

5

Item No.: 05

Date: 21 2023 NOV

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

NOV 10 2023
PROVINCE OF LEYTE

2nd INDORSEMENT
November 6, 2023

Province of Leyte
Legal Office
11.7.23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 449 of the Sangguniang Bayan of Babatngon, Leyte, recommending for the declaration of its 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 or update its prior acts either expressly or by the passage of an essentially inconsistent resolution¹.

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

¹ (Constantino vs. Desierto, 288 SCRA 654)

Republic of the Philippines
Province of Leyte
OFFICE OF THE SANGGUNIANG PANLALAWIGAN



Endorsement
27 October 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 449** of the Municipality of Babatngon, Leyte; entitled: **"AN ORDINANCE AMENDING SECTION 1 (SCHOLARSHIP GRANT) (b) OF ORDINANCE NO. 281 OF THE MUNICIPAL SCHOLARSHIP PROGRAM OF THE MUNICIPALITY OF BABATNGON, LEYTE."**

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

by: 
ANDRE S. SANICO
PGADH
Asst. SP Secretary

SP RECORDS
10272023



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

27 October 2023

Honorable Leonardo M. Javier, Jr.
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Province of Leyte
Legislative Bldg., Capitol Grounds
Tacloban City



Dear Honorable Ladies and Gentlemen,


Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Municipal Ordinance No. 449 of the Sangguniang Bayan of the Municipality of Babatngon, Leyte, entitled: "AN ORDINANCE AMENDING SECTION 1 (SCHOLARSHIP GRANT) (b) OF ORDINANCE NO. 281 OF THE MUNICIPAL SCHOLARSHIP PROGRAM OF THE MUNICIPALITY OF BABATNGON, LEYTE". Subject ordinance is being forwarded to that Body for review in compliance with Section 56(a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 449
2. Certification of Posting

Please find them in order and praying for your favorable action thereof.

Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

Enclosed:
As stated

SANGGUNIANG BAYAN

BY: *[Signature]*
DATE: 26 Oct. 2023
TIME: 8:30 AM

EXCERPT FROM THE MINUTES OF THE 59th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 25th DAY OF SEPTEMBER 2023 AT THE 5B SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.

MAYOR'S OFFICE
BABATNGON, LEYTE

ORDINANCE NO. 449

RECEIVED
BY: *[Signature]*
DATE: 27 OCT 2023
SANGGUNIANG PANGALANGKAPANG
MUNICIPALITY OF BABATNGON, LEYTE
27 OCT 2023
PROVINCE OF LEYTE

AN ORDINANCE AMENDING SECTION 1 (SCHOLARSHIP GRANT) OF ORDINANCE NO. 281 OF THE MUNICIPAL SCHOLARSHIP PROGRAM OF THE MUNICIPALITY OF BABATNGON, LEYTE.

Presented by: HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member

Be it ordained by the Sangguniang Bayan of Babatngon, Leyte in session assembled:

Section 1. Provisional Clause – Section 1 (Scholarship Grant) of Ordinance No. 281 of the Municipal Scholarship Program of the Municipality of Babatngon, Leyte is hereby amended to read as follows:

***Section 1. The Scholarship Grant** – There is hereby created a scholarship grant to be known as the Municipal Scholarship Program for one (1) student per barangay for a total of twenty-five (25) students per school year, plus the five (5) scholars who graduated from the local high schools in the locality who receive the award of "with high honors". The twenty-five students from the barangays shall be deserving students coming from poor families."

Section 2. Applicability Clause – All other matters relating to the imposition of regulations provided in this ordinance shall be governed by the pertinent provisions of existing laws and other ordinances.

Section 3. Repealing Clause – All ordinances, rules and regulations or parts thereof, in conflict with, or inconsistent with any of the provisions of this ordinance, are hereby repealed or modified accordingly.

Section 4. Effectivity – This ordinance shall take effect from the date of its posting in conspicuous places in the municipality.

APPROVED and ENACTED this 25th day of September 2023 at Babatngon, Leyte

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

[Signature]
ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-Designate

ATTESTED:

[Signature]
HON. ROSARY PEARL G. CATUDIO
Municipal Vice-Mayor
Presiding Officer

SANGGUNIANG BAYAN


HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member


HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member


HON. KARL JONAR L. EMBANA
Sangguniang Bayan Member


HON. ILDEFONSO B. ODON
Sangguniang Bayan Member



HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member

(Mandatory Leave)
HON. HILARION S. MENZON
Sangguniang Bayan Member


HON. CHARITA M. CHAN
Sangguniang Bayan Member


HON. ALEX V. BELLO
Sangguniang Bayan Member


HON. COSTUDIO R. MEDINA
President
Liga ng mga Barangay


HON. MYRNA S. BALLAIS
President
Pambayang Pederasyon ng
Sangguniang Kabataan



APPROVED:


HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: Oct. 25, 2023



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN


CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that POSTING in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting 25 October 2023 and copies of said ordinance shall remain posted for three (3) consecutive weeks, pursuant to Sec. 59 (b) of Republic Act 7160, in relation to hereunder ordinance, to wit:

1. **ORDINANCE NO. 449 - AN ORDINANCE AMENDING SECTION 1 (SCHOLARSHIP GRANT) (b) OF ORDINANCE NO. 281 OF THE MUNICIPAL SCHOLARSHIP PROGRAM OF THE MUNICIPALITY OF BABATNGON, LEYTE.**

Made this 27th day of October 2023 at Babatngon, Leyte.


