

14

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

Item No.: 14
Date: JUN 06 2023


SANGGUNIANG PANLALAWIGAN
19 May 2023
Amie
PROVINCE OF LEYTE

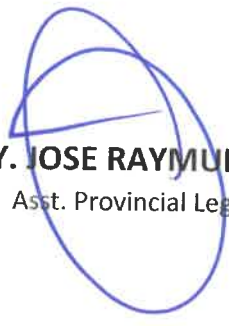
PROVINCIAL LEGAL OFFICE

Amie
5-19-23

2nd INDORSEMENT
May 18, 2023

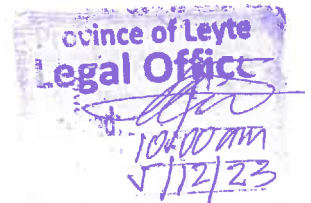
Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 24, S.2023-2025 of the Sangguniang Bayan of Villaba, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160. Furthermore, the Provincial Legal Office opines that the ordinance is within the purview and authority of the municipality in accordance to Section 447 (1) (vi), which is for environmental protection, specifically for endangered species of flora and fauna, provided that the penalties and fees collected shall not be oppressive, excessive, unjust and in contrary to declared national policies.

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
11 May 2023

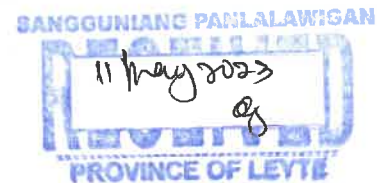
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 24, S. 2023-2025** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: **AN ORDINANCE MANDATING THE PRESERVATION OF CENTURY AND HERITAGE TREES IN THE JURISDICTION OF MUNICIPALITY OF VILLABA, LEYTE AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



May 10, 2023

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



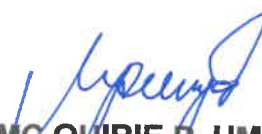
Honorable Sangguniang Panlalawigan Members:

We respectfully transmit herewith Fifteen (15) copies of:

Municipal Ordinance No. 24, S-2023-2025 "AN ORDINANCE MANDATING THE PRESERVATION OF CENTURY AND HERITAGE TREES IN THE JURISDICTION OF MUNICIPALITY OF VILLABA, LEYTE AND PROVIDING PENALTIES FOR VIOLATION THEREOF" for review and approval.

God bless and more power.

Very truly yours,

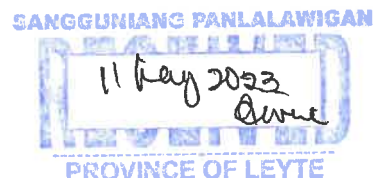

MC QUIRIE P. UMPAD
Secretary to the Sangguniang Bayan



MUNICIPAL ORDINANCE NO. 24, S-2022-2025

AN ORDINANCE MANDATING THE PRESERVATION OF CENTURY AND HERITAGE TREES IN THE JURISDICTION OF MUNICIPALITY OF VILLABA, LEYTE AND PROVIDING PENALTIES FOR VIOLATION THEREOF;

Author by: Hon. NIEL ALBERT B. INOPIQUEZ
Vice Chairman on Tourism Development



WHEREAS, trees and other woody vegetation in our municipality provide for social amenities and various environmental and economic benefits including: improving air and water quality, reducing noise pollution, floods, preventing soil erosion, cooling urban heat islands, reducing the energy required to cool and heat buildings, and residences;

WHEREAS, trees have become the symbol of the environmental movement throughout the world, including our municipality;





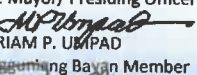
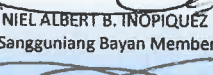



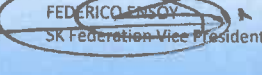
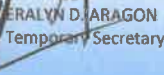
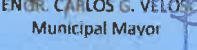
WHEREAS, century trees have historical roots and can be effective symbols for taking care of our environment;

WHEREAS, in order to generate active participation among our people, particularly our youth, with regard to our environment, the municipality deems fit to establish programs that will take care of trees by preserving "century trees".

NOW, THEREFORE, Be it ordained by the Sangguniang Bayan of Villaba, Leyte, in regular session assembled that;

SECTION 1. TITLE – This Ordinance shall be known as the "Century and Heritage Tree Ordinance".

