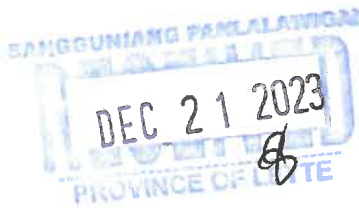


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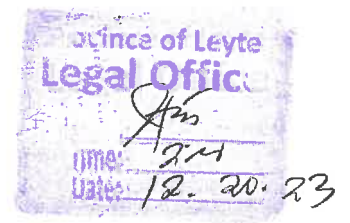
Mem No.: 13
Date: 05 2024 JAN

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
December 19, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 56 S. 2023-2025 of the Sangguniang Bayan of Villaba, Leyte with the following comments/recommendations:

1. That the local council of Villaba seeks to create an office or institution separate from the Office of the Municipal Vice Mayor through the above-mentioned ordinance;
2. That Section 446 (a) of the Local Government code as cited states that;

Section 446 (a) - The sangguniang bayan, the legislative body of the municipality, shall be composed of the municipal vice mayor as the presiding officer, the regular sanggunian members, the president of the municipal chapter of the liga ng mga barangay, the president of the pambayang pederasyon ng mga sangguniang kabataan, and the sectoral representatives, as members.

3. That in view thereof, it is the opinion of this office that the creation of a separate institution comprised of the same members mandated by Law, with the sole distinction of excluding the Vice-Mayor, would not only undermine the functions of the Sanggunian, but would also be an

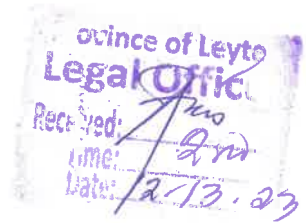
unnecessary redundancy that would diminish the institution and accomplish nothing;

4. That it is the opinion of this office that the provision is clear, exclusive and self-explanatory, to which if the Municipal Vice-Mayor is excluded from the Sanggunian as the presiding officer, would tantamount to an *ultra vires* act and thus, contrary to Law.


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
13 December 2023

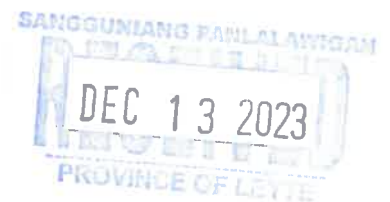
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 56, S. 2023-2025** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: **Establishing The Office Of The Sangguniang Bayan With Its Plantilla Positions.**


FLORINDA JILL SYUYVICO
Secretary to the Sanggunian



December 13, 2023

THE VICE GOVERNOR
Province of Leyte
New Provincial Government Complex
Campetic, Palo, Leyte



Mr. Vice Governor,

We respectfully transmit herewith Fifteen (15) copies of:

Municipal Ordinance No. 56, S-2023-2025 "ESTABLISHING THE OFFICE OF THE SANGGUNIANG BAYAN WITH ITS PLANTILLA POSITIONS,"

for your review and approval.

Best regards.

Very truly yours,

For: 
MC QUIRIE P. UMPAD
Secretary to the Sanggunian

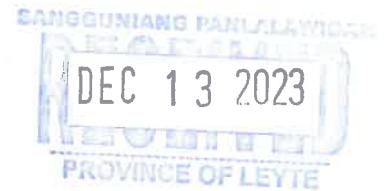
Copy furnished:

THE LOCAL CHIEF EXECUTIVE OFFICE
HRMO
MUNICIPAL ACCOUNTING OFFICE
MUNICIPAL TREASURY OFFICE
MUNICIPAL BUDGET OFFICE
Local Government Unit
Villaba, Leyte



MUNICIPAL ORDINANCE NO. 56, S-2023-2025

ESTABLISHING THE OFFICE OF THE SANGGUNIANG BAYAN WITH ITS PLANTILLA POSITIONS



EXPLANATORY NOTE

The Local Government Code of 1991 provides that, every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

It further provides that, every Local Government Unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission;

