



Republic of the Philippines
Province of Ilocos Sur
MUNICIPALITY OF NARVACAN

OFFICE OF THE SANGGUNIANG BAYAN 2019-2022

Vice Mayor/Presiding Officer:

HON. PABLITO V. SANIDAD, SR.

Sangguniang Bayan Members:

HON. EDNA C. SANIDAD

HON. JOSEPH A. TEJADA

HON. JOVENNIANO B. AMPO, JR.

HON. CHARITO C. VILORIA

HON. BERNADETTE C. LIM

HON. LORETO C. CABALLES

HON. EMILIANO C. CLARIN

HON. REINA ALEXA V. ANTOLIN

ABC President:

HON. ROMULO C. REA

SK Federated President:

HON. JOEMAR GREY A. CABICO

Attested:

MARIBEL C. CORRALES
SB Secretary

Approved:

HON. LUIS "CHAVIT" C. SINGSON
Municipal Mayor

EXCERPTS FROM THE MINUTES OF THE 22nd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF NARVACAN, ILOCOS SUR HELD ON DECEMBER 9, 2019 AT THE MUNICIPAL SESSION HALL

**ORDINANCE NO. 07-SS
Series of 2019**

AN ORDINANCE AMENDING SECTION 13 OF ORDINANCE NO.03, SERIES OF 2014, ON LEGAL PROCEDURE IN THE CONDUCT OF ADMINISTRATIVE INVESTIGATION BY THE SANGGUNIANG BAYAN

WHEREAS, the enacted ordinance on legal procedure in the conduct of administrative investigation by the Sangguniang Bayan of Narvacan, Ilocos Sur does not prescribe the imposition of penalties on erring local elective officials in this municipality;

WHEREAS, as mandated under Sections 60, 63, 64, 65 and 66 of RA 7160, otherwise known as the Local Government Code of 1991, prescribed with particularity the penalties imposed based on the decision that may be rendered by the Sangguniang Bayan by virtue of their quasi-judicial function;

WHEREAS, pursuant to the above stated provisions of the Local Government Code, there is a necessity to include the imposition of penalties as part of the legal procedure in the conduct of administrative investigation filed before the Sangguniang Bayan convened as a quasi-judicial body whose decision shall be final and executory;

NOW THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Narvacan, Ilocos Sur, that:

SECTION 1.Section 13 of the Legal Procedures in the Conduct of Administrative Investigation of the Sangguniang Bayan of Narvacan 2014 is hereby amended to include Section 13-A, 13-B and 13-C as follows:



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SECTION 13-A. Disciplinary actions – An elective local official may be **disciplined, suspended, or removed** from office on any of the following grounds:

- a) Disloyalty to the Republic of the Philippines;
- b) Culpable violation of the Constitution;
- c) Dishonesty, oppression, misconduct in office, gross negligence or dereliction of duty;
- d) Commission of any offense involving moral turpitude or an offense punishable by at least prison mayor;
- e) Abuse of authority;
- f) Unauthorized absence for fifteen (15) consecutive working days, except in the case of members of the Sangguniang Panlalawigan, Sangguniang Panglungsod, Sangguniang Bayan and Sangguniang Barangay;
- g) Application for or acquisition of foreign citizenship or residence or the status of an immigrant of another country; and
- h) Such other grounds as may be provided in this Code and other law;

An elective local official may be removed from office on the grounds enumerated above by order of the proper court or the disciplining authority whichever first acquires jurisdiction to the exclusion of the other.

SECTION 13-B. Preventive Suspension –

- a) Preventive suspension may be imposed by the Mayor, if the respondent is an elective official of the Barangay.
- b) Preventive suspension may be imposed at any time after the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and evidence;



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- c) Any single preventive suspension of an elective official shall not extend beyond sixty (60) days;
- d) In the event that several administrative cases are filed against an elective local official, he cannot be placed under preventive suspension for more that ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension;
- e) Upon the expiration of the preventive suspension, the suspended elective local official shall be deemed reinstated in office without prejudice to the continuation of the proceedings against him, which shall be terminated within one hundred twenty (120) days from the time he was formally notified of the case against him. If the delay in the proceedings of the case is due to his fault, neglect or request, other than the appeal duly filed, the duration of such delay shall be counted in computing the time of the termination of the case;
- f) The penalty of the suspension shall not exceed the unexpired term of the respondent or a period of six (6) months for every administrative offense, nor shall the penalty be a bar to the candidacy of the respondent so suspended as long as he meets the qualifications required for the office.
- g) The penalty of removal from office shall be considered as bar to the candidacy of the respondent for any elective position.
- h) Any abuse of the exercise of the power of preventive suspension shall be penalized as abuse of authority.

SECTION 13-C. Salary of Respondent Pending Suspension

– The respondent elective local official who is under preventive suspension shall receive no salary or compensation during such suspension. Upon subsequent exoneration and reinstatement, however, he shall be paid full salary or compensation including other emoluments accruing during his suspension.



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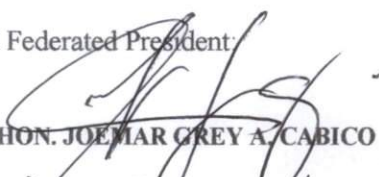

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SECTION 2. SEPARABILITY CLAUSE – Should any provision, section or part of this ordinance be declared invalid by any court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections or parts hereof which shall continue to be in full force and effect.

SECTION 3. REPEALING CLAUSE – All ordinances, rules and regulations or any part thereof found in conflict or inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

SECTION 4. EFFECTIVITY – This ordinance shall take effect upon approval and posting in three (3) conspicuous public places.

ENACTED ON December 9, 2019.