SECTION 2. DECLARATION – All trees identified to have lived for more than 100 years shall be declared as "Century Trees". Important trees species which have not yet reached 100 years old but are considered ecological, historically or culturally valuable or belonging to rare species, or are adjacent or near a water source, spring or well and whose cutting

 DENNIS L. SY Vice Mayor/ Presiding Officer	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE C. CASAS, SR. Sangguniang Bayan Member	 ROGELIO J. BAY Sangguniang Bayan Member
 MERIAM P. UMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROQUE M. COMPRÁ Sangguniang Bayan Member	 MARIANO V. DE CLARO LNB President
 ELICY MARIA W. ENVOLOSEN Sangguniang Bayan Member	 FEDERICO ENSOY SK Federation Vice President	 ERALYN D. ARAGON Temporary Secretary to the Sangguniang Bayan	
	 ENGR. CARLOS G. VELOSO Municipal Mayor		

or destruction will disrupt or destroy the water source, shall be declared as "Heritage Trees" and shall receive the same protection under this Ordinance.

SECTION 3. CREATION OF SPECIAL TECHNICAL COMMITTEE – The Office of the Municipal Mayor shall create and establish a Special Technical Committee composed of Representatives coming from the Villaba tourism Council, Environmental Protection and Municipal Solid Waste Management (MSMD), Municipal and Natural Resources Office (MENRO) and Department of Environment and Natural Resources (DENR) Forestry, with Villaba Tourism Council (VTC) as the lead agency, to evaluate, determine and approve the declaration of Century and Heritage Trees.

Barangay Officials, School Authorities, Non- Government Organization (NGO's) or People's Organizations (POs) shall submit to the Villaba Tourism Council a listing of the prospective trees, and who will thereafter, forward the list to the Special Technical Committee for confirmation, validation and approval.






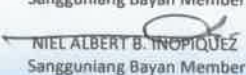
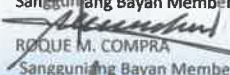
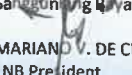

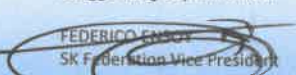


Upon the declaration of a tree as a century tree or heritage tree, a metal plate or marker shall be issued and strapped to the tree.

SECTION 4. PRIVATE AGREEMENT – Any century tree that has been identified and found to be inside a private lot, shall be covered by a written agreement between the lot owner and the Municipal Government and Barangay Chairman, stating among others, that the private owner had voluntarily approved the tree to be declared as a century tree or heritage tree and the tree shall now be protected under this Ordinance.

SECTION 5. APPLICATION FOR TREE CUTTING PERMIT

1. Duly accomplished Application Form
2. Authenticated Copy of Ownership to the Land
3. Inventory fee based on DAO 2004-16
4. Harvesting Development Plan
5. Endorsement from any of the following Local Government Unit Officials
 - a. Barangay Captain
 - b. Municipal/City Mayor
 - c. Provincial Governor
6. Initial Environmental Examination (IEE) as a basis for the Environmental Compliance Certificate (ECC)
7. Private Land Timber Permit (PLTP) - is a permit issued to a landowner for the cutting, gathering and utilization of naturally grown trees in private lands, regardless of species.

SECTION 6. PROHIBITION – All trees declared as "Century and Heritage Trees" shall not be subjected to any cutting or any form of destruction, except for medical, public emergency, public safety and botanical reasons and shall be preserved and maintained in its natural state. The prohibition shall apply to all plants and animals that live within or are dependent on said tree for their survival, including mammals, birds, reptiles or ferns.

 DENNIS L. SY Vice Mayor/ Presiding Officer	 VIOZETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE S. SASAS, SR. Sangguniang Bayan Member	 ROGELIO J. JAA Sangguniang Bayan Member
 MERIAM P. PAMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 MARIAND V. DE CLARO LNB President
 ELY MARIA N. ENVOLVOSEN Sangguniang Bayan Member	 FEDERICO ENCINA SK Federation Vice President	 ARALYN D. ARAGON Temporary Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

SECTION 7. STRAPPED IN METAL PLATE

(a.) The Government shall maintain a list of all trees declared as "Century and Heritage Trees" and shall conduct yearly review and inspection to maintain said trees and update newly discovered "Century and Heritage Trees".

(b.) Each Declared "Century and Heritage Tree" shall be strapped with the use of a metal plate, and inscribed therein the following information, to wit:

1. The name of the tree (scientific and local)
2. Date of Declaration
3. The approximate age
4. The Tree Registry Number
5. Location of the Tree

(c.) The following words shall also appear in the metal plate.

