

11

Item No: 11
Date: 14 MAR 2023

SP Records
Vila
MAR 09 2023

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

MAR 07 2023
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Date: 3. 2. 23

2ND INDORSEMENT
February 27, 2022

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-01 of the SB of Dagami, Leyte, recommending for the declaration its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), an exercise of the power "necessary, appropriate, or incidental for its efficient and effective governance", authorized under Section 16 of the Code. Essential for the implementation of the mandate of Section 447 (5), (vi) thereof.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer


Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
22 February 2023



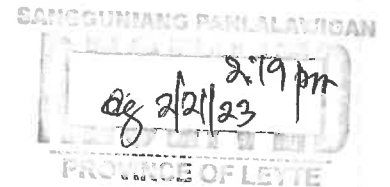
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2023-01 of the MUNICIPALITY OF DAGAMI, LEYTE, ENTITLED: AN ORDINANCE CREATING AND ESTABLISHING THE DAGAMI AUXILIARY TRAFFIC UNIT (DATU) IN THE MUNICIPALITY OF DAGAMI, LEYTE, AND APPROPRIATING FUNDS FOR ITS PURPOSE.**


FLORINDA JUL S. UYVICO
Secretary to the Sanggunian

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF DAGAMI
*

Office of the Secretary to the Sanggunian

21 FEBRUARY 2023



Sangguniang Panlalawigan, Leyte
Legislative Building
Capitol Grounds
Tacloban City

Thru: The Secretary to the
Sangguniang Panlalawigan

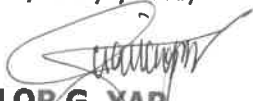
Madam:

Respectfully submitted herewith Seventeen (17) sets of Ordinance No. 2023-01 "AN ORDINANCE CREATING AND ESTABLISHING THE DAGAMI AUXILIARY TRAFFIC UNIT (DATU) IN THE MUNICIPALITY OF DAGAMI, LEYTE AND APPROPRIATING FUNDS FOR ITS PURPOSE" and Ordinance No. 2023-03 "AN ORDINANCE REGULATING THE OPERATION OF "HABAL-HABAL" AND PEDICAB "POT-POT" OPERATING WITHIN THE JURISDICTION OF THE MUNICIPALITY OF DAGAMI, LEYTE, IMPOSING FEES, FARE RATES, AND PENALIZING VIOLATOR for review and approval.

Please acknowledge receipt hereof.

Thank you and more power.

Very truly yours,

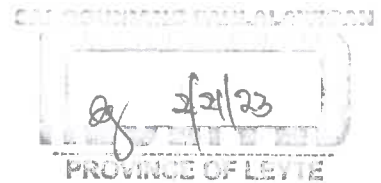

FLOR G. YAP
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF DAGAMI

*

Office of the Sangguniang Bayan



EXCERPT FROM THE MINUTES OF THE 3RD REGULAR SESSION OF THE SANGGUNIANG BAYAN OF DAGAMI, LEYTE, HELD AT THE MUNICIPAL SESSION HALL ON 23 JANUARY, 2023 AT 9:00 O'CLOCK IN THE MORNING.

Present:

- | | |
|------------------------------------|-------------------------------------|
| Hon. Homobono U. Bardillon | - Mun. Vice-Mayor/Presiding Officer |
| Hon. Judy M. Dumduma, Jr. | - Sangguniang Bayan Member |
| Hon. Rolando A. Bud-oy | - do- |
| Hon. Andres Bryan M. Bayona | - do- |
| Hon. Jose Jingle N. Sudario | - do- |
| Hon. Caridad B. Cabidog | - do- |
| Hon. Jetromus Jose S. Bardillon | - do- |
| Hon. Susan O. Mendoza | - do- |
| Hon. Reynaldo O. Treceña | - do- |
| Hon. Reo O. Gabriente | - ABC President/Ex-Officio Member |
| Hon. Mary Ahlyssa Ashley A. Gerona | - SK Fed. Pres./Ex-Officio Member |

Absent:

NONE

ORDINANCE NO. 2023-01

AN ORDINANCE CREATING AND ESTABLISHING THE DAGAMI AUXILIARY TRAFFIC UNIT (DATU) IN THE MUNICIPALITY OF DAGAMI, LEYTE, AND APPROPRIATING FUNDS FOR ITS PURPOSE.

