

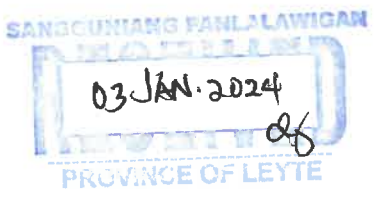
14

Item No.: 18
Date: 09 2024 JAN

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

*Released
1.3.24
[Signature]*



2nd INDORSEMENT
December 27, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinances No. 2023-16 and 2023-22 of the Sangguniang Bayan of Calubian, 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), an exercise of the power authorized under Section 447 (1)(viii)¹ of the Code.

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

¹ (viii) Determine the positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;

PLD
14

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
21 December 2023

Province of Leyte
Legal Office
Received: *[Signature]*
Time: *3:10*
Date: *12.22.23*

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2023-16** of the **MUNICIPALITY** of **CALUBIAN, LEYTE**, entitled: **An Ordinance Creating The Position Of A Municipal Government Department Head 1 (Municipal Environment & Natural Resources Officer), with Salary Grade 24, Under The Municipal Environment & Natural Resources Office In The Municipal Government Of The Municipality Of Calubian, Leyte.**

[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



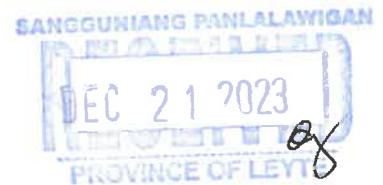


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

December 19, 2023



MS. FLORINDA JILL S. UYVICO
Prov'l. Govt. Dept. Head
Secretary to the Sanggunian
Province of Leyte
New Leyte Provincial Capitol
Palo, Leyte

Dear Madam:

We are forwarding herewith the Mun. Ordinance No. 2023-16 of Calubian, Leyte and its supporting attachments, for favorable review and approval of the Honorable Sangguniang Panlalawigan of Leyte.

Kindly acknowledge receipt hereof.

Thank you.

Very truly yours,


NORMINDA R. RAAGAS
SB Secretary

Enc.:

1. Mun. Ordinance No. 2023-16
2. Certification of Posting



Republic of the Philippines
 PROVINCE OF LEYTE
 Municipality of Calubian
 -OO-



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON NOVEMBER 20, 2023 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

PRESENT : VICE MAYOR ANNA LOVE VELOSO- LAURENTE - Presiding
 SB MEMBER JULLIAN MARC A. BATIANCELA - Member
 SB MEMBER NOEL G. EAMIGUEL - do-
 SB MEMBER EUGENIO A. CHING, JR. - do-
 SB MEMBER ESTER P. LUBIANO - do-
 SB MEMBER JULIA E. HALICHIC - do-
 SB MEMBER BENJAMIN A. CALBITAZA - do-
 SB MEMBER ALYZA F. NIERRAS - do-
 SB MEMBER LUCITA A. PALCONIT - Member
 SK FED. PRESIDENT REMAR L. BELTRAN - do-
 LIGA NG BARANGAY PRES. ALFREDO M. CASAS - do-

ABSENT : NONE

DEC 21 2023
 PROVINCE OF LEYTE

JULIA E. HALICHIC
 SB Member

ALFREDO M. CASAS
 Liga ng mga-Barangay Pres.

ESTER P. LUBIANO
 SB Member

REMAR L. BELTRAN
 SK Fed. President

EUGENIO A. CHING, JR.
 SB Member

LUCITA A. PALCONIT
 SB Member

NOEL G. EAMIGUEL
 SB Member

ALYZA F. NIERRAS
 SB Member

JULLIAN MARC A. BATIANCELA
 SB Member

BENJAMIN A. CALBITAZA
 SB Member

ORD. No. 2023- 16

AN ORDINANCE CREATING THE POSITION OF A MUNICIPAL GOVERNMENT DEPARTMENT HEAD 1 (MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICER) , WITH SALARY GRADE 24, UNDER THE MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICE IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF CALUBIAN, LEYTE.

