, if a person reaches the age of eighteen (18) years or loses the benefit of exemption on or before the last day of March, he shall have twenty (20) days to pay Community Tax without becoming delinquent.

c) Persons who come to reside in the Philippines or reach the age of eighteen (18) years on or after the first (1<sup>st</sup>) day of July of any year, or who cease to belong to an exempt class on or after the same date, shall not be subject to the Community Tax for that year.

d) Corporations established and organized on or before the last day of June shall be liable for the Community Tax for that year. But corporations established and organized on or before the last day of March shall have twenty (20) days within which to pay Community Tax without becoming delinquent. Corporations established and organized on or after the first day of July shall not be subject to the Community Tax for that year.

e) If the tax is not paid within the time prescribed above, there shall be added to the unpaid amount an interest of twenty-four (24%) percent per annum from the due date until it is paid.

**Section 6.07. Community Tax Certificate.** A Community Tax Certificate shall be issued to every person or corporation upon payment of the Community Tax. A Community Tax Certificate may also be issued to any person or corporation not subject to the Community Tax upon payment of One Peso (P1.00).

**Section 6.08. Presentation of Community Tax Certificate on Certain Occasions.**

a) When an individual subject to the Community Tax acknowledges any document before a notary public, takes the oath of office upon election or appointment to any position in the government service; receives any license, certificate, or permit from any public authority; pays any tax or fee, receives any money from public funds, transacts any

official business; or receives any salary or wage from any person or corporation, it shall be the duty of any person, officer or corporation with whom such transaction is made or business done or from whom any salary or wage is received to require such individual to exhibit the Community Tax Certificate.

The presentation of Community tax Certificate shall not be required in connection with the registration of a voter.

(b) When through its authorized officers, any corporation subject to the Community Tax receives any license, certificate, or permit from any public authority, pays any tax or fee, receives money from public funds, or transacts other official business it shall be the duty of the public official with whom such transaction or business is made or done, to require such corporation to exhibit the Community Tax Certificate.

(c) The Community Tax Certificate required in the two preceding paragraphs shall be the one issued for the current year, except for the period from January until the fifteenth (15) of April each year, in which case, the certificate issued for the preceding year shall suffice.

#### **Section 6.09. Collection and Allocation of Proceeds of the Community Tax.**

(a) The Municipal Treasurer shall deputize the Barangay Treasurers, subject to existing laws and regulations, to collect the Community Tax payable by individual taxpayers in their respective jurisdictions; provided, however, that said Barangay Treasurer shall be bonded in accordance with existing laws.

(b) One Hundred Percent (100%) of the proceeds of the Community Tax actually and directly collected by the Municipal Treasurer shall accrue entirely to the general fund of this Municipality.

In cases, where the community tax were secured or requisitioned from the Provincial Treasurer, the Municipal Treasurer shall remit payments to the Provincial Treasurer.

The proceeds of the Community Tax collected through the Barangay Treasurers shall be apportioned as follows:

- (1) Fifty (50%) percent shall accrue to the general fund of the Municipality; and
- (2) Fifty (50) percent shall accrue to the Barangay where the tax is collected.

## **CHAPTER VII. GENERAL ADMINISTRATIVE PROVISIONS**

### **Article A. Collection and Accounting of Municipal Taxes and Other Impositions**

**Section 7A.01. Tax Period.** Unless otherwise provided in this Ordinance, the tax period for all local taxes, fees, and charges imposed under this Ordinance shall be the calendar year.

**Section 7A.02. Accrual of Tax.** Unless otherwise provided in this Ordinance, all taxes and charges imposed herein shall accrue on the first (1st) day of January of each year. However, new taxes, fees or charges, or changes in the rate of existing taxes, fees, or charges, shall accrue on the first (1st) day of the quarter next following the effectivity of the Ordinance imposing such new levies or taxes.

