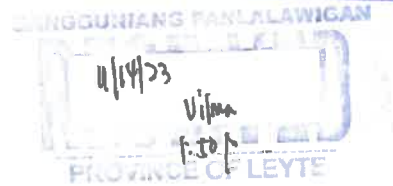


16

Item No.: 16

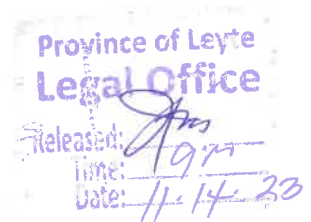
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PROVINCE OF LEYTE
Palo, Leyte



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
November 13, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 16 series of 2023 of the Sangguniang Bayan of Barugo, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), a valid exercise of authority under Section 17 (2)(x) of the Code¹.

ATTY. JOSE RAYMUND A. ACOL

Asst. Provincial Legal Officer *[Signature]*

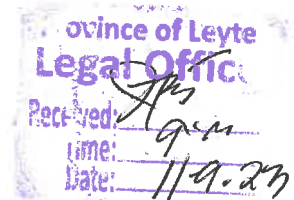
¹Section 17. *Basic Services and Facilities.* -

- (a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities enumerated herein:

(x) Public cemetery;


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OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
09 November 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 16** series of 2023 of the **MUNICIPALITY OF BARUGO, LEYTE**, entitled: **An Ordinance On Management And Operation Of The Municipal Public Cemetery At Brgy. Santarin, Barugo, Leyte Including The Guidelines On The Collection Of Fees And Charges.**


ANDREW SANICO
Provl Govt. Assn. Dept. Head

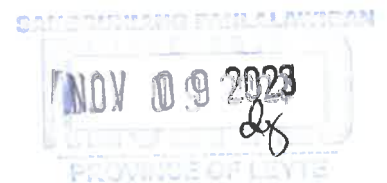


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Local Government Unit
Barugo, Leyte

Office of the Sangguniang Bayan

November 9, 2023

HON. LEONARDO "SANDY" JAVIER, JR.
Vice-Governor/Presiding Officer
Sanggunian Panlalawigan
Province of Leyte



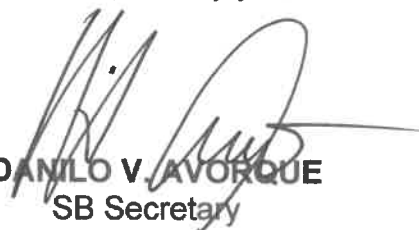
THRU: **FLORINDA JILL S. UYVICO**
Secretary to the Sanggunian
Province of Leyte

Sir:

Respectfully submitted to your good office for review/approval the herein **ORDINANCE NO. 16, S. 2023, ENTITLED "AN ORDINANCE ON MANAGEMENT AND OPERATION OF THE MUNICIPAL PUBLIC CEMETERY AT BRGY. SANTARIN, BARUGO, LEYTE INCLUDING THE GUIDELINES ON THE COLLECTION OF FEES AND CHARGES."**

Anticipating your favorable action on this matter.

Very respectfully yours,


DANILO V. AVORQUE
SB Secretary

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Office of the Sangguniang Bayan

CERTIFICATION OF PUBLIC HEARING

THIS IS TO CERTIFY that on July 4, 2023 and August 11, 2023 a Public Hearings were conducted related to the proposal to pass **AN ORDINANCE ON MANAGEMENT AND OPERATION OF THE MUNICIPAL PUBLIC CEMETERY AT BRGY. SANTARIN, BARUGO, LEYTE INCLUDING THE GUIDELINES ON THE COLLECTION OF FEES AND CHARGES.**

This certification is issued this 9th day of November 2023, for whatever legal purpose it may serve.


DAMILO V. AVORQUE
SB Secretary




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PROVINCE OF LEYTE
Local Government Unit
Barugo, Leyte

Office of the Sangguniang Bayan

CERTIFICATION OF POSTING

THIS IS TO CERTIFY that Ordinance No. 16, S. 2023, RE: **“AN ORDINANCE ON MANAGEMENT AND OPERATION OF THE MUNICIPAL PUBLIC CEMETERY AT BRGY. SANTARIN, BARUGO, LEYTE INCLUDING THE GUIDELINES ON THE COLLECTION OF FEES AND CHARGES.** was posted in three (3) conspicuous places in the Municipality of Barugo, Leyte from September 19 – October 10, 2023 in compliance with the provisions of RA 7160, otherwise known as Local Government Code of 1991.

This certification is issued this 7th day of November, 2023, for whatever legal purpose this may serve.

