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Item No.: 05
Date: MAY 16 2023

Republic of the Philippines
PROVINCE OF LEYTE

SANGGUNIANG PANLALAWIGAN
PROVINCIAL LEGAL OFFICE
PROVINCE OF LEYTE

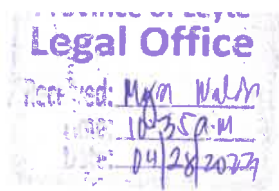
2nd INDORSEMENT
May 3, 2023

Province of Leyte
Legal Office
[Signature]
5-5-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary the attached Ordinance No. 149 of the SB of Matag-ob, Leyte, recommending for the declaration of validity pursuant to its power under Section 56 (c) of R.A 7160, for it is within the powers of the local council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution (Constantino v. Desierto, 288 SCRA 654). Provided, That the penalty of "Community Service", desired under Section 3 (b) (1), & (2) of subject ordinance, does not violate the prohibition under the 1987 Constitution against INVOLUNTARY SERVITUDE.

[Signature]
Atty. JOSE RAYMUND A. ACOI
Asst. Provincial Legal Officer

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
27 April 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations, on the herein enclosed **MUNICIPAL ORDINANCE NO. 149 OF MATAG-OB, LEYTE, ENTITLED: "YOUTH WELFARE & PROTECTION OF MINORS ORDINANCE"**.

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

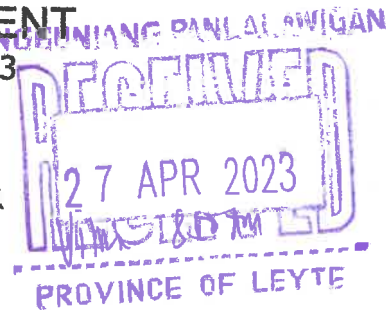


Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MATAG-OB
OFFICE OF THE SANGGUNIANG BAYAN
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INDORSEMENT

April 17, 2023

HONORABLE LEONARDO "SANDY" JAVIER
Vice-Governor
Presiding Officer
Sangguniang Panlalawigan of Leyte



Sir:

Respectfully forwarding to your good office the herein attached Municipal Ordinance No. 149 s. 2023 of the Sangguniang Bayan of Matag-ob, Leyte, entitled: "AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 44 SERIES 2007 , ENTITLED: AN ORDINANCE ENSURING THE WELFARE AND PROTECTION OF MINORS IN THE MUNICIPALITY OF MATAG-OB, LEYTE.", subject to review by the Sangguniang Panlalawigan.

Respectfully yours,


ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MATAG-OB
OFFICE OF THE SANGGUNIANG BAYAN
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CERTIFICATION OF POSTING

THIS IS TO CERTIFY that copy of Municipal Ordinance No. 149 s. 2023 of the Sangguniang Bayan of Matag-ob, Leyte, entitled: "AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 44 SERIES 2007, ENTITLED: AN ORDINANCE ENSURING THE WELFARE AND PROTECTION OF MINORS IN THE MUNICIPALITY OF MATAG-OB, LEYTE.", have been posted in three (3) conspicuous places within the municipality of Matag-ob, Leyte starting from April 5, 2023. It shall continue to be posted therein until the required three consecutive weeks shall have been complied with.

This certification is issued in compliance with Section 59 of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 17th. Day of April, 2023.


ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MATAG-OB
OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANGALAYAN
27 APR 2023
PROVINCE OF LEYTE

HON. MARTIN LUTHER P. VELARDE
SB Federation President

HON. RODRIGO N. SUNIR
Liga ng mga Barangay President

HON. RICARDO L. GIVA
SB Member

HON. PAOLO ANTONIO C. LAURENTE
SB Member

HON. EDUARDO E. TOLEDO
SB Member

HON. ROMEO N. ALBARIDA
SB Member

HON. ARTAMIO T. ALMOROTO
SB Member

HON. JOEL N. DENOX
SB Member

HON. EVANGELINE C. CARNO
SB Member

HON. ORLANDO VIACRUSIS
SB Member

EXCERPTS FROM THE MINUTES OF THE 15th. REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE LEGISLATIVE SESSION HALL ON APRIL 11, 2023.

MUNICIPAL ORDINANCE NO. 149
(Proposed Municipal Ordinance No. 156)

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 44 SERIES 2007, ENTITLED: AN ORDINANCE ENSURING THE WELFARE AND PROTECTION OF MINORS IN THE MUNICIPALITY OF MATAG-OB, LEYTE.

Author: Honorable Paolo Antonio C. Laurente

Be it ordained by the Sangguniang Bayan of Matag-ob, Leyte, in its regular session duly assembled, that:

Section 1. Title – This ordinance shall be known as "YOUTH WELFARE AND PROTECTION OF MINORS ORDINANCE IN THE MUNICIPALITY OF MATAG-OB, LEYTE".

Section 2. Definition of Terms - Section 4 of the Definition of Terms shall be amended so as to add the foregoing terms:

- k. Lodging House – a house in which rooms are rented, especially a house other than an inn or hotel*
- l. Hotel – an establishment providing accommodations, meal and other services for travelers and tourists*
- m. Motel – a roadside hotel designed primarily for motorists, typically having rooms arranged in a low building with parking directly outside*

Section 3. Loitering During School Hours - Section 5 of Municipal Ordinance No. 44 series 2007 - Loitering During School Hours shall be amended to add the foregoing provisions:

- b. To curtail this bad habit, students and/or school children who will be caught loitering in public places outside their school

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grounds/campuses during school/class hours (without being accompanied by their parents/guardians or attending an official school function/duty) shall be sanctioned as follows:

1. *FIRST OFFENSE* – a penalty of four (4) hours of community service to the Municipal Government under the supervision of the MSWDO plus two (2) hours of counseling.
2. *REPEATED OFFENSE* – a penalty of six (6) hours of community service to the Municipal Government under the supervision of the MSWDO plus four (4) hours of counseling.

e. On the other hand, commercial establishments such as, but not limited to restaurants/carenderias, videoke bars, video house/arcades, billiard pool halls, and other forms of recreation, amusement centers, and parlors/barber shops that allow students/schoolchildren to loiter in their premises during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon shall be subjected to a fine of Five Hundred Pesos (Php500.00) for every student caught.

f. Violators whose business involve recreational/sports/amusement related activities shall suffer the same fine (above).