**Section 7A.03. Time of Payment.** Unless specifically provided herein, all taxes, fees, and charges imposed in this Ordinance shall be paid within the first twenty (20) days of January or each subsequent quarter as the case may be.

**Section 7A.04. Surcharge for Late Payment.** Failure to pay the tax described in this Article within the time required shall subject the taxpayer to a surcharge of twenty-five percent (25%) of the original amount of tax due, such surcharge to be paid at the same time and in the same manner as the tax due.

**Section 7A.05. Interest on Unpaid Tax.** In addition to the surcharge imposed herein, where the amount of any other revenue due to the municipality except voluntary contributions or donations, is not paid on the date fixed in the ordinance, or in the contract, expressed or implied, or upon the occurrence of the event which has given rise to its collection, there shall be collected as part of that amount an interest at the rate not to exceed two percent (2%) per month from the date it is due until it is paid, but in no case shall the total interest on the unpaid amount or a portion thereof exceed thirty-six (36) months.

Where an extension of time for the payment of the tax has been granted and the amount is not paid in full prior to the expiration of the extension, the interest above-mentioned shall be collected on the unpaid amount from the date it becomes originally due until fully paid.

**Section 7A.06. Collection.** Unless otherwise specified, all taxes, fees and charges due to this municipality shall be collected by the Municipal Treasurer or his duly authorized representatives.

Unless otherwise specifically provided in this Ordinance or under existing laws and ordinances, the Municipal Treasurer is hereby authorized, subject to the approval of the Municipal Mayor, to promulgate rules and regulations for the proper and efficient administration and collection of taxes, fees and charges herein levied and imposed.

**Section 7A.07. Issuance of Receipts.** It shall be the duty of the Municipal Treasurer or his authorized representative to issue the required official receipt to the person paying the tax, fee or charge wherein the date, amount, name of the person paying and the account for which it is paid, are shown.

The Ordinance Number and the specific section thereof upon which collections are based shall invariably be indicated on the face of all official receipts acknowledging payment of taxes, fees, or charges.

**Section 7A.08. Record of Persons Paying Revenue.** It shall be the duty of the Municipal Treasurer to keep a record, alphabetically arranged and open to public inspection during office hours, of the names of all persons paying municipal taxes, fees and

charges. He shall, as far as practicable, establish and keep current the appropriate tax roll for each kind of tax, fee or charge provided in this Ordinance.

**Section 7A.09. Accounting of Collections.** Unless otherwise provided in this Ordinance and other existing laws and ordinances, all monies collected by virtue of this Ordinance shall be accounted for in accordance with the provisions of existing laws, rules and regulations and credited to the General Fund of the Municipality.

**Section 7A.10. Examination of Books of Accounts.** The Municipal Treasurer shall, by himself or through any of his deputies duly authorized in writing, examine the books of accounts and other pertinent records of the business establishments doing business within the municipality, and subject to municipal taxes, to ascertain, assess and collect the true and correct amount of the tax due from the taxpayer concerned. Such examination shall be made during regular business hours once every year for every tax period, which shall be the year immediately preceding the examination. Any examination conducted pursuant to the provisions of this Section shall be certified to by the examining official and such certificate shall be made of record in the books of accounts of the taxpayer concerned.

In case the examination herein authorized is to be made by a duly authorized deputy of the Municipal Treasurer, there shall be written authority issued to the former which shall specifically state the name, address and business of the taxpayer whose books of accounts and pertinent records are to be examined, the date and place of such examination, and the procedure to be followed in conducting the same.

For this purpose, the records of the Revenue District Office of the Bureau of Internal Revenue shall be made available to the Municipal Treasurer, his deputy or duly authorized representative.

The forms and the guidelines to be observed for the proper and effective implementation of this Section shall be those prescribed by the Department of Finance.

**Section 7A.11. Accrual to the General Fund of Fines, Costs, and Forfeitures.** Unless otherwise provided by law or ordinance, fines, costs, forfeitures, and other pecuniary liabilities imposed by the court for violation of any municipal ordinance shall accrue to the General Fund of the municipality.

