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PROVINCE OF LEYTE
Palo, Leyte

Item No.: 33

Date: 21 2023 NOV

PROVINCIAL LEGAL OFFICE

NOV 10 2023
af

2nd INDORSEMENT
November 6, 2023

Province of Leyte
Legal Office
Nov 7 2023
af

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-05 of the Sangguniang Bayan of Hindang, 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 its prior acts either expressly or by the passage of an essentially inconsistent resolution¹.

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

¹ (Constantino vs. Desierto, 288 SCRA 654


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

Province of Leyte
Legal Office
Received: Oliver P. Mil
Time: 12:10
Date: 10/24/2023

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
24 October 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2023-05** of the **MUNICIPALITY of HINDANG, LEYTE**, entitled: **AN ORDINANCE PROVIDING AMENDMENTS TO ORDINANCE NO. 07, SERIES OF 1998 "ORDINANCE REQUIRING OPERATORS/PATRONS/OWNERS OF MOTORIZED BANCAS, VESSELS, LANDING BARGES, SHIPS AND OTHER SEACRAFTS TO PAY TAXES IN LOADING AND UNLOADING ALL FORMS OF CARGOES WITHIN THE TERRITORIAL LIMITS OF HINDANG, LEYTE" EXPANDING ITS ARTICLES AND PROVISIONS THEREOF.**


FLORINDA J. SUYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

19 October 2023

HON. LEONARDO M. JAVIER, JR.
Vice Governor/Presiding Officer
Sangguniang Panlalawigan
Province of Leyte

THRU: FLORINDA JILL S. UYVICO
Secretary to the Sangguniang Panlalawigan
Province of Leyte

Sir:

I am submitting herewith to your office Sixteen (16) sets of ORDINANCE No. 2023-05 of the Sangguniang Bayan, Hindang, Leyte, RE: "An ordinance providing amendments to Ordinance No. 07 series of 1998 "Ordinance requiring operators/patrons/owners of motorized bancas, vessels, landing barges, ships and other seacrafts to pay taxes in loading and unloading all forms of cargoes within the territorial limits of Hindang, Leyte" expanding its articles and provisions thereof", for review and approval of this Body.

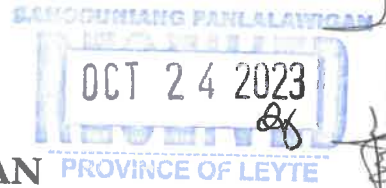
Hoping for consideration on this matter.

Thank you.


ANNABEL A. MABALE
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SANGGUNIANG BAYAN OF
HINDANG, LEYTE, IN ITS REGULAR SESSION HELD ON SEPTEMBER 26, 2023
AT THE SB SESSION HALL

ORDINANCE NO. 2023-05

Authored by Hon. Mikhael Anne Gelo D. Aboyme

AN ORDINANCE PROVIDING AMENDMENTS TO ORDINANCE NO. 07 SERIES OF 1998
"ORDINANCE REQUIRING OPERATORS/PATRONS/OWNERS OF MOTORIZED BANCAS,
VESSELS, LANDING BARGES, SHIPS AND OTHER SEACRAFTS TO PAY TAXES IN
LOADING AND UNLOADING ALL FORMS OF CARGOES WITHIN THE TERRITORIAL LIMITS
OF HINDANG, LEYTE" EXPANDING ITS ARTICLES AND PROVISIONS THEREOF

BE IT ORDAINED by the Sangguniang Bayan of Hindang, Leyte in its regular
session assembled this date:

AMENDMENTS TO SECTION NOS. 1, 2, 3, and 4:

SECTION 1. ORIGINAL VERSION:

All agencies/ companies engaged in sea transportation are not allowed to operate
business within territorial limits of Hindang, Leyte, unless a Barangay Clearance is first
obtained where the business is going to operate and thereafter Mayor's Permit is also
obtained;

SECTION 1. AMENDED VERSION:

*All agencies and companies engaged in sea transportation are not allowed to
operate within the territorial jurisdiction of Hindang, Leyte, unless a business permit
has been obtained from the Business Permits and Licensing Office of the Municipality of
Hindang, Leyte;*

SECTION 2. ORIGINAL VERSION:

No agency/company engaged in sea transportation business shall allow or accept
the shipment or loading of all forms of cargoes to be transported or shipped outside
Hindang, Leyte unless the proper inspection certificate showing evidence of payment of
fees from the Municipal Treasurer is first presented surrendered to such, se transportation
agency.

