

Republic of the Philippines
PROVINCE OF LEYTE

Item No.: 05
Date: MAY 02 2023

PROVINCIAL LEGAL OFFICE

2ND Indorsement
April 14, 2023



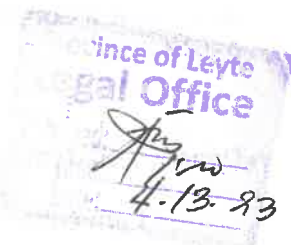
Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 22 S. 2023 of the SB of Villaba, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447 (1), (viii) of the Code. And a power reposed on LGUs to amend/repeal its prior acts either expressly or by the passage of an essentially inconsistent resolution (*Constantino v. Desierto*, 288 SCRA 654). Provided, That, the abolition of the position and subsequent creation of new ones as a result of said abolition, is done pursuant to the mandate of Section 325 (d) of the Code.

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


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
13 April 2023



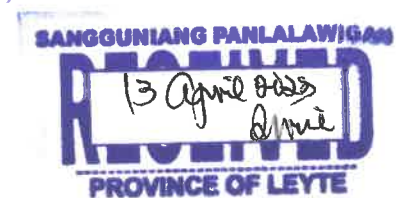
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 22, S. 2022-2025** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: **AMENDING SECTION 3 OF MUNICIPAL ORDINANCE NO. 109, S. 2020.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



April 13, 2023

THE SANGGUNIANG PANLALAWIGAN MEMBERS
New Provincial Government Complex
Campetic, Palo, Leyte



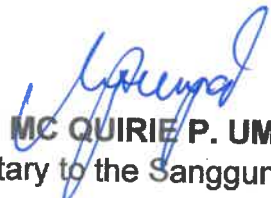
Honorable Sangguniang Panlalawigan Members:

We respectfully transmit herewith Fifteen (15) copies of:

Municipal Ordinance No. 22, S-2023-2025 "AMENDING SECTION 3 OF MUNICIPAL ORDINANCE NO. 109, S. 2020" for review and approval.

God bless and more power.

Very truly yours,


MC QUIRIE P. UMPAD
Secretary to the Sangguniang Bayan

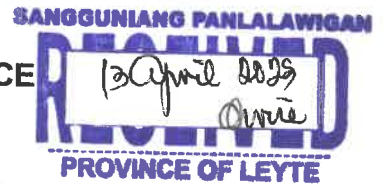


Republic of the Philippines
Province of Leyte
Municipality of Villaba

OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 22, S. 2023

AMENDING SECTION 3 OF MUNICIPAL ORDINANCE NO. 109, S. 2020



PREFATORY STATEMENTS
Introduced By: **Hon. Rogelio J. Baay**
SB Member

It is provided in Section 447 of the Local Government Code of 1991 (R.A. 7160) that “The sangguniang bayan as a legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code.”

Section 81 of the same Local Government Code declares that “The compensation of the local officials and personnel shall be determined by the sangguniang bayan concerned, PROVIDED, however, that the increase in compensation shall not exceed the limitations on budgetary allocations for personal services provided under Title Five, Book II of this Code,


NOW, THEREFORE, on motion by the **Hon. Rogelio J. Baay**, Sangguniang Bayan Member, be it **ORDAINED**, as the Sangguniang Bayan in regular session assembled hereby **ORDAINED** that:


Section 1. TITLE. – This enactment shall be known as An Ordinance Amending Section 3 of the Municipal Ordinance No. 109, S. 2020 Titled:

“AN ORDINANCE ABOLISHING THE VACANT POSITION OF ASSISTANT ASSESSOR AND THEREBY CREATING NEW ITEMS OF MIDWIFE I AND PHARMACIST I IN THE PLANTILLA OF PERSONEL OF THE MUNICIPAL HEALTH OFFICE”

Section 2. ORIGINAL PROVISION. – Section 3 of Municipal Ordinance No. 109, S. 2020 originally states that:


“Section 3. CREATION OF MIDWIFE I AND PHARMACIST I. – The new items of **MIDWIFE I** with salary grade 9 and **PHARMACIST I** with salary grade 10 are hereby created in the Municipal Health Office.”


ROGELIO J. BAAY
Sangguniang Bayan Member/
Presiding Officer



MERIAM P. UMPAD
Sangguniang Bayan Member



ELLY MARIA A. ENEVOLDSEN
Sangguniang Bayan Member



JULCA KATRINA L. CONUI
Sangguniang Bayan Member


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member



FEDERICO ENSOY
SK Federation Vice President


VIOLETA T. SUMAPI6
Sangguniang Bayan Member


ROGUE M. COMPI6
Sangguniang Bayan Member


MICQUIRIE P. UMPAD
Secretary to the Sangguniang Bayan


FEMP V. CASAS, SR.
Sangguniang Bayan Member


MARIANO V. DE CLARO
LNB President


ENGR. CARLOS G. VELOSO
Municipal Mayor

Section 3. AMENDMENT. – Section 3 of the Municipal Ordinance No. 109, S. 2020 shall hereby be amended to read as follows:

“Section 3. CREATION OF MIDWIFE I AND PHARMACIST I. – The new item of MIDWIFE I with salary grade 9 and PHARMACIST I with salary grade 11 are hereby created in the Municipal Health Office.”