The Sangguniang Bayan sees it imperative to establish its office pursuant to Section 446, Chapter 3, Title Two of the Local Government Code which states that:

- (a) The Sangguniang Bayan, the legislative body of the municipality, shall be composed of the municipal vice mayor as the presiding officer, the regular sanggunian members, the president of the municipal chapter of the liga ng mga barangay, the president of the pambayang pederasyon ng mga Sangguniang Kabataan and the sectoral representative, as members;

It is of the opinion of the Sangguniang Bayan that the intent of the framers of the Local Government Code of 1991 is to create an office or institution of the Sangguniang Bayan separate and distinct from the Office of the Municipal Vice Mayor since the immediately preceding provision of the above-mentioned provision states the powers and functions of the Municipal Vice Mayor;

The creation of its office would ensure that the Sangguniang Bayan would be able to perform its powers, duties and functions independent from the affairs of the Municipal Vice Mayor;

NOW THEREFORE, on motion of SB Member Rogelio J. Baay, Chairman, Committee on Employment severally seconded by the Members of the Sangguniang Bayan; be it:

 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member / Temporary/Presiding Officer	 JULIA KATRINA L. CON-UI Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member
 FERRIS S. CASAS, SR Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 MARIANG M. DE CLARO LNB President	 FEDERICO ENSOY, JR SK Federation President
 ELEAZAR M. ENEVOLDSEN Sangguniang Bayan Member	 ROGELIO J. BAAAY Sangguniang Bayan Member	 NIC DURIE P. UMPAD Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

SECTION 1. TITLE. This ordinance shall be known as “An Ordinance Establishing the Office of the Sangguniang Bayan”.

SECTION 2. ESTABLISHMENT. Pursuant to Sections 446-447 of the Local Government Code of 1991, the Office of the Sanggunian Bayan is hereby established with the following existing plantilla positions, *to wit*:

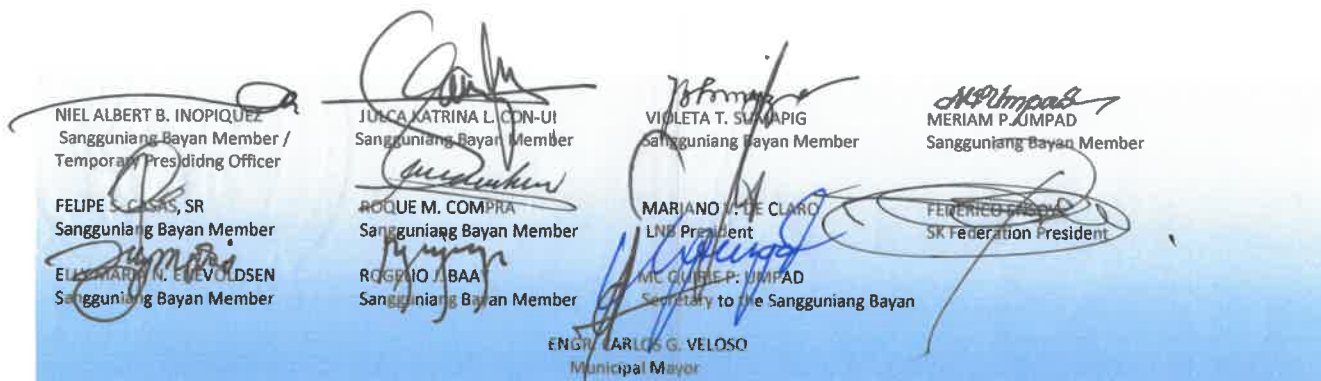
ITEM NUMBER	POSITION TITLE	SALARY GRADE
052	SB Member	24
053	SB Member	24
054	SB Member	24
055	SB Member	24
056	SB Member	24
057	SB Member	24
058	SB Member	24
059	SB Member	24
060	SK Federation President	24
061	ABC President	24
063	Administrative Aide-IV (Clerk-II)	4
064	Administrative Assistant I (Bookbinder-III)	7
067	Administrative Aide-IV (Stenographer-I)	4
068	Administrative Aide – III (Clerk-I)	3
069	Administrative Aide – III (Clerk-I)	3
071	Administrative Aide -III (Driver-I)	3

SECTION 3. TRANSFER AND CREATION OF PLANTILLA POSITIONS. The incumbent officials and employees of the above-mentioned positions shall be transferred to the Office of the Sangguniang Bayan.