## **Article B. Civil Remedies for Collection of Revenues**

**Section 7B.01. Local Government's Lien.** Local taxes, fees, charges and other revenues herein provide constitute a lien, superior to all liens, charges or encumbrances in favor of any person, enforceable by appropriate administrative or judicial action, not only upon any property or rights therein which may be subject to lien but upon also property used in business, occupation, practice of profession or calling, or exercise of privilege with respect to which the lien is imposed. The lien may only be extinguished upon full payment of the delinquent local taxes, fees, and charges including related surcharges and interest.

**Section 7B.02. Civil Remedies.** The civil remedies for the collection of local taxes, fees, or charges, and related surcharges and interest resulting from delinquency shall be:

) By administrative action through distraint of goods, chattels or effects, and other personal property of whatever character, including stocks and other securities, debts, credits, bank accounts, and interest in and rights to personal property, and to levy upon real property and interest in or rights to real property; and

) By judicial action.

Either of these remedies or all may be pursued concurrently or simultaneously at the discretion of the Municipal Treasurer.

**Section 7B.03. Distraint of Personal Property.** The remedy by distraint shall proceed as follows:

) **Seizure.** Upon failure of the person owing any local tax, fee or charge to pay the same at the time required, the Municipal Treasurer or his deputy may, upon written notice, seize or confiscate any personal property belonging to the person or any personal property subject to the lien, in sufficient quantity to satisfy the tax, fee or charge in question, together with any increment thereto incident to delinquency and the expenses of seizure. In such case, the Municipal Treasurer or his deputy shall issue a duly authenticated certificate based upon the records of this office showing the fact of delinquency and the amount of the tax, fee or charge and penalty due. Such certificate shall serve as sufficient warrant for the distraint of personal property aforementioned, subject to the taxpayer's right to claim exemption under the provisions of existing laws. Distrainted personal property shall be sold at public auction in the manner herein provided for.

**Accounting of Distrainted Goods.** The officer executing the distraint shall make or cause to be made an account of the goods, chattels or effects distrainted, a copy of which signed by himself shall be left either with the owner or person from whose possession the goods, chattels, or effects are taken, or at the dwelling or place of business of that person and with someone of suitable age and discretion, to which list shall be added a statement of the sum demanded and a note of the time and place of sale.

) **Publication.** The officer shall forthwith cause a notification to be exhibited in not less than three (3) conspicuous places in the territory of the local government units where the distraint is made; specifying the time and place of sale, and the articles distrainted. The time of sale shall not be less than twenty (20) days after notice to the owner or possessor of the property as above specified and the publication or posting of the notice. One place for the posting of the notice shall be at the Office of the Municipal Mayor.

) **Release of Distrainted Property Upon Payment Prior to Sale.** If not any time prior to the consummation of the sale, all proper charges are paid to the officer conducting the same, the goods or effects distrainted shall be restored to the owner.

) **Procedure of Sale.** At the time and place fixed in the notice, the officer conducting the sale shall sell the goods or effects so distrainted at public auction to the highest bidder for cash. Within five (5) days after the same, the Municipal Treasurer, shall make a report of the proceedings in writing to the Municipal Mayor.

Should the property distrainted be not disposed of within one hundred and twenty

120) days from the date of distraint, the same shall be considered as sold to the local government unit concerned for the amount of the assessment made thereon by the Committee on Appraisal and to the extent of the same amount, the tax delinquencies shall be canceled.

Said Committee on Appraisal shall be composed of the Municipal Treasurer as Chairman, with a representative of the Commission on Audit and the Municipal Assessor as Members.