BE IT ORDAINED , by the Sangguniang Bayan of Calubian, Leyte, in a session assembled that :

Section 1. Short Title . This Ordinance shall be entitled as " AN ORDINANCE CREATING THE POSITION OF A MUNICIPAL GOVERNMENT DEPARTMENT HEAD 1 (MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICER , WITH SALARY GRADE 24, UNDER THE MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICE IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF CALUBIAN, LEYTE."

Section 2. Rationale. A. Section 447 (a) (1)) of R. A. No. 7160, otherwise known as the Local Government Code of 1991 provides the powers & functions of the Sangguniang Bayan to xxx (viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;

B. Section 484 of R. A. No. 7160 provides xxx Qualifications, Powers and Duties. - (a) No person shall be appointed environment and natural resources officer unless he is a citizen of the Philippines, a resident of the local government unit concerned, of good moral character, a holder of a college degree preferably in environment, forestry, agriculture or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in environmental and natural resources management, conservation, and utilization, of at least five (5) years in the case of the provincial or city environment and natural resources officer, and three (3) years in the case of the municipal environment and natural resources officer. The appointment of the environment and natural resources officer is optional for provincial, city, and municipal governments.

C. Section 16 of R. A. No. 7160 on General Welfare, provides that -xxx Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, 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. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace & order, and preserve the comfort & convenience of their inhabitants. Xxx

D. Section 484 (b) of R. A. No. 7160 also provides that xxx The Environment and Natural Resources Officer shall take charge of the Office on Environment and Natural Resources.

E. Section 443 (d) of R. A. No. 7160 likewise provides that xxx Unless otherwise provided herein, heads of departments and offices, to include the Municipal Environment & Natural Resources Officer shall be appointed by the municipal mayor, with the concurrence of the majority of all the Sangguniang Bayan members, subject to civil service law, rules and regulations. The Sangguniang Bayan shall act on the appointment within fifteen (15) days from the date of its submission; otherwise, the same shall be deemed confirmed.

SECTION 3. Creation of the Municipal Environment & Natural Resources Office as one Department/ Office. A. The Creation of the Municipal Environment & Natural Resources Office, is a functional office in the Municipal Government of Calubian, Leyte that provides the following functions and services, to wit:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor or mayor, as the case may be, in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to environment and natural resources services as provided for under Section 17 of R.A. 7160 ;

2. Develop plans and strategies and upon approval thereof by the governor or mayor, as the case may be, implement the same, particularly those which have to do with environment and natural resources programs and projects which the governor or mayor is empowered to implement and which the sanggunian is empowered to provide for under R. A. No. 7160;

3. In addition to the foregoing duties and functions, the environment and natural resources officer shall:

(a) Establish, maintain, protect and preserve communal forests, watersheds, tree parks, mangroves, greenbelts and similar forest projects and commercial forest, like industrial tree farms and agro-forestry projects;

(b) Provide extension services to beneficiaries of forest development projects and technical, financial and infrastructure assistance;

(c) Manage and maintain seed banks and produce seedlings for forests and tree parks;

(d) Provide extension services to beneficiaries of forest development projects and render assistance for natural resources-related conservation and utilization activities consistent with ecological balance;

(e) Promote the small-scale mining and utilization of mineral resources, particularly mining of gold;

(f) Coordinate with government agencies and non- governmental organizations in the implementation of measures to prevent and control land, air and water pollution with the assistance of the Department of Environment and Natural Resources;

(g) Be in the frontline of the delivery of services concerning the environment and natural resources, particularly in the renewal and rehabilitation of the environment during and in the aftermath of man-made and natural calamities and disasters;

(h) Recommend to the sanggunian and advise the governor or mayor, as the case may be, on all matters relative to the protection, conservation, maximum utilization, application of appropriate technology and other matters related to the environment and natural resources; and