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

7/22/11 6/18²

ORDINANCE No. 281

AN ORDINANCE CODIFYING THE GENERAL ORDINANCES OF THE MUNICIPALITY OF BABATNGON, LEYTE.

SPONSORS: Honorable Manuel E. Gonito
Honorable Eleonor B. Lugasin
Honorable Federico P. Elizaga, Jr.

Be it ordained by the Sangguniang Bayan of the Municipality of Babatngon, Leyte in session assembled:

CHAPTER 1

GENERAL PROVISIONS

Article A

Short Title and Scope

Section 1. – Title. - This Code shall be known and referred to as the “Code of General Ordinances of the Municipality of Babatngon, Leyte.”

Section 2. – Scope – This Code covers all general ordinances of the Municipality of Babatngon, Province of Leyte.

Article B

Relation to Prior Ordinances & Rules of Construction

Section 1. – Words and Phrases. – Words and phrases embodied in this Code but not herein specifically defined shall have the same meaning as found in legal dictionaries as well as in existing laws.

Section 2. – Relation to Prior Ordinances. – The provisions of this Code which are substantially the same as the existing ordinances relating to the same subject matter shall be construed as restatement and not as new enactments, unless otherwise explicitly modified and amended herein.

Section 3. – Existing Rights. – Vested rights existing on the date of the effectivity of this Code arising out of contracts or any other source of obligation, shall be governed by the original terms and provisions of said contracts or the law or ordinances in force at time such rights because vested and in no case shall this Code infringe on them.

Section 4. – Reference to Code. – Whenever reference is made to any provision of this Code, the reference applies to all its amendments and additions hereinafter made.

13

DEPED (Dist. Supervisor)	-	Member
President, SK Mun. Federation	-	Member
President, Liga ng mga Barangay-		Member
SB Committee Peace & Order	-	Members

Section 7. – Procedure in the Abatement of Drug Related Public Nuisances.

1. Any employee, officer, or resident of the municipality may bring a complaint before the Board after giving not less than three (3) days written notice of such complaint to the owner of the place or premises at his/her last known address.
2. After hearing in which the Board may consider any evidence, including evidence of the general reputation of the place or premises, and at which the owner of the premises shall have an opportunity to present evidence in his/her defense, the Board may declare the place or premises to be a public nuisance.

Section 8. – Effect of Board Declaration. – If the Board declares a place or premises to be a public nuisance, it may declare an order immediately prohibiting the conduct, operation, or maintenance of any business or activity on the premises which is conducive to such nuisance. An order entered under this Section shall expire after one (1) year or at such earlier time as stated in the order. The Board may bring a complaint seeking a permanent injunction against any nuisance described under this section

Section 9. – Penal Clause. – Penalties to all unlawful acts shall be in accordance with the penal provisions of RA 9165.

CHAPTER 12

EDUCATION, ARTS AND CULTURE

Article A

Municipal Scholarship Program

Section 1. – Scholarship Grant.- There is hereby created a scholarship grant to be known as the Municipal Scholarship Program for six (6) students per year, poor but deserving high school graduates every school year to be scheduled as follows:

School Year	1996-1997 (1 st year)	-	6
	1997-1998 (2 nd year)	-	6
	1998-1999 (3 rd year)	-	6
	1999-2000 (4 th year)	-	6
	and the years thereafter	-	6

6

In case there are more applicants in excess of the allowable number stated supra, and all have passed the First Competitive Examination given by the Municipal Scholarship Committee, there will be another set of examination for the Final Screening, if necessary.

Section 2. – Qualifications of Scholars. – The scholar grantee shall possess the following qualifications:

1. He/she must be a natural born Filipino citizen;
2. He/she must have a good moral character;
3. He/she must be physically and mentally fit to study;
4. The applicant must be from the upper 10% of the graduating class;
5. Both parents or guardians must be bonafide residents for at least ten (10) years in the Municipality of Babatngon, Leyte at the time of the filing of the application for scholarship;
6. Both parents or guardians must have a total gross income derived from livelihood, business, occupation, exercise of profession, allotment or pension of not exceeding Forty Thousand Pesos (P40,000.00) per annum for the last two (2) preceding years;
7. The applicant shall submit to the Screening Committee, through its secretary, his/her duly accomplished application form duly subscribed, and the following supporting documents within the time prescribed by the committee:
 - (a) Medical Certificate duly approved by the Municipal Health Officer;
 - (b) BPS Form 138 or Report Card or Report of Rating from the school;
 - (c) Certificate of Live Birth;
 - (d) Certification from the Punong Barangay that the parents or guardians, who are indigents are bonafide residents of Babatngon, Leyte;
 - (e) Certification duly signed by the Municipal Assessor as to the total assessed value of the parents' or guardians' real property within the municipality;
 - (f) Certification from the Municipal Treasurer that the parents or guardians has not tax liability;
 - (g) Authenticated xerox copy of the parent's or guardian's Income Tax Return for the last two (2) years;
 - (h) Certification of Good Moral Character from the school he/she graduated;
 - (i) Authenticated xerox copy of the NSAT rating which should not be below 50%;
 - (j) Police Clearance;
 - (k) Two (2) passport size pictures.
8. The applicant for scholarship shall have passed the First Screening and the Final Screening, if necessary, to be conducted by the Screening Committee.