Sponsored by:

HON. JETROMUS JOSE S. BARDILLON

Co-Sponsored by:

HON. ROLANDO A. BUD-OY

WHEREAS, Section 3 (j) of R.A. 7160, otherwise known as the Local Government Code of 1991, provides that "Effective Mechanisms for Ensuring the Accountability of Local Government Units to other respective constituents shall be strengthened in order to upgrade continually the quality of leadership;

WHEREAS, transportation and traffic management is a vital function to the Local Government in as much as it defines the general organization of all existing motor vehicles utilizing the roads and major thoroughfares in consonance with national traffic laws, road rules, and regulations, ordinances and such other transport policies being carries out by the authorized traffic enforcers;

WHEREAS, there is a need to identify and resolve problems and issues arising from the implementation of existing Ordinances of both barangay and municipality rules and regulations affecting traffic and land transportation;

WHEREAS, the flow of people and goods through the road network shall be as efficient, safe, unhampered, and orderly as possible for the economic and social vitality and viability of the municipality;

HON. HOMOBONO U. BARDILLON
Mun. Vice-Mayor/Presiding Officer

FLOR G. YAP
Sangguniang Bayan Secretary

HON. JUDY M. DUMDUMA, JR.
SB Member

HON. ROLANDO A. BUD-OY
SB Member

HON. ANDRES BRYAN M. BAYONA
SB Member

HON. JOSE JINGLE N. SUDARIO
SB Member

HON. CARIDAD B. CABIDOG
SB Member

HON. JETROMUS JOSE S. BARDILLON
SB Member

HON. SUSAN O. MENDOZA
SB Member

HON. REYNALDO O. TRECEÑA
SB Member

HON. REO O. GABRIENTE
ABC Pres./Ex-Officio Member

HON. MARY AHLYSSA ASHLEY A. GERONA
SK Fed. Pres./Ex-Officio Member

(Cont. Ordinance No. 2023-01, SB Regular Session, dated January 23, 2023, etc.)

NOW, THEREFORE, be it ordained by the Sangguniang Bayan of Dagami, Leyte, that:

SECTION 1. TITLE – This Ordinance shall be known as the Dagami Auxiliary Traffic Unit Ordinance (DATU) of 2022.

SECTION 2. DEFINITION OF TERMS.

- a. Dagami Auxiliary Traffic Unit (DATU) – For the general purpose of this ordinance, it shall mean a deputized designated officer by proper authority to assist the Dagami PNP in traffic management, proper parking of private and public utility vehicles and motorcycles, and other duties and functions as may be assigned to him/her.
- b. Traffic – refers to the movement of vehicles-motor-driven, man-driven, or animal-drawn as well as the movement of pedestrians on the streets, roadways, and highways of the Municipality of Dagami.
- c. Traffic Violator – For the general purpose of this ordinance, shall mean any person who violates any traffic law or ordinance of the Municipality of Dagami.
- d. Pedestrian – A person traveling on foot, whether walking or running. Mostly refers to someone walking on a road or footpath.
- e. LTO – Land Transportation Office.

SECTION 3. DEPUTIZATION ORDER – A deputization order shall be issued by the Local Chief Executive of Dagami, Leyte. Provided, that such a deputation order shall only be issued to a DATU who completed basic training and seminar on traffic rules and regulations.

SECTION 4. TRAINING AND SEMINARS – The PNP Chief of Dagami shall initiate and conduct basic training and seminar on traffic rules and regulations or assistance should be requested from LTO for the implementation of this ordinance.