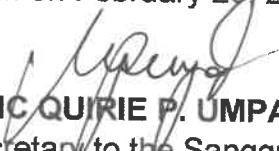
Section 4. SEPARABILITY CLAUSE. – If for any reasons, a part or provision of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected shall continue to be in full force and effect.

Section 5. REPEALING CLAUSE. – Any ordinances, rules and regulations and executive issuances found inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 6. EFFECTIVITY. – This ordinance shall take effect upon approval and after this shall have been posted in three (3) conspicuous places pursuant to the posting requirement of the Local Government Code.

On motion for approval of this Ordinance by Hon. Rogelio J. Baay, seconded by all members of the Sangguniang Bayan, this ordinance was approved.

This Ordinance was approved by the Sangguniang Bayan on February 20, 2023.


MC QUIRIE P. UMPAD
Secretary to the Sanggunian


ATTESTED:


ROGELIO J. BAAY

Sangguniang Bayan Member/Temporary Presiding Officer


JULCA KATRINA L. CON-UI
Sangguniang Bayan Member


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member


VIOLETA T. SUMAPIG
Sangguniang Bayan Member


ROQUE M. COMPRA
Sangguniang Bayan Member


FELIPE S. CASAS, SR.
Sangguniang Bayan Member


ELLY MARIA N. ENEVOLDSEN
Sangguniang Bayan Member


MERIAM P. UMPAD
Sangguniang Bayan Member


MARIANO V. DE CLARO
LNB President


FEDERICO ENSOY
SK Federation President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor



SP. Records
26 MAY 2020

HON. DENNIS L. SY
Mun. Vice Mayor/
Presiding Officer

HON. MC QUIRIE P. UMPAD
SB Member

HON. VIOLETA T. SUMAPIG
SB Member

HON. JOSELITA N. ENEVOLDSEN
SB Member

HON. KATHLEEN V. MAPE
SB Member

HON. ROSELIO J. BAAY
SB Member

HON. FELIPE S. CASAS, SR.
SB Member

HON. NIEL ALBERT B. INOPIQUEZ
SB Member

EXCERPT FROM THE MINUTES OF THE 2nd JOINT SESSION OF THE SANGGUNIANG BAYAN OF VILLABA AND SANGGUNIANG BARANGAY OF BRGY. FATIMA, VILLABA, LEYTE HELD AT BRGY. FATIMA SESSION HALL ON FEBRUARY 24, 2020

PRESENT:

- HON. DENNIS L. SY ----- Municipal Vice Mayor/
Presiding Officer
- HON. MC QUIRIE P. UMPAD ----- SB Member
- HON. VIOLETA T. SUMAPIG ----- SB Member
- HON. JOSELITA N. ENEVOLDSEN ----- SB Member
- HON. KATHLEEN V. MAPE ----- SB Member
- HON. ROGELIO J. BAAY ----- SB Member
- HON. FELIPE S. CASAS, SR. ----- SB Member
- HON. NIEL ALBERT B. INOPIQUEZ ----- SB Member
- HON. ROQUE M. COMPRA ----- SB Member

ABSENT:

- HON. MARIANO V. DE CLARO ----- ABC President
- HON. KENNAN LOVEN N. LUMAPAS ----- SK Federation President

PREFATORY STATEMENT

WHEREAS, Section 16 of the Republic Act (RA) No. 7160, otherwise known as the Local Government Code of 1991, provides that "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom x x x 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 x x x preserve the comfort and convenience of their inhabitants."

WHEREAS, the Municipality of Villaba is determined in attaining social improvements and better quality of life for its inhabitants, embark on programs and projects that uphold efforts to protect the general welfare and provide the efficient delivery of health services to its citizens, particularly its underprivileged residents;

WHEREAS, Sec. 76 of R.A. 7160 provides that "Every LGU shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission".

WHEREAS, pursuant to the request of the Municipal Mayor dated November 18, 2019 regarding on the request for an additional manpower, for the creation of new items, for the positions of MIDWIFE-I and PHARMACIST-I to be filled at the Municipal Health Office, the Sangguniang Bayan Committee on Employment favorably adhere for the creation of the said positions to effectively address the medical needs of all the residents.

