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Republic of the Philippines  
**MUNICIPALITY OF BALAOAN**

Province of La Union

DATE: 05-28-19 TIME: 8:15 AM

*Office of the Sangguniang Bayan*

**1<sup>st</sup> Endorsement**

May 23, 2019

Respectfully forwarded to the Office of the Sangguniang Panlalawigan, Province of La Union, the herein attached **MUN. ORDINANCE NO. 33 S. 2019** titled "**ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF HEAVY AND CONSTRUCTION EQUIPMENT OWNED BY THE MUNICIPALITY OF BALAOAN, LA UNION.**", for their review and appropriate action.

  
**RALEIGH P. DOMONDON**

SB Secretary





Republic of the Philippines  
MUNICIPALITY OF BALAOAN  
Province of La Union

*Office of the Sangguniang Bayan*

*Excerpts from the Minutes of the Monthly SB-ABC Joint Session of the Sangguniang Bayan held on May 22, 2019 at the SB Session Hall.*

Present:

HON. JOANNA KATRINA L. LEDDA	- SB Member/Temporary Pres. Officer
HON. MICHAEL D. MARRON	- Sangguniang Bayan Member
HON. ROGELIO E. OPINALDO	- Sangguniang Bayan Member
HON. EMILIANA P. PORTACIO	- Sangguniang Bayan Member
HON. DIONISIO A. DIRECTO	- Sangguniang Bayan Member
HON. HERMINIA M. ORDINARIO	- Sangguniang Bayan Member
HON. MARIFE C. HERMOSURA	- Sangguniang Bayan Member
HON. CECILIA ASUNCION C. DETRAN	- Sangguniang Bayan Member
HON. AMIEL JOHN U. CONCEPCION	- Ex-Officio SBM/ABC President
HON. ZHOREN ELRICK R. ORDINARIO	- Ex-Officio SBM/SKMF President
ALL PUNONG BARANGAYS	
Absent:	
HON. NADINE JOY S. CONCEPCION	- Municipal Vice-Mayor (On Leave)

**MUNICIPAL ORDINANCE NO. 33 S. 2019**

**ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF HEAVY AND CONSTRUCTION EQUIPMENT OWNED BY THE MUNICIPALITY OF BALAOAN, LA UNION.**

**WHEREAS**, the Local Government Unit of Balaoan, La Union owns various heavy and construction equipment;

**WHEREAS**, Article 129 of Republic Act 7160 otherwise known as the Local Government Code of 1991 in relation to Article 10, Section 5 of the 1987 Philippine Constitution provides, "Each local government unit shall exercise its power to create its own sources of revenue and levy taxes, fees, and charges subject to the provisions herein, consistent with the basic policy of local autonomy. Such taxes, fees, and charges shall accrue exclusively to the local governments".

**WHEREAS**, Article Five, Section 153 and Section 154 of Republic Act 7160 further provides that the local government units may impose and collect reasonable fees and charges for services rendered and may fix the rates for the operation of public utilities owned, operated and maintained by them;

**WHEREAS**, the Municipality of Balaoan intends to maximize the use of its sources and create additional source of income by renting out the heavy and construction equipment in order to keep and support the required budget for the maintenance of these heavy and construction equipment;

**WHEREAS**, the Office of the Municipal Mayor has requested this august body to approve the imposition of rental fees for the use of heavy equipment at reasonable rates in order to service the construction needs of the people and businesses in the community;

**NOW THEREFORE**, on motion unanimously seconded;

**BE IT ENACTED** as it is hereby **ENACTED** by the Sangguniang Bayan of Balaoan, La Union in session duly assembled that;



**Section 1. Title of the Ordinance** – This ordinance shall be known as an “**ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF HEAVY AND CONSTRUCTION EQUIPMENT OWNED BY THE MUNICIPALITY OF BALAOAN, LA UNION**”;

**Section 2. Fees and Charges-** There is hereby imposed the following rental rates for the use of heavy and construction equipment being rented out by the Municipal Government to private parties :

NO.	EQUIPMENT	PROPOSED RENTAL RATES (PESOS/HOUR)
1	KOMATSU WHEEL LOADER WA-250	Php 600.00
2	KOMATSU EXCAVATOR (CRAWLER TYPE) PC-130	Php 600.00
3	HYUNDAI EXCAVATOR/LOADER H940C	Php 600.00

**Section 3. General Provisions Governing the Rental and Use of Equipment-** The rental and use of the heavy and construction equipment indicated under Section 2 shall be in accordance with the following conditions:

- a. The rental rates shall be exclusive of fuel and oil consumption and remuneration of the heavy equipment operator.
- b. A rental agreement shall be executed between the Municipal Government and the renting party indicating therein, among others, all attendant terms and conditions governing said agreement.

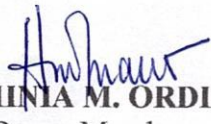
**Section 4. Separability Clause** –If any provision of this ordinance or the application of such provision to any person or circumstances is declared invalid, the remainder of this Ordinance shall not be affected.


**Section 5. Repealing Clause** – All Ordinances, rules and regulations, or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed of modified accordingly.

**Section 6. Effectivity** – This Ordinance shall take effect upon approval and the requisite posting and publication as provided under the Local Government Code.

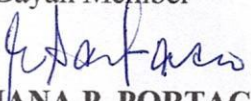
**“UNANIMOUSLY APPROVED.”**

  
**HON. MICHAEL D. MARRON**  
Sangguniang Bayan Member

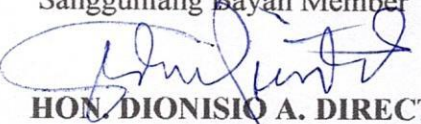
  
**HON. HERMINIA M. ORDINARIO**  
Sangguniang Bayan Member


  
**HON. ROGELIO E. OPINALDO**  
Sangguniang Bayan Member


**HON. MARIFE C. HERMOSURA**  
Sangguniang Bayan Member

  
**HON. EMILIANA P. PORTACIO**  
Sangguniang Bayan Member

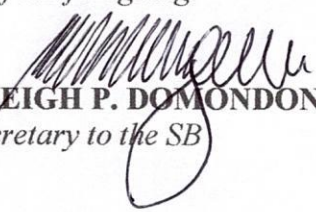
  
**HON. CECILIA ASUNCION C. DETRAN**  
Sangguniang Bayan Member

  
**HON. DIONISIO A. DIRECTO**  
Sangguniang Bayan Member

  
**HON. AMIEL JOHN U. CONCEPCION**  
Ex-Officio SB Member/ABC President

  
**HON. ZHOREN ELRICK R. ORDINARIO**  
Ex-Officio SB Member/SKMF President

*I hereby certify to the correctness of the foregoing.*

  
**RALEIGH P. DOMONDON**


*Secretary to the SB*

ATTESTED BY:

  
**HON. JOANNA KATRINA L. LEDDA**

*SB Member/Temporary Presiding Officer*

APPROVED:

  
**ATTY. ALELI U. CONCEPCION**

*Municipal Mayor*