SECTION 5. QUALIFICATIONS – Members of the DATU shall have the following qualifications:

- a. A resident of the Municipality of Dagami;
- b. At least 21 years old but not over 55 years old;
- c. At least a High school graduate;
- d. Of good moral character;
- e. Must be physically fit

SECTION 6. GENERAL FUNCTIONS:

- a. Conduct and maintain the orderly free flow of pedestrian and vehicular traffic in his/her assigned area.
- b. Assist pedestrians in crossing the street, when necessary.
- c. Assist the personnel of Dagami PNP in performing and implementing traffic rules and regulations.
- d. Issue citation tickets to the traffic violators of the Municipal Ordinances, Rules, and Regulations related to traffic rules.

HON. HOMOBONO U. BARDILLON
Mun. Vice-Mayor/Presiding Officer

FLOR G. JAP
Sangguniang Bayan Secretary

HON. JODY M. DUMDUMA, JR.
SB Member

HON. ROLANDO A. BUD-OY
SB Member

HON. ANDRES BRISAN M. BAYONA
SB Member

HON. JOSE JANGLE N. SUDARIO
SB Member

HON. CARIDAD B. CABIDOG
SB Member

HON. JETROMAR JOSE S. BARDILLON
SB Member

HON. SUSANO MENDOZA
SB Member

HON. RENEVALDO O. TRECENI
SB Member

HON. REO O. FABRIENTE
ABC Pres./Ex-officio Member

HON. MARY AHLEA ASHLEY A. GERONA
SK Fed. Pres./Ex-officio Member

(Cont. Ordinance No. 2023-01, SB Regular Session, dated January 23, 2023, etc.)

- e. Assist in Traffic Investigation of all traffic and vehicular accidents under the supervision of the Chief of Police, Chief of Traffic Division, or their authorized representatives.

SECTION 7. RULES AND REGULATIONS:

- a. An auxiliary officer, while in the performance of the assigned task, shall wear a uniform in a form of "chaleco" with a dominant green color, yellow lining, reflectors, with the DATU Print, and Municipal logo.
- b. Shall render at least an 8-hour duty per day, from Monday to Saturday even on a holiday and market day.
- c. Shall always be in a clean shave and short-cropped haircut, in case of a male.
- d. Shall not be allowed to carry a firearm but may be equipped with a police club, nightstick, and a whistle.
- e. Shall always wear an Identification Card (ID) with a measurement of 4"x8" signed by the Chief of Police and attested by the Municipal Mayor, for easy identification.
- f. Shall maintain a fit weight and must always exercise due and utmost courtesy in the performance of his/her duties.
- g. All documents such as licenses, personal identification (ID) cards, photos, and other pieces of evidence gathered during the performance of his/her duties, such as in the time of responding to vehicular accidents, shall be turned over to the responding regular PNP officer or to the police station immediately.
- h. Datu personnel are only allowed to issue citation tickets and are not allowed confiscate driver's licenses for violation of traffic ordinances or laws being implemented within the Municipality of Dagami, Leyte.
- i. The Dagami Auxiliary Traffic Unit shall be ready to respond and aid any regular member of the PNP and the public and must be familiar with the different landmarks, government offices, streets, and accident-prone areas located within the Municipality of Dagami.

SECTION 8. SUPERVISION AND CONTROL – Upon the approval of the Local Chief Executive, a DATU shall be under the direct supervision of and control of the Dagami PNP Chief.

SECTION 9. GROUNDS FOR TERMINATION OF SERVICE:

- a. Gross and habitual neglect of duties;
- b. Serious misconduct or willful disobedience on lawful assignment;
- c. Fraud, bribery, and kotong.

SECTION 10. HONORARIUM – a deputized DATU shall receive a daily wage of 250 pesos daily.

SECTION 11. MANPOWER – There shall be at least ten (10) members of the Dagami Auxiliary Traffic Unit (DATU) in the Municipality subject to the availability of funds.

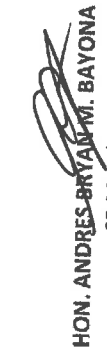
SECTION 12. FUNDING – An amount not less than Eight Hundred Fifty Thousand Pesos (P 850,000) shall be appropriated yearly for this purpose from the Municipalities' Annual Budget.

