MUNICIPAL RESOLUTION NO. 73
Series of 2010

A RESOLUTION RATIFYING AND APPROVING THE “INTERNAL RULES OF PROCEDURE” OF THE SANGGUNIANG BAYAN OF BACOOR.


WHEREAS, the Local Government Code of 1991 mandates the Sangguniang Bayan to approve its internal rules of procedure within ninety (90) days after its initial regular session.

WHEREAS, in view of the great challenges being faced by the people of Bacoor that require the immediate action and attention of the Sangguniang Bayan, the council unanimously decided to approve and ratify its Internal Rules of Procedure.

NOW, THEREFORE, upon joint motion of all the members present constituting a quorum in regular session assembled, BE IT RESOLVED AS IT HEREBY RESOLVED to approve and ratify its 2010 Internal Rules of Procedures which provides as follows:

INTERNAL RULES OF PROCEDURE
OF THE
SANGGUNIANG BAYAN OF BACOOR

RULE 1 – COMPOSITION

SECTION 1. The composition of the Sangguniang Bayan shall be as provided by existing law specifically by RA 7160 otherwise as the “Local Government Code of 1991”.

RULE II – POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIANG BAYAN

SECTION 1. Every member of this Sanggunian shall make a full disclosure of his financial and business interests as required of him under Art. 104 Rule XVII of the Rules and Regulations implementing the Local Government Code of 1991.

Address: Evangelista St., Barangay Tabing Dagat, Bacoor, Cavite
Telephone No.: (046) 434-4716
SECTION 2. Every member shall attend all the sessions of the Sanggunian unless he is prevented from doing so by reason of sickness or other unavoidable circumstances, provided that, as a general rule, previous notice thereto shall be sent to the Sanggunian through the Presiding Officer or the Sangguniang Bayan Secretary (SB Secretary).

Any member of the Sanggunian who arrives late at a session without any justifiable reason shall pay a fine of P500.00.

Any member of the Sanggunian who fails to attend a session without any justifiable reason shall pay a fine of P1,000.00.

Pursuant to Section 50 of R.A. 7160, any member who fails to attend four (4) consecutive sessions without any justifiable cause shall either be censured, reprimanded, excluded from the session, suspended for not more that sixty (60) days, or expelled: Provided, that the penalty of suspension or expulsion shall require the 2/3 vote of all the Sanggunian members. Provided, further, that a member convicted of a crime involving moral turpitude shall be automatically expelled from the Sanggunian.

All amounts deducted from the salary of tardy or absent members shall be deposited in a special fund which shall be used by the Sanggunian for whatever reason it may deem proper. The determination of how and for what purpose the said special fund shall be used shall require a majority vote of all the Sanggunian members.

SECTION 3. As a general rule, every member is required to air his voice on every question or proposed measure being voted upon by the Sanggunian. Abstentions may only be allowed if it can be shown that the member concerned has a pecuniary interest, either directly or indirectly, on the matter being acted upon by the body.

SECTION 4. Every member shall observe proper deportment and decorum during sessions. To this end, every male member of the Sanggunian shall be required to wear polo barong and slacks while the female members of the Sanggunian shall wear proper business attire.
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Any member who fails to observe the rules of proper deportment and decorum which results in the disruption of the Sanggunian proceedings shall either be fined P1,000.00 or suspended from attending the sessions of the Sanggunian. The period of the said suspension, however, shall not exceed sixty (60) days.

Any member who wears improper attire during a session of the Sanggunian shall be fined an amount of P500.00.

The Presiding Officer or Acting Presiding Officer shall have the sole discretion of determining whether a member is in violation of this section and shall decide on the proper penalty to be imposed on the erring member. Provided, that the penalty of suspension shall require the concurrence of 2/3 of all members of the Sanggunian.

SECTION 5. Every member shall attend the flag ceremony every Monday at 8:00 AM, in front of the Municipal Hall of Bacoor, Cavite. Any member who arrives late at the flag ceremony without any justifiable cause shall pay a fine of P500.00. Any member who fails to attend the flag ceremony without any justifiable cause shall pay a fine of P1,000.00. All amounts collected from tardy or absent shall be deposited in the special fund mentioned in Section 2, Rule II hereof.