(i) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SECTION 4. Personnel Assigned under the Municipal Environment & Natural Resources Office. The personnel or employees placed the Municipal Environment & Natural Resources Office, who are placed in the Rolls of Employees or Plantilla of Personnel in the Mun. Government of Calubian, Leyte, shall be the following:

A. Municipal Government Department Head I (Municipal Environment & Natural Resources Officer) Salary Grade 24, a newly created position item created pursuant to Ord. No. 2013- 15 of the Sangguniang Bayan of Calubian, Leyte;

SECTION 5. Funding/ Budget Allocation of the Municipal Environment & Natural Resources Office. The first budget allocation & the succeeding years for the Maintenance and Other Operating Expenses (MOOE) of the Municipal Environment & Natural Resources Office of Calubian, Leyte shall be funded under the Annual Appropriation of the Municipal Government, upon approval of this ordinance.

SECTION 6. Separability Clause - If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby, shall continue to be in full force & effect.

SECTION 7. Repealing Clause. All ordinances or resolutions , local issuances or rules inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 8. Effectivity Clause- This Ordinance shall take effect immediately upon review & approval from the Honorable Sangguniang Panlalawigan of Leyte.


JULIA E. HANCHIC
SB Member


ALFREDO M. CASAS
Liga ng mga Barangay Pres.


ESTER P. LUBIANO
SB Member


REMAR L. BELTRAN
SK Fed. President


EUGENIO A. CHING, JR.
SB Member


LUJITA A. PALCONIT
SB Member


NOEL G. TRIVIGUOL
SB Member


ALVIN F. NIERRAS
SB Member


JULIANA MARCA-BATIANCELA
SB Member


BENJAMIN A. CALBITAZA
SB Member

UNANIMOUSLY APPROVED, this 20th day of November 2023 at Calubian, Leyte upon motion of SB Member Eugenio A. Ching, Jr. ; duly seconded by SB Members Benjamin A. Calbitaza, Julia E. Halichic & Alyza F. Nierras.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

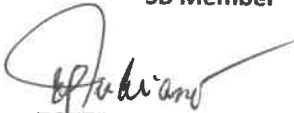

NORMINDA R. RAAGAS
SB Secretary


ATTESTED : ANNA LOVE VELOSO- LAURENTE
Mun. Vice Mayor & Presiding Officer


JULLIAN MARC A. BATIANCELA
SB Member

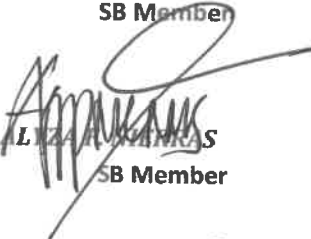

NOEL G. PAMIGUEL
SB Member


EUGENIO A. CHING, JR.
SB Member


ESTER P. LUBIANO
SB Member


JULIA E. HALICHIC
SB Member


BENJAMIN A. CALBITAZA
SB Member


ALYZA F. NIERRAS
SB Member


LUCIA A. PALCONIT
SB Member


REMAR L. BELTRAN
SK Fed. President


ALFREDO M. CASAS
Liga ng mga Barangay Pres.

APPROVED : MARCIANO A. BATIANCELA, JR.
Mun. Mayor



Republic of the Philippines
Province of Leyte
Municipality of Calubian
-OoO-

OFFICE OF THE SANGGUNIANG BAYAN



CERTIFICATION OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Ordinance No. 2023-16 , otherwise known as "AN ORDINANCE CREATING THE POSITION OF A MUNICIPAL GOVERNMENT DEPARTMENT HEAD I (MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICER), WITH SALARY GRADE 24, UNDER THE MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICE IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF CALUBIAN, LEYTE , has been posted in the Bulletin Board at the Office of the Sangguniang Bayan of Calubian, Leyte & other conspicuous places in the municipality since November 16, 2023 until December 7, 2023.

Given this 15th day of December , 2023 at Calubian, Leyte.

CERTIFIED CORRECT:


NORMINDA R. RAAGAS
SB Secretary