Amendments (per offense):

- 1st. Offense – fine of One Thousand (Php1,000.00) Pesos;
- 2nd. Offense – fine of One Thousand Five Hundred (Php1,500.00) Pesos;
- 3rd. Offense – fine of Two Thousand Five Hundred (Php2,500.00) Pesos and 3 months suspension of business permit;

Section 4. Restricted Areas for Minors - Section 6 shall be amended to add the foregoing provisions:

b. Lodging House/Hotel/Motel and other establishments of the same nature.

2. It shall be unlawful for any adult person to check-in in any lodging house with minors who are not blood related.

Section 5. Fraternity and Gangs - Section 7 shall be amended as follows:

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HON. MARTIN LUTHER P. VELARDE
SK-Federation President

HON. ROBOLO N. SUNIR
Ligang mga Barangay President

HON. RICARDO L. GIVA
SB Member

HON. PAOLO ANTONIO C. LAURENTE
SB Member

HON. EDUARDO E. TOLEDO
SB Member

HON. ROMEO N. ALBARIDA
SB Member

HON. ARMANDO T. ALMOROTO
SB Member

HON. JOELIN BENOY
SB Member

HON. EVANGELINE C. CARNO
SB Member

HON. ORLANDO G. VIACRUSIS
SB Member





HON. ROMEO N. ALBARIDA
SB Member

HON. ARTEMIO T. ALMOROTO
SB Member

HON. JOHN A. DENOY
SB Member

HON. EVANGELINE C. CARNO
SB Member

HON. ORLANDO G. VIACRUSIS
SB Member

FRATERNITY AND OTHER ORGANIZATIONS. All newly formed youth organizations must apply for accreditation from the Office of the Municipal Mayor upon recommendation of MYSC, and, accordingly, be issued a Certificate of Accreditation. The MYSC is hereby tasked to guide, monitor, and supervise these organizations.

c. Hazing or initiation rites are not allowed in conformity with RA 8094 .

d. If the juvenile/minor subjected to hazing or other forms of initiation rites suffers any physical injury or dies as a result thereof, the officers and members of fraternity, sorority, or organization who actually participated in the infliction of physical harm shall be liable as principals and will suffer the sanctions as provided under Republic Act 8094.

The owner of the house/premises where the initiation rites/hazing is conducted shall be likewise liable.

Section 6. Other Act/s Prejudicial to the Child’s Development - Section 8 shall be amended as follows:

a. *It shall be unlawful for any person of establishments such as, but not limited to eateries, restaurants, bakeries, market stalls, general merchandise, hardware and construction supplies to sell liquor and/or any intoxicating drink, tobacco products, including ENDS (electronic nicotine delivery systems) such as vapes, illegal drugs, "rugby" and other habit-inducing solvents, pornographic materials (video-beta, vhs, cd, vcd, dvd, magazines or any publication, books or tapes and other materials including all type of digital media that are detrimental to the development of the child or minor Lodging House/Hotel/Motel and other establishments of the same nature.*

Section 7. Separability Clause – The provision of this Ordinance are separable, and in the event that any or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.

SECTION 8. Repealing Clause – Ordinances, rules and regulations inconsistent herewith are hereby repealed, amended, or modified accordingly.

HON. MARTIN LUTHER F. VELARDE
SK Federation President

HON. RODRIGO N. SUNIR
Ligeing Mayor/Tagangay President

HON. RICARDO L. GIVA
SB Member

HON. PAOLO ANTONIO C. LAURENTE
SB Member

HON. EDBARTO J. TOLEDO
SB Member






SECTION 9. Effectivity Clause – This Ordinance shall take effect upon approval by the Sangguniang Bayan and subsequent review by the Sangguniang Panlalawigan.

ENACTED this 11th. Day of April 2023.

AYES: 10
NAYS: 0

I HEREBY to the correctness of the foregoing Municipal Ordinance No. 149 series 2023, duly enacted by the Sangguniang Bayan of Matag-ob, Leyte.


ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED:


HONORABLE ROMEO N. ALBARIDA
SB Member


HONORABLE ARTEMIO T. ALMOROTO
SB Member


HONORABLE JOEL N. DENOY
SB Member



HONORABLE EVANGELINE C. CARNO
SB Member


HONORABLE ORLANDO G. VIACRUSIS
SB Member



HONORABLE EDUARDO E. TOLEDO
SB Member


HONORABLE PAOLO ANTONIO C. LAURENTE
SB Member


HONORABLE RICARDO L. GIVA
SB Member


HONORABLE RODOLFO N. SUÑIR
Ex-Officio Member, LnB President


HONORABLE MARTIN LUTHER P. VELARDE
Ex-Officio Member, SK Federation President


HONORABLE VINCENT LYNBERN P. TACOY
Municipal Vice-Mayor
Presiding Officer

APPROVED:


HONORABLE BERNANDINO G. TACOY
Municipal Mayor

24 APR 2023

Date Signed

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Municipal Ordinance No. 149

Proposed Municipal Ordinance (#156)

Author: Honorable Paolo Antonio C. Laurente

April 11, 2023