On the other hand, positions which are not mentioned in preceding section shall remain under the Office of the Municipal Vice Mayor.

For this purpose, the Human Resource Management Office shall make the necessary changes in the plantilla of personnel schedule.

SECTION 4. FUNDING. The Office of the Sangguniang Bayan shall be entitled to funds necessary for the maintenance and operation of the said office which shall be allocated in a different account from the Office of the Municipal Vice Mayor.




NIEL ALBERT B. INOPIQUEZ
 Sangguniang Bayan Member /
 Temporary Presiding Officer
 FELIPE S. CASAS, SR
 Sangguniang Bayan Member
 ELLI WARD N. ENEVOLDSEN
 Sangguniang Bayan Member
 JULICA KATRINA L. CON-UI
 Sangguniang Bayan Member
 ROGUE M. COMPRA
 Sangguniang Bayan Member
 ROGELIO J. BAA
 Sangguniang Bayan Member
 VIOLETA T. SUMAPIG
 Sangguniang Bayan Member
 MARIANO P. DE CLARO
 LINA President
 MC. CLIE P. UMPAD
 Secretary to the Sangguniang Bayan
 MERIAM P. UMPAD
 Sangguniang Bayan Member
 FERENCIO P. BAA
 SK Federation President
 ENGR. CARLOS G. VELOSO
 Municipal Mayor

SECTION 5. SEPARABILITY CLAUSE. If for any reason or reasons, any part or provision of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and in effect.


SECTION 6. REPEALING CLAUSE. Any ordinance, rules and regulations and executive issuances found inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

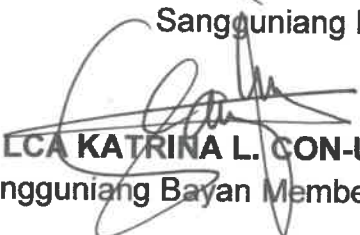
SECTION 7. EFFECTIVITY. This ordinance shall take effect upon its approval.

This Ordinance was moved for approval by the Hon. Baay and duly seconded by all the members of the Sangguniang Bayan in its Regular Session on October 9, 2023.



MC QUIRIE P. UMPAD
Secretary to the Sanggunian

ATTESTED:



NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member/Temporary Presiding Officer


JULCA KATRINA L. CON-UI
Sangguniang Bayan Member


ROQUE COMPRA
Sangguniang Bayan Member


MERIAM P. UMPAD
Sangguniang Bayan Member


FELIPE S. CASAS, SR.
Sangguniang Bayan Member


VIOLETA T. SUMAPIG
Sangguniang Bayan Member


MARIANO V. DE CLARO
LNB President


ROGELIO J. BAAY
Sangguniang Bayan Member


FEDERICO ENSOY
SK Federation President



APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

Date: NOV 10 2023



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 Philippine:
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 56, S-2023-2025

ESTABLISHING THE OFFICE OF THE SANGGUNIANG BAYAN WITH ITS PLANTILLA POSITIONS

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

was published in said newspaper for (1) 01 consecutive weeks in its EV Mail _____
EV Mail Nov. 6-12, 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 ____ day of _____, 20__ in Ormoc City.


JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this NOV 14 2023 day of _____ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

ATTY. DENNIS L. HIBAYA

Notary Public for the City of Ormoc,
Municipalities of Koronaga, Matag-ob,
Merida and Isabel

NC No ORM-22-07-11-NC issued on 08/26/2022

Valid until December 31, 2023,

PTR No. 7450209, 01/03/2023

IBP No. 255940, 12/29/2022

Roll of Attorney No. 76903

TIN 922-420-348

MCLE Exemption Bar Matter No. 850, Sec. 3 (a)

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