



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF OTON
OFFICE OF THE SANGGUNIANG BAYAN



O2023-410

EXCERPT from the Minutes of Session of the Sangguniang Bayan ng Oton, Iloilo recorded during its Regular Session held at the SB Session Hall on **March 1, 2023** at 9:00 in the morning.

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|------------------------------|---|----------------------------------|
| PRESENT: | Vice Mayor Jose Neil Portugalete Olivares | Vice Mayor and Presiding Officer |
| | Hon. Jimmy Robles Olivares | SB Member |
| | Hon. Ma. Lorna Tumambo Geonigo | SB Member |
| | Hon. Dennis Quillo Geroche | SB Member |
| | Hon. Ernesto Cordova Ticao | SB Member |
| | Hon. Lee Cereneo Alison – Bretaña | SB Member |
| | Hon. Grace Marie Escanlar-Cruz | SB Member |
| | Hon. Rodolfo Zurita Alconga, Jr. | SB Member |
| | Hon. Vanessa Turita Salinas | SB Member |
| | Hon. Antonio Prias Masculino, Jr. | SB Member (LNB Representative) |
| | Hon. Ella Mae Seguisa Yeoh | SB Member (PPSK Representative) |
| ON OFFICIAL BUSINESS: | None. | |
| ABSENT: | None | |

ORDINANCE NO. 2023 – 410

AN ORDINANCE PRESCRIBING THE SYSTEM IN ENSURING PUBLIC CONSULTATION AND EXECUTIVE – LEGISLATIVE COHESION IN THE PASSAGE AND PRE-IMPLEMENTATION OF MUNICIPAL ORDINANCES.

As Proposed by Vice Mayor Jose Neil P. Olivares, **ON MOTION** of Hon. Ernesto C. Ticao, Chair of the Committee on Local Affairs, Human Rights and Good Governance together with Hon. Vanessa T. Salinas and Hon. Antonio P. Masculino, Jr. which was seconded by Rodolfo Zurita Alconga, Jr.,

BE IT ENACTED by the Sangguniang Bayan ng Oton, Iloilo, that:

SECTION 1 – DECLARATION OF POLICY

- a. It is the policy of this Local government Unit that the stakeholders shall be consulted on matters that need to be reasonably presented on public consultation as provided by law or this ordinance.
- b. It is likewise the policy of this Local government Unit that there shall be a system to be observed by both the legislative and the executive in the passage and approval of municipal ordinances so as to foster harmonious working relationship between the two departments.
- c. It is also the policy of this Local government Unit that there shall be a body that will facilitate discussion of the legislative intent and on how the departments concerned implement the provisions of ordinances.

SECTION 2 – DEFINITION OF TERMS – for purposes of this ordinance the following terms are defined, to wit:

- a. **Passage** – means enactment, or ordination of an ordinance by the Sangguniang Bayan, or the approval or adoption of a Resolution approving the Annual Investment Program or the Local Development Investment program of the Local Government Unit by the Sangguniang Bayan.
- b. **Pre-Implementation** – means the act or acts of preparing the implementation of an Ordinance duly passed by the Local Sanggunian and newly signed by the Local Chief executive. This refers also to the stage where a special body composed of Officials or employees from both the executive and legislative converge to discuss the mechanics on

how to implement a particular ordinance, which includes the drafting of an implementing rules and regulations of an ordinance that is on its posting or publication stage.

Cohesion – act or state of cohering or verifying the legislative and executive intent so as to avoid friction or miscommunication between or among departments in implementing a municipal ordinance.

SECTION 3 – MEASURES THAT REQUIRE PUBLIC CONSULTATION

The following legislative measures shall require public consultation or public / committee hearing :

- a. Tax and Revenue, including fees and charges (Section 186, LGC);
- b. Transfer of Seat of Municipal Government (Section 11, LGC);
- c. Application for Cityhood;
- d. Measures that involve Environmental Impact;
- e. Special levy (Section 242, LGC);
- f. Reclassification of agricultural lands (Section 20, LGC);
- g. Floatation of bonds or loan of at least 100 Million;
- h. Determination of route measure capacity of public utilities.
- i. **“i. Other ordinances that affect the constituents as deemed necessary by the Sangguniang Bayan.”**

SECTION 4 – MANDATORY CONSULTATION WITH THE LOCAL CHIEF EXECUTIVE

- a. The LCE as implementer of all the ordinances shall be given the draft of an ordinance passed by the Sanggunian on second reading for his comments or suggestions;
- b. If the LCE has comments or suggestions for amendments on the drafts, he/she shall communicate them in writing to the Sanggunian at least one (1) day before the third reading of a particular ordinance;
- c. If the Sanggunian finds the comments or suggestions of the LCE meritorious, it shall consider them for plenary discussion before the third reading;
- d. If the Sanggunian does not favorably consider the comments or suggestions of the LCE, the provision of the Local Government Code on the approval or veto of an ordinance including overriding of veto shall take their course.

SECTION 5 – INTERDEPENDENT MUTUAL CO-EXISTENCE

While both the legislative and the executive enjoy the constitutional guarantee of separation of powers and checks and balance, both departments are co-equal with each other, shall co-exist in interdependence and share the executive-legislative vision and mission for the benefit of their constituents as required under Sections 16 and 17 of the Local Government Code.

SECTION 6 – EXECUTIVE–LEGISLATIVE ADVISORY COMMITTEE (ELAC)

- a. Upon passage by the Sanggunian and approval by the LCE of an ordinance, the ELAC shall be automatically deemed constituted to prepare the implementation of the said ordinance, to be composed by the following:
 1. Author of the Ordinance – Chair
 2. Sponsor or Chair of the Sponsoring SB Committee – Co-Chair
 3. Head of the Department tasked to implement the ordinance – Vice Chair
 4. Secretary to the Sanggunian – Secretary
 5. Members of the Sponsoring SB Committee – Members

- 6. Heads or Representative of NGAs tasked to assist in the implementation of the ordinance – Member/s
- 7. Other Local Offices tasked to assist in the implementation of the ordinance – Member/s
- b. The ELAC shall draft the IRR of the ordinance once it is an ordinance of so many provisions or an ordinance containing a code of ordinances. It shall print the final draft of the IRR, to be signed by the LCE, VM and all members of the ELAC.

SECTION 7. SEPARABILITY CLAUSE. If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue in operation.

SECTION 8. EFFECTIVITY CLAUSE – this ordinance shall take effect upon the approval of the LCE.

SECTION 9. COPIES. This Ordinance shall be furnished to the Office of the Mayor; Mun. Administrator, All local departments, OTON-BFP, OTON- PNP and the Sangguniang Panlalawigan of Iloilo for information, guidance and review respectively.


UNANIMOUSLY APPROVED.



I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

Concurred: 
VANESSA T. SALINAS
 Chair - Committee on Rules and Privileges


KERRY ANN T. LACIFICAR
 Secretary to the Sanggunian

Attested: 
JOSE NEIL P. OLIVARES
 Vice Mayor and Presiding Officer

Approved: 
SOFRONIO A. FUSIN, JR.
 Municipal Mayor

Date Approved: MAR 16 2023

Date Posted: MAR 16 2023