* "THE MUNICIPAL GOVERNMENT OF VILLABA, LEYTE DECLARES THE TREE AS A "CENTURY AND HERITAGE TREE" AND ALL CITIZENS ARE ENJOINED TO PROTECT AND PRESERVE THIS TREE AS PART OF OUR NATURAL TREASURE AND PATRIMONY." *

* "GI PASABOT SA LUNGSOD SA VILLABA, LEYTE NGA KINING KAHOYA USA NA KA 100 NGA PANUIGON, ANG TANAN GI PASABOT NGA ATO KINING PROTECTAHAN KUMO PARTE KINING KAHOYA SA ATUNG KINAIYAHAN" *

SECTION 8 – SEARCH FOR A CENTURY TREES - Every Year, within the week of the Adlaw sa Villaba celebration, the municipality and all barangays, headed by the Mayor and the respective Punong Barangays and the Villaba tourism Council shall conduct a "search" for a century and Heritage Tree Activity. A Tree Celebration activity for already identified "Century and Heritage Trees" in addition to the Tree Planting activity during Adlaw sa Villaba Day shall also be conducted.

SECTION 9. PENALTY CLAUSE – Section 3 of RA 3571 particularly states that any person who unlawfully destroys, damages, or injures, naturally growing or planted trees of any kind shall be punished with a penalty ranging from six months to two years imprisonment and pay a civil penalty equal to twice the amount of the appraised value of the tree. violating any portion of this chapter that results in the loss of a Heritage Tree, shall be required to replace the said tree with a new tree and/ or additional plantings, of the same species.

In violation of Section 5 hereof, the offender shall be fine with the following penalties in every offense incurred:

- a) A fine of one thousand pesos (Php1,000.00) shall be imposed for first offense or two (2) days of community service inside the area; or
- b) A fine of one thousand five hundred pesos (Php1,500.00) shall be imposed for second offense or five (5) days of community service inside the area; or

DENNIS E. SY
Vice Mayor/ Presiding Officer

MERIAM P. OMPAD
Sangguniang Bayan Member

ELLEN MARIA D. EREYKODSEN
Sangguniang Bayan Member

VIOLETA T. SUMAPIG
Sangguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member

FEDERICO ENSOY
SK Federation Vice President

FELIPE CASAS, SR.
Sangguniang Bayan Member

ROQUE M. COMPRA
Sangguniang Bayan Member

MARYLYN D. ARAGON
Temporary Secretary to the Sangguniang Bayan

ROGELIO D. BAA
Sangguniang Bayan Member

MARIANO V. DE CLARO
LNB President

ENGR. CARLOS G. VELOSO
Municipal Mayor

c) A fine of two thousand pesos (Php2,000.00) shall be imposed for third offense in every succeeding offense committed thereof or ten (10) days of community service inside the area. The length of days for community service shall not set-off the days for community service if the offender should commit two or more violations. Other offenses shall be dealt with accordingly pursuant to applicable ordinances, laws or rules and regulations. The person infringing the prohibited acts of this ordinance may opt to render community service or pay the fine imposed.

SECTION 10. REPEALING CLAUSE – All ordinances, executive orders inconsistent with this Ordinance are hereby deemed repealed and/or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE – If for any reason or reasons any provision of this Ordinance be declared illegal by a competent court, other provisions which are not affected shall continue to be in full force and effect.

SECTION 12. EFFECTIVITY CLAUSE – This Ordinance shall take effect upon approval and shall be published in a newspaper of general circulation.


On motion for approval by the Hon. Niel Albert B. Inopiquez, SB Member, duly seconded en masse, this ordinance was approved.


This Ordinance was approved by the Sangguniang Bayan on March 13, 2023.


ERALYN D. ARAGON
Temporary Secretary to the Sanggunian

ATTESTED:


DENNIS L. SY
Vice Mayor/Presiding Officer


VIOLETA T. SUMAPIG
Sangguniang Bayan Member


MERIAM P. UMPAD
Sangguniang Bayan Member


FELIPE S. CASAS, SR.
Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


MARIANO V. DE CLARO
LNB President


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member


ROQUE M. COMPRA
Sangguniang Bayan Member


ELLY MARIA N. ENEVOLDSEN
Sangguniang Bayan Member


FEDERICO ENSAY
SK Federation President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