(f) **Disposition of Proceeds.** The proceeds of the sale shall be applied to satisfy the tax including the surcharges, interest, and other penalties incident to delinquency, and the expenses of the distraint and sale. The balance over and above what is required to pay the entire claim shall be returned to the owner of the property sold. The expenses chargeable upon the seizure and sale shall embrace only the actual expenses of seizure and preservation of the property pending the sale, and no charge shall be imposed for the services of the local officer or his representative. Where the proceeds of the sale are insufficient to satisfy the claim, other property may, in like manner, be distrained until the full amount due, including all expenses, is collected.

(g) **Levy on Real Property.** After the expiration of the time required to pay the delinquency tax, fee or charge, real property may be levied on before, simultaneously or after the distraint of personal property belonging to the delinquent taxpayer. To this end, the Municipal Treasurer, shall prepare a duly authenticated certificate showing the name of the taxpayer and the amount of the tax, fee or charge, and penalty due from him. Said certificate shall operate with the force of a legal execution throughout the Philippines. Levy shall be effected by writing upon said certificate of description of the property upon which levy is made. At the same time, written notice of the levy shall be mailed to or served upon the Assessor and Register of Deeds of the municipality who shall annotate the levy on the tax declaration and certificate of title of the property, respectively, and the delinquent taxpayer or, if he be absent from the municipality, to his agent or the manager of the business in respect to which the liability arose, or if there be none, to the occupant of the property in question.

In case the levy on real property is not issued before or simultaneously with the warrant of distraint on personal property, and the personal property of the taxpayer is not sufficient to satisfy his delinquency, the Municipal Treasurer, shall within thirty (30) days after execution of the distraint, proceed with the levy on the taxpayer's real property. A report on any levy shall, within ten (10) days after receipt of the warrant, be submitted by the levying officer to the Sangguniang Bayan.

(h) **Penalty for Failure to Issue and Execute Warrant.** Without prejudice to criminal prosecution under the Revised Penal Code and other applicable laws, the Municipal Treasurer, if he fails to issue or execute the warrant of distraint or levy after the expiration of the time prescribed, or if he is found guilty of abusing the exercise thereof by competent authority, shall be automatically be dismissed from the service after due notice and hearing.

(i) **Advertisement and Sale.** Within thirty (30) days after levy, the Municipal Treasurer shall proceed to publicly advertise for sale or auction the property or a usable portion thereof as may be necessary to satisfy the claim and cost of sale; and such advertisement shall cover a period of at least thirty (30) days. It shall be effected by posting a notice at

the main entrance of the city hall, and in a public and conspicuous place in the barangay where the real property is located, and by publication once a week for three (3) weeks in a newspaper of general circulation in the municipality. The advertisement shall contain the amount of taxes, fees or charges, and penalties due thereon, and the time and place of sale, the name of taxpayer against whom the taxes, fees or charges are levied, and a short description of the property to be sold. At any time before the date fixed for the sale, the taxpayer may stay the proceedings by paying the taxes, fees, charges, penalties and interests. If he fails to do so, the sale shall proceed and shall be held either at the main entrance of the municipal hall or on the property to be sold, or at any other place as determined by the Municipal Treasurer, conducting the sale and specified in the notice of sale.

Within thirty (30) days after the sale, the Municipal Treasurer or his deputy shall make a report of the sale to the Sangguniang Bayan, and which shall form part of his records. After consultation with the Sanggunian, the Municipal Treasurer shall make and deliver to the purchaser a certificate of sale, showing proceedings of the sale, describing the property sold, stating the name of the purchaser and setting out the exact amount of all taxes, fees, charges and related surcharges, interests, or penalties: Provided, however, that any excess in the proceeds of the sale over the claim and cost of sales shall be turned over to the owner of the property. The Municipal Treasurer may, by a duly approved ordinance, advance an amount sufficient to defray the costs of collection by means of the remedies provided for in this Ordinance, including the preservation or transportation in case of personal property, and the advertisement and subsequent sale, in cases of personal and real property including improvements thereon.

