



Republic of the Philippines  
**DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**  
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City  
<http://www.dilg.com.ph>

14 JAN 2020

**DILG OPINION NO. 13 S. 2020**

**ENGR. PEDRO D. BALITE**  
Punong Barangay  
Barangay Kauswagan  
Cagayan De Oro City

Dear Engr. Balite:

This has reference to your letter dated 27 August 2019 requesting for this Department's opinion on the implementation of a project of constructing a perimeter fence around a lot intended for a Day Care Center despite objections from some residents.

Sections 16 and 17 of R.A. No. 7160, otherwise known as the "Local Government Code of 1991", provide as follows:

**Section 16. General Welfare.** - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

**Section 17. Basic Services and Facilities.** -

(a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities enumerated herein.

(b) Such basic services and facilities include, but are not limited to, the following:

(1) For Barangay:

(i) Agricultural support services which include planting materials distribution system and operation of farm produce collection and buying stations;

(ii) Health and social welfare services which include maintenance of barangay health center and **day-care center**;

(iii) Services and facilities related to general hygiene and sanitation, beautification, and solid waste collection;

(iv) Maintenance of katarungang pambarangay;

(v) Maintenance of barangay roads and bridges and water supply systems;

(vi) **Infrastructure facilities** such as multi-purpose hall, multipurpose pavement, plaza, sports center, and **other similar facilities**;

(vii) Information and reading center; and

(viii) Satellite or public market, where viable;

Based on the foregoing, the construction of a Day Care Center and any infrastructure facilities related to it, such as a perimeter fence around the lot intended for your barangay's Day Care Center, is well within the power of a barangay as a Local Government Unit. As a power expressly granted by the Local Government Code, it may be exercised without unnecessary hindrance.

We hope to have enlightened you on the matter.

Very truly yours,  
BY AUTHORITY OF THE SECRETARY:

  
**MARTIN B. DIÑO**  
Undersecretary