



Republic of the Philippines
MUNICIPALITY OF BALAOAN
 Province of La Union

Office of the Sangguniang Bayan

Excerpts from the Minutes of the SB Weekly Regular Session held on April 12, 2017 at the Municipal Session Hall.

Present:	ATTY. AL-FRED O. CONCEPCION HON. NADINE JOY S. CONCEPCION HON. JOANNA KATRINA L. LEDDA HON. MICHAEL D. MARRON HON. ROGELIO E. OPINALDO HON. EMILIANA P. PORTACIO HON. DIONISIO A. DIRECTO HON. HERMINIA M. ORDINARIO HON. MARIFE C. HERMOSURA HON. ARISTEDES F. MARRON	- Mun. Vice-Mayor/Presiding Officer - Sangguniang Bayan Member - Sangguniang Bayan Member - Sangguniang Bayan Member - Sangguniang Bayan Member - Sangguniang Bayan Member - Sangguniang Bayan Member - Sangguniang Bayan Member - Sangguniang Bayan Member - Ex-Officio SB Member
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RESOLUTION NO. 42 S. 2017

RESOLUTION CLARIFYING THE ISSUE OF JURISDICTION IN THE CONVERSION AND/OR RECLASSIFICATION OF LANDS WITHIN THE JURISDICTION OF THE MUNICIPALITY OF BALAOAN, LA UNION.

WHEREAS, Section 447 of the Local Government Code vests the authority to reclassify lands within the jurisdiction of the municipality upon the Sangguniang Bayan;

WHEREAS, the same Section also gives the Sangguniang Bayan the authority to adopt a Comprehensive Land Use Plan (CLUP) and Zoning Ordinances;

WHEREAS, under the CLUP of the Municipality of Balaoan which was passed and approved by the Sangguniang Bayan, the Local Zoning Board of Adjustments and Appeals (LZBAA) was given the authority to address and act on requests for variances with respect to the use of the land covered by the CLUP and the Zoning Ordinances;

WHEREAS, there is now a seeming confusion on the issue of jurisdiction between the Sangguniang Bayan's authority to convert and/or reclassify and the authority of the LZBAA to allow variances in the use of lands because necessarily the issue of variances involves conversion and/or reclassification;

NOW THEREFORE, in order to avoid further confusion, the Sangguniang Bayan resolves to adopt the following guidelines to guide the general public:

1. The Sangguniang Bayan has the jurisdiction and authority to convert and /or reclassify lands of whatever class.
2. When the request for conversion and/or reclassification involves an agricultural land, the Sangguniang Bayan shall be guided by Section 20 of the Local Government Code.
3. When the request involves lands that are not agricultural, the Sangguniang Bayan shall refer the matter for comment by the LZBAA whether the variance is allowed under the provisions of the CLUP and other Zoning Ordinances of the Municipality.

[Handwritten signatures and initials in the left margin: a large signature, 'Sangguniang Bayan', 'John J. ...', 'Tomy', and 'I']

[Handwritten signatures and initials in the right margin: 'John J. ...', 'Alfredo', 'M. ...', 'Lamaran', and 'Hulmar']


4. The LZBAA shall consider the matter brought to its attention only by the Sangguniang Bayan and not from private parties.

5. The Sangguniang Bayan shall give the findings of the LZBAA the appropriate weight in approving or denying requests for conversion and /or reclassification.


6. In any case, requests for conversion and/or reclassification shall be acted upon, as far as practicable, within fifteen (15) working days from the first session day that it was taken up by the Sangguniang Bayan.


"APPROVED."


HON. NADINE JOY S. CONCEPCION
Sangguniang Bayan Member

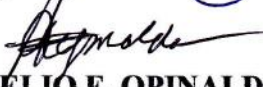

HON. EMILIANA P. PORTACIO
Sangguniang Bayan Member


HON. JOANNA KATRINA L. LEDDA
Sangguniang Bayan Member



HON. DIONISIO A. DIRECTO
Sangguniang Bayan Member


HON. MICHAEL D. MARRON
Sangguniang Bayan Member

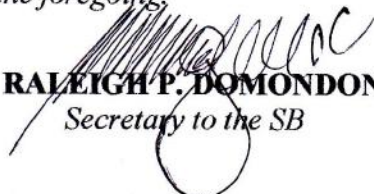

HON. HERMINIA M. ORDINARIO
Sangguniang Bayan Member


HON. ROGELIO E. OPINALDO
Sangguniang Bayan Member



HON. MARIFE C. HERMOSURA
Sangguniang Bayan Member


HON. ARISTEDES F. MARRON
Ex-Officio Sangguniang Bayan Member

I hereby certify to the correctness of the foregoing.


RALEIGH P. DOMONDON
Secretary to the SB

ATTESTED BY:


ATTY. AL-FRED O. CONCEPCION
Mun. Vice-Mayor/Presiding Officer

APPROVED:


ATTY. AELI U. CONCEPCION
Municipal Mayor