(j) **Redemption of Property Sold.** Within one (1) year from the date of sale, the delinquent taxpayer or his representative shall have the right to redeem the property upon payment to the Municipal Treasurer of the total amount of taxes, fees or charges, and related surcharges, interests or penalties from the date of delinquency to the date of sale, plus interest of not more than two percent (2%) per month on the purchase price from the date of purchase to the date of redemption. Such payment shall invalidate the certificate of sale issued to the purchaser and the owner shall be entitled to a certificate of redemption from the Municipal Treasurer or his representative.

The Municipal Treasurer or his deputy upon surrender by the purchaser of the certificate of sale previously issued to him, shall forthwith return to the latter the entire purchase price paid by him plus the interest of not more than two percent (2%) per month herein provided for, the portion of the cost of sale and other legitimate expenses incurred by him, and said property thereafter shall be free from the lien of such taxes, fees or charges and other related surcharges, interests, and penalties.

The owner, shall not, however, be deprived of the possession of said property and shall be entitled to the rentals and other income thereof until the expiration of the time allowed for its redemption.

(k) **Final Deed of Purchaser.** In case the taxpayer fails to redeem the property as provided herein, the Municipal Treasurer shall execute a deed conveying to the purchaser so much of the property as has been sold, free from liens of any taxes, fees, charges, related surcharges, interests and penalties. The deed shall sufficiently recite all the proceedings upon which the validity of the sale depends.

(l) **Purchase of Property by the Municipality for Want of Bidder.** In case there is no bidder for the real property advertised for sale as provided herein or if the highest bid is for an amount insufficient to pay the taxes, fees, or charges, related surcharges, interests, penalties and cost, the Municipal Treasurer shall purchase the property on behalf of the municipality to satisfy the claim and within two (2) days thereafter shall make a report to his proceedings which shall be reflected upon the records of his office. It shall be the duty of the Registrar of Deeds concerned upon registration with his office of any such declaration of forfeiture to transfer the title of the forfeited property to this municipality without the necessity of an order from a competent court.

Within one (1) year from the date of such forfeiture the taxpayer or any of his representative, may redeem the property by paying to the Municipal Treasurer the full amount of the taxes, fees, charges and related surcharges, interests or penalties, and the costs of sale. If the property is not redeemed as provided herein, the ownership thereof shall be fully vested on the municipality.

(m) **Resale of Real Estate Taken for Taxes, Fees or Charges.** The Sangguniang Bayan may, by a duly approved ordinance, and upon notice of not less than twenty (20) days, sell and dispose of the real property acquired in the preceding paragraph at public auction. The proceeds of the sale shall accrue to the general fund of this municipality.

(n) **Collection of Delinquent Taxes, Fees, Charges or Other Revenues Through Judicial Action.** The municipality may enforce the collection of delinquent taxes, fees, charges or other revenues by civil action in any court of competent jurisdiction. The civil action shall be filed by the Municipal Treasurer within the period prescribed in Section 194 of the Republic Act No. 7160, as implemented under Article 284 of the Implementing Rules and Regulations (IRR).

(o) **Further Distraint or Levy.** The remedies by distraint and levy may be repeated if necessary until the full amount due, including all expenses is collected.

(p) **Personal Property Exempt from Distraint of Levy.** The following property shall be exempt from distraint and the levy, attachment or execution thereof for delinquency in the payment of any local tax, fee or charge, including the related surcharge and interest:

1. Tools and the implements necessarily used by the delinquent taxpayer in the trade or employment;
2. One (1) horse, cow, carabao, or other beast of burden, such as the delinquent taxpayer may select, and necessarily used by him in his occupation;
3. His necessary clothing, and that of all his family;
4. Household furniture and utensils necessary for housekeeping and used for that purpose by the delinquent taxpayer, such as he may select, of a value not exceeding Ten Thousand Pesos (P10,000.00);

5. Provisions, including crops, actually provided for individual or family use sufficient for four (4) months;
6. The professional libraries of doctors, engineers, lawyers and judges;
7. One fishing boat and net, not exceeding the total value of Ten Thousand Pesos (P10,000.00), by the lawful use of which a fisherman earns his livelihood; and
8. Any material or article forming part of a house or improvement of any real property.