SECTION 13. REPEALING CLAUSE – All ordinances, rules, and regulations not consistent herewith are hereby repealed.

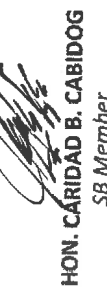
SECTION 14. SEPARABILITY CLAUSE. If for any reason any provisions or part of this ordinance shall be held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to be in full force and effect.



 HON. JUDY M. DUMDUMA, JR.
 SB Member


 HON. ROLANDO A. BUD-OY
 SB Member



 HON. ANDRES BRYAN M. BAYONA
 SB Member

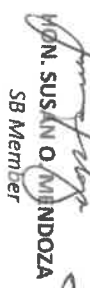

 HON. JOSE ANGLE N. SUDARIO
 SB Member


 HON. CARIDAD B. CABIDOG
 SB Member


 HON. HOMOBONO U. BARDILLON
 Mun. Vice-Mayor/Presiding Officer


 FLOR G. YAP
 Sangguniang Bayan Secretary


 HON. JETROMIDES S. BARDILLON
 SB Member


 HON. SUSAN O. MIRANDOZA
 SB Member


 HON. REYNALDO O. TRECENTE
 SB Member


 HON. REDO CABRIENTE
 ABC Pres./Ex-Officio Member


 HON. MARY AHLYSSA ASHLEY A. GERONA
 SK Fed. Pres./Ex-Officio Member

(Cont. Ordinance No. 2023-01, SB Regular Session, dated January 23, 2023, etc.)

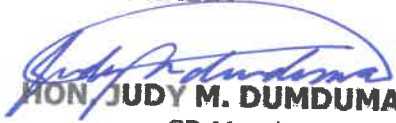
SECTION 15. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon the approval of the Sangguniang Bayan or the posting of copies in conspicuous places in the Municipality of Dagami, Leyte, and publication in a newspaper of local circulation.

RESOLVED FINALLY, to furnish copies of this resolution to the Honorable Angelita M. Delusa, Municipal Mayor, this Municipality, for the information and basis of appropriate action.

APPROVED by the Sangguniang Bayan of Dagami, Leyte on.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.

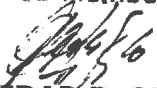
CONCURRED:

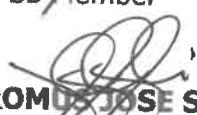

HON. JUDY M. DUMDUMA, JR.
SB Member


HON. ROLANDO A. BUD-OY
SB Member


HON. ANDRES BRYAN M. BAYONA
SB Member



HON. JOSE JINGLE N. SUDARIO
SB Member


HON. CARIDAD B. CABIDOG
SB Member


HON. JETROMUS JOSE S. BARDILLON
SB Member


HON. SUSAN O. MENDOZA
SB Member



HON. REYNALDO O. TRECEÑE
SB Member



HON. REO O. GABRIENTE
ABC Pres./Ex-Officio Member


HON. MARY AHLYSSA ASHLEY A. GERONA
SK FED. Pres./Ex-Officio Member

I HEREBY CERTIFY, to the correctness of the foregoing ordinance.


FLOR G. YAP
Secretary to the Sanggunian

ATTESTED: 
HON. HOMOBONO U. BARDILLON
Presiding Officer/Vice-Mayor

APPROVED:

ANGELITA M. DELUSA
Municipal Mayor

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF LEYTE) S.S.
TACLOBAN CITY)

AFFIDAVIT OF PUBLICATION

I, **DANILO N. SILVESTRECE**, of legal age, Filipino, married and a resident of Poblacion Zone 3, Mayorga, Leyte, after having duly sworn to in accordance with law, hereby depose and say;

That I am the Publisher of **BALITA TIRADOR PUBLICATION**, publisher of **SUNDAY PUNCH NEWSPAPER** and **BALITA 8**, a weekly newspaper of general circulation of the provinces of Leyte, Biliran, Southern Leyte, Samar, Eastern Samar, Northern Samar, printed and publish in Tacloban City.