CORNELIO V. HERNANDO, JR.
SB Secretary

HON. ROQUE M. COMPRA
SB Member

NOW THEREFORE, on motion of SB Member Mc Quirie P. Umpad, Chairman, Committee on Employment, duly seconded en masse; be it:

RESOLVED, to enact:

MUNICIPAL ORDINANCE NO. 109, S-2020

AN ORDINANCE ABOLISHING THE VACANT POSITION OF ASSISTANT ASSESSOR AND THEREBY CREATING NEW ITEMS OF MIDWIFE-I AND PHARMACIST-I IN THE PLANTILLA PERSONNEL OF THE MUNICIPAL HEALTH OFFICE

Be it ordained by the Sangguniang Bayan in session duly assembled that:

SECTION 1. TITLE. This ordinance shall be known as the "Abolition of the vacant position of Assistant Assessor and thereby creating new items of Midwife-I and Pharmacist-I in the plantilla of personnel of the Municipal Health Office."

SECTION 2. ABOLITION OF ASSISTANT ASSESSOR. The vacant position of Assistant Assessor with salary grade 22, which is funded, particularly item no. 110, in the plantilla of personnel of the Municipal Assessor's Office is hereby abolished.

SECTION 3. CREATION OF MIDWIFE-I AND PHARMACIST-I. The new items of Midwife-I with salary grade 9 and Pharmacist-I with salary grade 10 are hereby created in the Municipal Health Office.

SECTION 4. APPROPRIATIONS. Funding of the newly created items shall be sourced from the funds of the abolished position of Assistant Assessor that shall not exceed the 55% budgetary limitation for P.S.

SECTION 5. HUMAN RECOURCE AND MANAGEMENT OFFICE (HRMO) MANDATE. The HRMO is hereby mandated to effect the necessary changes in the plantilla of personnel immediately upon the effectivity of this ordinance and shall faithfully observe the qualification standards as prescribed by the Civil Service Commission.

SECTION 6. DUTIES AND RESPONSIBILITIES. The duties and responsibilities of the said positions shall be determined by the Local Chief Executive consistent or in accordance with the general functions provided for by the Civil Service Commission.

SECTION 7. SEPARABILITY CLAUSE. If for any reason or reasons, any part or provision of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and in effect.


CORNELIO V. HERNANDO, JR.
SB Secretary


HON. ROQUE M. COMBRA
SB Member

HON. DENNIS L. SY
Mun. Vice Mayor/
Presiding Officer

HON. MC QUIRIE P. UMPAD
SB Member

HON. VIOLETA T. SUMAPING
SB Member

HON. JOSELITA N. ENEVOLDSEN
SB Member

HON. KATHLEEN V. MAPE
SB Member

HON. RODRIGO J. BAYAN
SB Member

HON. FELIPE S. CASAS, SR.
SB Member

HON. NIEL ALBERT B. INOPIQUEZ
SB Member

SECTION 8. REPEALING CLAUSE. Any ordinance, rules and regulations and executive issuances found inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY. This ordinance shall take effect fifteen (15) days after the publication of a local newspaper.

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING.


CORNELIO V. HERNANDO, JR.
SB Secretary

ATTESTED:


HON. DENNIS L. SY
Municipal Vice Mayor/Presiding Officer


HON. MC QUIRIE P. UMPAD
SB Member


HON. ROGELIO J. BAAY
SB Member


HON. VIOLETA T. SUMAPIG
SB Member


HON. FELIPE S. CASAS, SR.
SB Member

HON. JOSELITA N. ENEVOLDSSEN
SB Member

HON. NIEL ALBERT B. INOPIQUEZ
SB Member


HON. KATHLEEN V. MAPE
SB Member


HON. ROQUE M. COMPRA
SB Member

APPROVED:


HON. JORGE V. VELOSO
Municipal Mayor



Hermosilla Drive, District 28, Ormoc City
Contact Nos. (053) 561-0809 & 09285549820
e-mail: easternvisayasmail@gmail.com

Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNANG BAYAN

MUNICIPAL ORDINANCE NO. 22, S. 2023

**AMENDING SECTION 3 OF MUNICIPAL ORDINANCE
NO. 109, S. 2020**

APPROVED:
(SGD)ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for () _____ consecutive weeks in its EV Mail _____
EV Mail March 20-26, 2023 _____ issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this MAR 28 2023 day of _____, 20__ in Ormoc City.


JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this MAR 28 2023 day of _____ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No. : 461
Page No.: 93
Book No.: XLV
Series of 20 23

ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc,
Municipalities of Kananga, Matig-oh,
Merik and Sabel
TIC No. ORM 22-12-133 Notary Public
Valid until December 31, 2024.
PTR No. 2559254-01123/2023, Ormoc City
IBF No. 2559-0-2729-2023, xxxxx
Roll of Attorneys No. 51671
No. 202-074-138
MCLE Compliance No. 100000000
Valid until 11, 2024