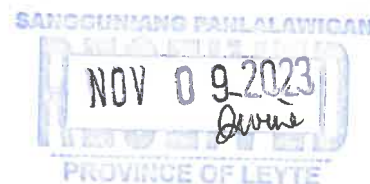

DANILO V. AVORQUE
SB Secretary



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PROVINCE OF LEYTE
Municipality of Barugo

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE MEETING OF THE 11TH SANGGUNIANG BAYAN OF BARUGO, LEYTE ON ITS 59TH REGULAR SESSION HELD ON THE 12TH DAY OF SEPTEMBER 2023, AT THE MUNICIPAL SESSION HALL, LEGISLATIVE BUILDING, BARUGO, LEYTE.



Present:	Hon. Josephine C. Tiu	Municipal Vice Mayor Presiding Officer
	Hon. Don A. Dehayco	SB Member
	Hon. Wayne B. Avestruz	SB Member
	Hon. Eduardo C. Calzita	SB Member
	Hon. Nikkos Rhet V. Astorga	SB Member
	Hon. Clinio A. Balais	SB Member
	Hon. Jeffrey P. Cañezal	SB Member
	Hon. Jesus B. Cabanacan	SB Member
	Hon. Jake Andrian C. Gerona	SK Federation President

Absent:	Hon. Domingo E. Adrales	SB Member (Forced Leave)
	Hon. Marl Oscar A. De Guzman	Liga Ng Mga Barangay President (Sick Leave)

MUNICIPAL ORDINANCE NO. 16, S. 2023

AN ORDINANCE ON MANAGEMENT AND OPERATION OF THE MUNICIPAL PUBLIC CEMETERY AT BRGY. SANTARIN, BARUGO, LEYTE INCLUDING THE GUIDELINES ON THE COLLECTION OF FEES AND CHARGES.

Sponsored by: Hon. Clinio A. Balais

BE IT ENACTED by the Sangguniang Bayan of Barugo, Leyte, in session duly assembled, that:

SECTION 1. This Municipal Ordinance shall also be known as the 2023 Public Cemetery Ordinance of the Municipality of Barugo, Leyte.

SECTION 2. The Municipal Government of Barugo, Leyte, through the Office of the Mayor, shall use the acquired 3,000 square meter lot, including the road opening to and from the expansion of the public cemetery.

SECTION 3. The Municipal Government of Barugo, Leyte shall expand and improve the public cemetery that includes construction of cemetery niches and tombs/pantheon, paved access roads, sidewalks for visitors with mobility issues, and landscaping to follow construction and maintain a mortuary for public use.

SECTION 4. The Municipal Planning and Development Office or the cemetery-in-charge shall keep all records with reference to the application, acquisition and use of cemetery lot/s.

SECTION 5. Creation of Plantilla Position/Designation of Municipal Cemetery-In-Charge to be assigned as the "Municipal Cemetery Caretaker". The duties and responsibilities of a public cemetery in-charge are as follows:

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1. Grounds Maintenance: Overseeing and managing the maintenance of the cemetery grounds, including landscaping, lawn care, tree and shrub maintenance, and ensuring that the cemetery is kept clean and presentable.
2. Burial Arrangements: Facilitating burial arrangements for individuals and families, including coordinating with funeral directors, determining plot locations, and ensuring proper documentation is completed.
3. Record Keeping: Maintaining accurate and up-to-date records of burials, plot ownership, and other relevant information. This includes organizing burial maps and records of grave locations.
4. Customer Service: Providing compassionate and respectful customer service to visitors, families of the deceased, and other stakeholders. Addressing inquiries, complaints, and concerns in a professional manner.
5. Compliance and Regulations: Ensuring that the cemetery operates in compliance with local, state, and federal laws, regulations, and codes. This may involve obtaining permits, adhering to environmental regulations, and meeting health and safety standards.
6. Budget Management: Preparing and managing the cemetery's budget, including overseeing expenses for maintenance, staff, equipment, and improvements.
7. Staff Supervision: If applicable, hiring, training, and managing cemetery staff, such as groundskeepers, administrative personnel, and seasonal workers.
8. Cemetery Development: Planning and implementing long-term development strategies for the cemetery, including expansion, infrastructure improvements, and new facilities.
9. Public Relations and Outreach: Engaging with the community and promoting the cemetery's services. This may involve organizing events, maintaining a website, and using social media for communication and promotion.
10. Conservation and Preservation: Preserving historical monuments and gravesites, implementing environmentally friendly practices, and ensuring the preservation of cultural and historical aspects of the cemetery.
11. Pre-Need Services: Offering pre-need burial arrangements, where individuals can plan and purchase burial plots and services in advance. Collaboration with Local Authorities: Collaborating with local government entities, including city councils and health departments, to ensure the cemetery operates in line with municipal plans and policies.
12. Crisis Management: Being prepared to handle emergencies or crises, such as natural disasters, vandalism, or accidents, and taking appropriate actions to address and resolve them.