That the **Municipal Ordinances of Dagami, Leyte ORDINANCE NO. 2023-01 'AN ORDINANCE CREATING AND ESTABLISHING THE DAGAMI AUXILIARY TRAFFIC UNIT (DATU) IN THE MUNICIPALITY OF DAGAMI, LEYTE, AND APPROPRIATING FUNDS FOR ITS PURPOSE.'** And **ORDINANCE NO. 2023-03 'AN ORDINANCE REGULATING THE OPERATION OF "HABAL-HABAL" AND PEDICAB "POT-POT" OPERATING WITHIN JURISDICTION OF THE MUNICIPALITY OF DAGAMI, LEYTE, IMPOSING FEES, AND PENALIZING VIOLATORS THEREOF.'**, has been published in the **BALITA 8** in its January 31, February 7, 2023 issue of said publication.

That copy has been circulated to the public in the general circulation and to the readers in the province of Region 8, in particular.

That I am executing this affidavit for the purpose of attesting the veracity of foregoing.

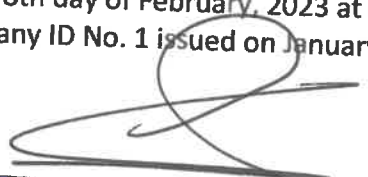
IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of February 2023 at Tacloban City, Leyte, Philippines.



DANILO N. SILVESTRECE
Affiant

SUBSCRIBED AND SWORN to before me this 8th day of February, 2023 at Tacloban City, Leyte, Philippines, affiant exhibited to me his Company ID No. 1 issued on January 8, 2012 at Tacloban City.

Doc. No. 367
Page No. 74
Book No. XXVII
Series of 2023



ATTY. EDWIN B. JOMADIO
Notary Public

Notarial Com. No. 2023-01-02
Until December 31, 2024
PTR No. 8329738/01-04-2023/Tacloban City
IBP NO. 188197/12-14-2022/Tacloban City
ROA 39792; TIN 136-321-877
TACLOBAN CITY



MAIN OFFICE: Del Pilar St., Poblacion Zone 3, Mayorga, Leyte, **EDITORIAL OFFICE**
: Rm. 217, Melecio Tan Building corner Zamora and Salazar Streets, Tacloban City
Contact No. 09193587268/ 09273859050/ 09171439337 (Call Only)

HON. HOMOBONO U. BARDILLON
Vice Mayor
Dagami, Leyte

Thru: **MS. FLOR G. YAP**
Sangguniang Bayan Secretary
Dagami, Leyte

STATEMENT OF ACCOUNT

To payment for the **publication of MUNICIPAL ORDINANCES NO. 2023-01 (AN ORDINANCE CREATING AND ESTABLISHING THE DAGAMI AUXILIARY TRAFFIC UNIT (DATU) IN THE MUNICIPALITY OF DAGAMI, LEYTE AND APPROPRIATING FUNDS FOR ITS PURPOSE) and ORDINANCE NO. 2023-03 (AN ORDINANCE REGULATING THE OPERATION OF "HABAL-HABAL" AND PEDICAB "POT-POT" OPERATING WITHIN JURISDICTION OF THE MUNICIPALITY OF DAGAMI, LEYTE, IMPOSING FEES, AND PENALIZING VIOLATORS THEREOF)**, published by **BALITA 8** in its January 31, February 7, 2023 issue.

AMOUNT: EIGHTEEN THOUSAND PESOS (P18,000) ONLY.

~~Certified correct payment not yet receive.~~

(Sgd.) **DANILO N. SILVESTRECE**
Publisher

Note: All payment in check must be in the name of BALITA TIRADOR publisher of SUNDAY PUNCH NEWSPAPER & BALITA 8.

(Sgd.) **ATTY. NIÑO ANTHONY M. SILVESTRECE**
Legal Counsel