### **Article C. Taxpayer's Remedies**

#### **Section 7C.01. Periods of Assessment and Collection.**

(a) Local taxes, fees, or charges shall be assessed within five (5) years from the date they became due. No action for the collection of such taxes, fees, or charges, whether administrative or judicial, shall be instituted after the expiration of such period: Provided, that taxes, fees, or charges which have accrued before the effectivity of the Local Government Code of 1991 may be assessed within a period of five (5) years from the date they became due.

(b) In case of fraud or intent to evade the payment of taxes, fees, or charges, the same may be assessed within ten (10) years from discovery of the fraud or intent to evade payment.

(c) Local taxes, fees, or charges may be collected within five (5) years from the date of assessment by administrative or judicial action. No such action shall be instituted after the expiration of said period: Provided, however, that taxes, fees and charges assessed before the effectivity of the LGC of 1991 may be assessed within a period of three (3) years from the date of assessment.

(d) The running of the periods of prescription provided in the preceding paragraphs shall be suspended for the time during which:

1. The treasurer is legally prevented from making the assessment or collection;
2. The taxpayer requests for a reinvestigation and executes a waiver in writing before expiration of the period within which to assess or collect; and
3. The taxpayer is out of the country or otherwise cannot be located.

**Section 7C.02. Protest of Assessment.** When the Municipal Treasurer or his duly authorized representative finds that correct taxes, fees, or charges have not been paid, he shall issue a notice of assessment stating the nature of the tax, fee or charge, the amount of deficiency, the surcharges, interests and penalties.

Within sixty (60) days from the receipt of the notice of assessment, the taxpayer may file a written protest with the Municipal Treasurer contesting the assessment; otherwise, the assessment shall become final and executory. The Municipal Treasurer shall decide the protest within sixty (60) days from the time of its filing. In cases where the protest is denied, the taxpayer shall have thirty (30) days from the receipt of denial or from

the lapse of the sixty-day period prescribed herein within which to appeal with the court of competent jurisdiction otherwise the assessment becomes conclusive and unappealable.

**Section 7C.03. Claim for Refund of Tax Credit.** No case or proceeding shall be maintained in any court for the recovery of any tax, fee, or charge erroneously or illegally collected until a written claim for refund or credit has been filed with the Municipal Treasurer. No case or proceeding shall be entertained in any court after the expiration of two (2) years from the date of payment of such tax, fee or charge, or from the date the taxpayer is entitled to a refund or credit.

**Section 7C.04. Legality of this Code.** Any question on the constitutionality or legality of this Ordinance may be raised on appeal within thirty (30) days from the effectivity thereof to the Secretary of Justice who shall render a decision within sixty (60) days from the date of receipt of the appeal: Provided, however, that such appeal shall not have the effect of suspending effectivity of this Ordinance and the accrual and payment of the tax, fee or charge levied herein: Provided finally, that within thirty (30) days after the receipt of the decision or the lapse of the sixty-day period without the Secretary of Justice acting upon the appeal, the aggrieved party may file the appropriate proceedings with a court of competent jurisdiction.

#### **Article D. Miscellaneous Provisions**

**Section 7D.01. Power to Levy Other taxes, Fees or Charges.** The municipality may exercise the power to levy taxes, fees or charges on any base or subject not otherwise specifically enumerated herein or taxed under the provisions of the National Internal Revenue Code, as amended, or other applicable laws: Provided, that the taxes, fees or charges shall not be unjust, excessive, oppressive, confiscatory or contradictory to declared national policy. Provided, further, that the ordinance levying such taxes, fees or charges shall not be enacted without any prior public hearing conducted for the purpose.