Overall, a public cemetery manager plays a vital role in maintaining a respectful and well-functioning resting place for the deceased and offering support to the bereaved during difficult times.

SECTION 6. The cemetery lot shall be divided into two (2) areas with the corresponding fees and charges provided for under this Ordinance, to wit:

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Individual Grave Lots. The newly opened grave lot is situated at the extension of the cemetery.

1. The lease of the individual grave lot shall be Php 3,000.00 which is renewable at the end of the 10th year;
2. The construction of tomb shall be managed by the LGU Barugo. The amount for the construction of tomb shall be Php 7,000.00 excluding the grave marker or headstone;
3. If the tomb is to be constructed on top of an existing tomb, the grave lot lessee shall pay only the amount of Php 7,000.00 (*see item No. 2 above*).
4. Dimension of the tomb shall be 1.2m x 2.4m;
5. The total amount paid for the lease of individual grave lot shall be Php 10,000.00
6. The corresponding fee for the construction of a tomb overlying an existing tomb shall be Php 7,000.00 only.
7. In the event that there is failure to file and pay for lease renewal, the bones shall be transferred to an ossuary with a corresponding fee of Php 1,000.00 and the ossuary shall be placed in a common chaplet.
8. Failure to comply with the prescribed conditions means the lease of the family shall be waived and the LGU shall be constrained to have the said lot offered to interested parties.

Multi-level Cemetery Niches. It shall be constructed along the perimeter of the cemetery where practicable.

1. The lease of a single cemetery niche shall be Php 1,000.00 which is renewable at the end of the 10th year;
2. The construction of cemetery niche shall be managed by the LGU Barugo. The amount for the construction of a single cemetery niche shall be Php 4,000.00 excluding the grave marker or headstone;
3. Dimension of a single cemetery niche shall be 1.2m x 2.4m;
4. The total amount paid for the lease of a single cemetery niche shall be Php 5,000.00;
5. In the event that there is failure to file and pay for lease renewal, the bones shall be transferred to an ossuary with a corresponding fee of Php 1,000.00 and the ossuary shall be placed in a common chaplet.

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6. Failure to comply with the prescribed conditions means the lease of the family shall be waived and the LGU shall be constrained to have the said lot offered to interested parties.

SECTION 7. All transactions made outside the Office of the Municipal Planning and Development Office and or transactions with unauthorized person/s are hereby declared unlawful. Agreement of Lot Lease forms shall be provided for by the Office of the Municipal Planning and Development Office.

SECTION 8. Construction of structures not stipulated herein such as shed, use and utilization of one lot for more than one cadaver, and other activities found disadvantageous on the part of the LGU. As well with other lot owners are hereby declared illegal.

SECTION 9. Concerned public officials, LGU employees, and its constituents found violated or refuses to implement the provisions of this Municipal Ordinance or any parts hereof, shall suffer the penalty of the following, without prejudice to the filing of administrative complaint in the proper court or agency, to wit

- First Offense..... Php 500.00
- Second Offense.....Php 1,500.00
- Third Offense.....Php 2,500.00 or imprisonment of six (6) months or both at the discretion of the court.

SECTION 10. If for any reason or reasons, any part or provision of this Ordinance is declared invalid, null and void, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 11. The LGU established public land for Public Cemetery Site "to be under the control and management of the municipality".



SECTION 12. This Ordinance shall take effect upon its approval and after due posting and publication.

APPROVED, this 12th day of September, 2023

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.


GWEN DESIREE ESTIL-BELLO
 Admin. Assistant II
 Temporary SB Secretary



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HON. DON A. DEHAYCO
SB Member


HON. WAYNE B. AVESTRUZ
SB Member


HON. EDUARDO C. CALZITA
SB Member


HON. NIKKOS RHET V. ASTORGA
SB Member


HON. CLINIO A. BALAIS
SB Member


HON. JEFFREY P. CAÑEZAL
SB Member


HON. JESUS B. CABANACAN
SB Member

(Forced Leave)
HON. DOMINGO E. ADRALES
SB Member

(Sick Leave)
HON. MARL OSCAR A. DE GUZMAN
Liga ng mga Barangay President


HON. JAKE ANDRIAN C. GERONA
Pederasyon ng mga SK, President

ATTESTED BY:


HON. JOSEPHINE C. TIN
Municipal Vice Mayor
Presiding Officer

APPROVED BY:


HON. ARON C. BALAIS, MD, FPCEM
Municipal Mayor

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