Mikhael A. Carol

ORDINANCE NO. 2023-05 of Hindang, Leyte, RE: An Ordinance providing amendments to Ordinance No. 07 series of 1998 "Ordinance requiring operators/patrons/owners of motorized bancas, vessels, landing barges, ships and other seacrafts to pay taxes in loading and unloading all forms of cargoes within the territorial limits of Hindang, Leyte" expanding its articles and provisions... continued)

SECTION 2. AMENDED VERSION:

No sea transportation agency or company shall permit or accept the shipment or loading of any type of cargo entering or leaving Hindang, Leyte, unless an official inspection certificate confirming payment of docking fees from the Municipal Treasurer is first presented and provided to such transportation agency or company.

SECTION 3. ORIGINAL VERSION:

All operators/patron/owners of motorized bancas, vessels, landing barges, ships and other seacrafts loading and unloading all forms of cargoes, including sand, gravel and other quarry resources, finished products of stones /boulder sand and other minerals, within the territorial limits of Hindang, Leyte are required to pay an amount of five hundred pesos (P500.00) per docking of their loaded and unloaded cargoes above mentioned.

SECTION 3. AMENDED VERSION:

All company, agency, owners, and operators of motorized bancas, ships, landing barges, and other seacraft within the territorial jurisdiction of Hindang, Leyte should pay a docking fee of One Thousand Pesos (P1,000.00) for each docking of their loaded and unloaded cargoes and a demurrage fee of Five Hundred Pesos (P500.00 per day). This fee applies to all types of cargoes, including sand, gravel, and other quarry resources, as well as finished products of stones, boulder sand, and other minerals.

SECTION 4. All ordinance, guidelines, memoranda ad other issuance or part thereof, inconsistent with the provisions of this ordinance shall be deemed repealed or amended accordingly.

SECTION 5. This ordinance shall take effect upon its approval and after posting of the same in ten (10) days at three (3) conspicuous places in this Municipality.

ENACTED this 26th day of September, 2023 by this Sanggunian in its regular session held for the purpose at the SB Session Hall, this Municipality, with the following votes:

Yes (9)

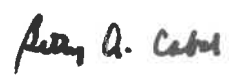
No (0)

Abstain (0)


MIKHAEL ANNE GELOD ABOYME
SB Member


LEONIDA A. CAVITE
SB Member










ORDINANCE NO. 2023-05 of Hindang, Leyte, RE: An Ordinance providing amendments to Ordinance No. 07 series of 1998 "Ordinance requiring operators/patrons/owners of motorized bancas, vessels, landing barges, ships and other seacrafts to pay taxes in loading and unloading all forms of cargoes within the territorial limits of Hindang, Leyte" expanding its articles and provisions... continued)


ROMULO D. BASAÑEZ
SB Member


BENEDICTO Z. YANOLA
SB Member


SERAFIN A. CAVERO
SB Member


SORIANO B. DELALAMON
SB Member


SALVADOR E. BAÑEZ, JR.
SB Member



ABSALON A. BARDOS
LIGA Pres-Ex Officio Member


JESSA MONICA C. BUENAFE
SK Federation Pres-Ex Officio Member

CERTIFIED TRUE & CORRECT:


ANNABEL A. MABALE
Secretary to the Sanggunian

ATTESTED:


(OB - Manila)
ELPIDIO B. CABAL, JR.
Municipal Vice Mayor
Presiding Officer


JOSE NAPOLEON D. MONTERO
SB Member - Temporary
Presiding Officer

APPROVED:


BETTY A. CABAL
Municipal Mayor



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that* ORDINANCE NO. 2023-05 of the Sangguniang Bayan, Hindang, Leyte, "An ordinance providing amendments to Ordinance No. 07 series of 1998 "Ordinance requiring operators/patrons/owners of motorized bancas, vessels, landing barges, ships and other seacrafts to pay taxes in loading and unloading all forms of cargoes within the territorial limits of Hindang, Leyte" expanding its articles and provisions thereof", had been correspondingly posted in three (3) conspicuous places of the municipality as prescribed under the Local Government Code of 1991 otherwise known as Republic Act 7160.

GIVEN this 18th day of October, 2023 at Hindang, Leyte, Philippines.


ANNABEL A. MABALE
Secretary to the Sanggunian