**Section 7D.02. Publication of the Revenue Code.** Within ten (10) days after its approval, a certified copy of this Ordinance shall be published in full for three (3) consecutive days in a newspaper of local circulation. Provided, however, that in cases where there are no newspapers of local circulation, the same may be posted in at least two (2) conspicuous and publicly accessible places.

**Section 7D.03. Public Dissemination of this Code.** Copies of this Revenue Code shall be furnished to the Municipal Treasurer for public dissemination.

**Section 7D.04. Authority to Adjust Rates.** The Sangguniang Bayan shall have the sole authority to adjust tax rates as prescribed herein not oftener than once every five (5) years, but in no case shall such adjustment exceed ten percent (10%) of the rates fixed under this Code.

**Section 7D.05. Withdrawal of Tax Exemption Privileges.** Unless otherwise provided in this Revenue Code, tax exemptions or incentives granted to, or presently enjoyed by all persons, whether natural or juridical, including government-owned or controlled corporations, except local water districts, cooperatives duly registered under RA 6938, non-stock and non-profit hospitals and educational institutions, business enterprises certified by the Board of Investment (BOI) as pioneer or non-pioneer for a period of six (6)

and four (4) years, respectively, from the date of registration, business entity, association, or cooperatives registered under RA 6810, and printer and/or publisher of books or other reading materials prescribed by DECS as school texts or references, insofar as receipts from the printing and/or publishing thereof are concerned, are hereby withdrawn.

## CHAPTER VIII. GENERAL PENAL PROVISIONS

**Section 8.01. Penalties for Violation of Tax Ordinance.** Any person or persons who violates any of the provisions of this Ordinance or the rules or regulations promulgated by authority of this Ordinance shall, upon conviction, be punished by a fine of not less than One Thousand Pesos (P1,000.00) nor more than Two Thousand Five Hundred Pesos (P2,500.00), or imprisonment of not less than one (1) month nor more than six (6) months, or both, at the discretion of the court.

If the violation is committed by any juridical entity, the President, General Manager, or the individual entrusted with the administration thereof at the time of the commission of the violation shall be held responsible or liable therefore.

Punishment by a fine or imprisonment as herein provided for, shall not relieve the offender from the payment of the tax, fee or charge imposed under this Ordinance.

## CHAPTER IX. FINAL PROVISIONS

**Section 9.01. Separability Clause.** If for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

**Section 9.02. Applicability Clause.** All other matters relating to the impositions in this Ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

**Section 9.03. Repealing Clause.** All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

**Section 9.04. Special Transitory Provisions.**

(a) Pending enactment of a Separate Market Code, existing provisions on markets and slaughterhouse fees of this Code are retained and deemed to be in full force and effect. Similarly, provisions for fishery rentals and fees shall be in full force and effect.

(b) The tax on special levy shall be collected upon enactment by Sangguniang Bayan of an enabling ordinance.

**Section 9A.05. Effectivity.**

This Ordinance shall take effect immediately upon approval.

**FERNANDO C. DE LEON**  
SB Member

**ANGELITA R. ORTIZ**  
SB Member

**EFREN M. BATTUNG**  
SB Member

**LEONARDO V. CASTRO**  
SB Member

**JOHN JOHN B. MALAMUG**  
SB Member

**ALEXANDER L. PASCUAL**  
SB Member

**AMBROCIO V. PENA**  
SB Member

**FE B. QUILANG**  
SB Member

**NOEL P. RICARDO**  
ABC Fed. President

**JUPITER B. MORGADO**  
SK Fed. President

ATTESTED BY:

CERTIFIED CORRECT:

**ANASTACIO B. MORGADO**  
Municipal Vice Mayor

**MARITA B. BUTACAN**  
SB Secretary

APPROVED:

**PACITA N. DE LEON**  
Municipal Mayor