RULE III – THE PRESIDING OFFICER

Section 1. The Vice Mayor shall be the Presiding Officer of the Sanggunian and shall have the following rights and duties:

a. To preside over sessions of the Sanggunian;

b. To exact from all the members present during the sessions proper deportment and decorum;

c. To impose the internal rules and procedures of the Sanggunian;

d. To maintain order during sessions and render a ruling on questions of order, subject to appeal by the member concerned to the body for final decision. Provided, that the ruling of the Presiding Officer may only be overturned by a 2/3 vote of all the members of the Sanggunian.

e. To sign all legislative documents, papers, or checks requiring his signature;

f. To declare a recess during sessions anytime he deems it necessary provided that the duration of the recess is not more than fifteen (15) minutes;


Approved by:

STRIKE REVILLA  
Municipal Mayor
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g. To declare the session adjourned to some other date, time and place or in cases of extreme emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable circumstances;

h. To make brief remarks, comments or clarifying questions on any measures pending deliberation by the body, provided that he shall not express himself for or against the said measures or question;

i. To vote but only to break a tie. Hence, he cannot vote in order to create a tie. His right to vote to break a tie is not compulsory. He may or may not exercise it.

j. To relinquish the Chair to the Majority Floor Leader who shall be appointed by majority vote on the first day of session of the Sanggunian, or, in the latter’s absence, to any member of the Sanggunian who shall function as “Acting Presiding Officer” but only if he is going out of the session hall for whatever reasons.

RULE IV – MAJORITY FLOOR LEADER AND ACTING PRESIDING OFFICER

Section 1. There shall be a Majority Floor Leader to be elected from among the members of the Sanggunian by a majority vote on the first day of session of the Sanggunian.

SECTION 2. In the event of the inability of the regular Presiding Officer to preside over a Sanggunian session due to his absence, illness, or his appointment as Acting Mayor, the councilor who garnered the most number of votes from the electorate shall automatically be the Acting Presiding Officer. However, if the councilor who garnered the most votes is absent, majority of the members present thereby constituting a quorum shall elect from among themselves an Acting Presiding Officer.

SECTION 3. The Majority Floor Leader or the Acting Presiding Officer, as the case may be, shall certify the ordinances enacted or the resolutions adopted by the Sanggunian in the session even which he temporarily presided within ten (10) days from their passage.

SECTION 4. While presiding, the Acting Presiding Officer shall have no right to vote even if there is a tie.

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SECTION 5. The Acting Presiding Officer may, on his own discretion, relinquish the Chair temporarily to any member of the Sanggunian, if he would like to go down the floor and participate in the deliberation in his capacity as a regular member.

RULE V — REGULAR AND SPECIAL SESSION

SECTION 1. The regular session of the Sanggunian shall be once a week to be held every Monday 9:30 AM, at the Sanggunian Session hall unless otherwise amended by a majority vote of the members of the Sanggunian. Special committee hearings may be conducted every Thursday 10:00 AM at the Sanggunian Session Hall but only if such special committee hearings are needed and subject to a majority vote of the Sanggunian. The Sanggunian can, however, hold its sessions or public/committee hearings in other venues other than the Session Hall as the need arises subject to the discretion of the Presiding Officer or the Committee Chairperson/s concerned.

SECTION 2. When public interest so demands, special sessions may be called by the Mayor or by a majority of the members of the Sanggunian.

SECTION 3. A written notice to the Sanggunian members stating the date, time and place and purpose of the session shall be served personally or left with a member of his household at his usual place or residence at least twenty four (24) hours before the special session is held. To this end, all members of the Sanggunian are required to submit to the SB Secretary their residential address and contact telephone numbers. Should a member of the Sanggunian change his residential address, he is required to inform the SB Secretary of such change of address.

SECTION 4. Unless otherwise agreed upon by a 2/3 vote of the members present, there being a quorum, no other matter may be considered at a special session except those in the notice.

SECTION 5. All sessions shall be open to the public unless a closed door session is ordered by an affirmative vote of a majority of the members present, there being a quorum, in the public interest or for reasons of security, decency, or propriety.