Section 3. – The Benefits. – The scholarship shall be for any 4-year course leading to a Bachelors Degree in any of the government schools or institutions located within the Province of Leyte; covering tuition fees and all miscellaneous fees such as registration, matriculation, library, medical, dental, school publication, laboratory, Reserve Officer Training Corps (ROTC), guidance and counseling, computer and extra-curricular activities. There shall also be books and school materials allowance of P 1,000.00 per semester, a uniform allowance of P 500.00 per school year and an amount of P 2,500.00 for their living subsidy for every school semester.

[Handwritten signature]

Section 4. – The Screening Committee. – There is hereby created the Municipal Scholarship Committee which shall serve as the Screening Committee which shall be composed of the following:

- | | | |
|---------------|---|--|
| Chairman | - | Chairman, Committee on Education, Sangguniang Bayan |
| Vice Chairman | - | PTA Federation President |
| Secretary | - | District Supervisor/Coordinating Principal-DECS |
| Members | - | - SK Municipal Federation President
- President, Teachers Organization
- Municipal Treasurer
- Principals of the different high schools in the mun. |

Section 5. – Functions of the Screening Committee. – The committee shall have the following powers and functions:

- a) To enforce the provisions of this ordinance and to set policies and guidelines for its implementation;
- b) To cause the posting and publication of the name of successful candidates for scholarship;
- c) To conduct the pre-screening activities of the applicants by reviewing the application forms and all the supporting documents;
- d) To give the competitive examination to the qualified applicants;
- e) Keep all the records and other related documents of the scholar;
- f) Evaluate the report of ratings, and other documents relative to the scholarship program before the start of a new semester;
- g) Organize the scholar-grantees and monitor their whereabouts and employment status, and;
- h) Perform such other duties necessary for the growth of this program.

Section 6. – Unit Load. – The scholar-grantee is required to take the regular load of eighteen (18) units or as required by the school every semester or for the particular field of study or course.

Graduating scholars shall secure a certification from the school registrar stating the number of units required for graduation, to be submitted to the Municipal Scholarship Committee. Any additional subject taken by the scholar outside of his/her course shall be paid by him/her personally.

Section 7. – Dropping of Subjects. – Dropping of subjects already enrolled shall not be allowed, except in meritorious cases to be determined by the Screening Committee, but the scholar shall be made to refund the amount paid by the local government for the dropped subject or subjects.

Section 8. – Scholarship Forfeiture. – This scholarship grant will be automatically terminated due to the following grounds:

18

- a) A scholar who quits school without the approval of the Board of the Committee, except however if it is due to illness upon recommendation of the Municipal Health Officer. The scholar may be granted a leave of not exceeding one school year and shall be allowed to resume his scholarship grant to the condition that he is physically fit as determined by the Municipal Health Officer.
- b) He/she committed moral turpitude or any crime punishable by law.
- c) The scholar was not able to maintain an average grade of 85%, or its equivalent, of all subjects without a single failing grade for a particular subject.

Section 9. – Post Graduation Activities. – The Municipal Scholarship Committee shall organize all local scholars and may require the grantee to furnish the committee his whereabouts and employment status within two (2) years after graduation or completion of his studies.

Should the need arise; the local government may require the scholar to render service to the municipality for a period of one year immediately after graduation, with compensation. Membership in the organization is automatic and compulsory.

Section 10. – Appropriation. – After the closing of each Calendar Year, all unused appropriation in the form of savings shall not be reverted as part of the beginning balance of the succeeding year but shall accrue to a Trust Fund for the Municipal Scholarship Program. This trust fund shall be used exclusively for the main purpose of this scholarship program only.

Article B

Renaming of BNHS to JSTNHS

Section 1. – Pursuant to Section 13, Paragraph (c), Chapter 2, Title One of Book 1 of Republic Act 7160, otherwise known as the Local Government Code of 1991, Babatngon National High School is hereby declared and official renamed Juan S. Tismo National High School.

Section 2. – Coordination and consultation shall immediately be established by the Municipal Government of Babatngon, Leyte with the National Historical Commission as required under the afore-cited provisions of the Local Government Code of 1991.

Article C

Academic Medal of Excellence

Section 1. – Rationale – This award system aims at the following:

- a. To inspire and motivate the students to perform well in school,
- b. This shall serve as incentive and encouragement to the honor students, and
- c. The system will showcase the thrust of the local government that is geared towards uplifting the standard of the quality of education in the locality.

B