PUBLIC HEARING ON ORDINANCE MANDATING THE PRESERVATION OF CENTURY AND HERITAGE TREES IN THE JURISDICTION OF MUNICIPALITY OF VILLABA AND PROVIDING PENALTIES AND VIOLATION

Feb 02, 2023 1:00pm @ SB Session hall








ATTENDANCE SHEET

NAME	ADDRESS	SIGNATURE
1. Lancelot Logo	Libang, Villaba	
2. ROSANG MAY COMRA	SUBA, VILLABA	
3. ALVIN YAP	DEL NORTE	
4. Yves T. ...	Bugabuga	
5. LITA L. DONCROS	Pub del San	
6. HELEN GRACE A. CRAS	ORINDOT	
7. ANIBELLE S. HELMANN	Bugabuga	
8.	
9. Arlyn M. Dagal	Calbugtas	
10. MEDALDO V. PUNONG	MCD	
11. MARK C. WAG	LSB - VILLABA	
12. MARCIANO ARRON	SAN VICENTE	
13. Amelita R. Pelayo	San Francisco	
14. OSCAR A. ATANIZ	Del Norte	
15. JAY R. MENDOR	SUBA	
16. Edson Franco	Balite	
17. GERMAN, GROWING	MARU	
18. JEREMIAS CUCARTE	- MENNO	
19. Reolynilda M. Dnazo	- Tabunuc	
20. MARISSE C. ...	- Binay	
21. MARILYN O. MARQUEL	- Villaba SD	
22. MICHAEL X. ...	- STX CRUZ	
23. RONALD P. Diotay Jr.	-	
24. KENSI MARANTAN	-	
25. Julius Damayo	- TABUNUC	
26. Simplian Dany	- J.O	
27. Loni M. Lendor	- J.O	

Name:

Address:

Signature

- | | | |
|------------------------------|--------------|--|
| 28. Rhodora Anton C. Ylaya | SB staff |  |
| 29. Kath Bernar Mejareda | | |
| 30. Erahyn Aragn | SB staff |  |
| 31. Lita Montech | SB staff |  |
| 32. Jorda, Vanessa | SB staff |  |
| 33. Litch Aray | SB staff |  |
| 34. NIEL ALBERT B. INOPIQUEZ | SB-MEMBER |  |
| 35. JHONNY MONTILLANO | DEL SUR | |
| 36. ALBERTO RETE | MATAVULAD | |
| 37. JULIA KATHINA L. Camm | SBM | |
| 38. ELY MARIA ENEVOLDSON | SBM | |
| 39. MYLENE C. INOPIQUEZ | POB. DEL SUR | |
| 40. EARL DION | POB. DEL SUR |  |

NOTICE OF PUBLIC HEARING

THE GENERAL PUBLIC IS INVITED TO ATTEND IN THE PUBLIC HEARING OF THE PROPOSED ORDINANCE OF THE SANGGUNIANG BAYAN ENTITLED: "AN ORDINANCE MANDATING THE PRESERVATION OF CENTURY AND HERITAGE TREES IN THE JURISDICTION OF MUNICIPALITY OF VILLABA, LEYTE AND PROVIDING PENALTIES FOR VIOLATION THEREOF" ON FEBRUARY 2, 2023 AT 1:00 IN THE AFTERNOON AT THE SB SESSION HALL.


MC QUIRIE P. UMPAD
SECRETARY TO THE SANGGUNIAN



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
MUNICIPAL ORDINANCE NO. 24, S-2023-2025

AN ORDINANCE MANDATING THE PRESERVATION OF CENTURY AND HERITAGE TREES IN THE JURISDICTION OF MUNICIPALITY OF VILLABA, LEYTE AND PROVIDING PENALTIES FOR VIOLATION THEREOF;

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

was published in said newspaper for (1) PM consecutive weeks in its EV Mail _____
EV Mail April 17-23, 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 APR 25 2023 day of _____, 20__ in Ormoc City.

Jima Zandra Vergara
JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

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

ATTY. ADELITO M. SOLBAGA JR.
Notary Public for the City of Ormoc,
Municipalities of Kananga, Matag, St. Merida and Villaba
NC No. ORM-22 12-038-NC issued on 11/01/2023
Valid until December 31, 2024
PTR No. 7450208, 01/03/2024, Ormoc City
IBP No. 255920, 12/29/2023, Leyte
Roll of Attorney No. 21625
TIN 207-693-130
MCLE Compliance No. VI-0014640
Valid until April 14, 2025

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