

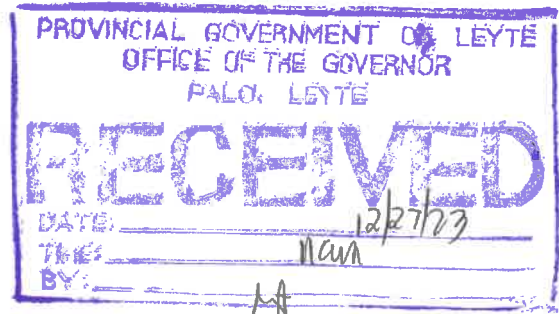
Date: 05 2024 JAN

Azucena Jabines-Polo Mirambel  
Taxpayer.  
Barangay Guadalupe,  
Inopacan, Leyte.

DEC 28 2023  
Viktor D. D. M.  
PROVINCE OF LEYTE

20 December 2023

Hon. Jericho L Petilla  
Governor  
Province of Leyte  
Palo, Leyte



Subject : Request for Further Study on the Municipal Ordinances of the Municipality of Inopacan, Leyte No. 23-13 dated September 26, 2023 and Ordinance No. 23-14 dated October 17, 2023 and Requesting to Set Aside and Suspend its Implementation Until Resolution of its legality.

Dear Governor Jerico Petilla:

I trust this letter finds you well. I am writing as a concerned resident of the Municipality of Inopacan, Leyte to bring to your attention certain aspects of the abovementioned ordinance that I believe merit further consideration and scrutiny.

I would like to request that the committee undertake a more in-depth study on specific points that, in my view, require additional attention and clarification;

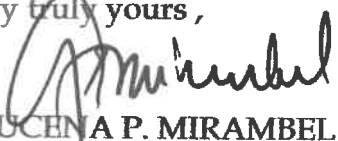
- violation of one subject one title rule
- no source of authority stated in the ordinance preamble
- the assignment of the 20 % of the NTA for debt servicing
- debt servicing is different from development plan
- no approved Annual Investment Plan

I believe that a more thorough examination of these aspects will contribute to the refinement of the ordinance and enhance its effectiveness and compliance with the pertinent laws and regulations. I am confident that the Sangguniang Panlalawigan's commitment to transparency and public welfare will be well-served by a comprehensive study of these concerns. I understand the importance of expeditious decision - making that a careful and thorough review will only serve to strengthen the Municipal Ordinance.

I appreciate your attention to this matter and trust that the Sangguniang Panlalawigan will continue to prioritize the best interests of the community. I am confident that your commitment to good governance will guide the further study of the ordinance in question. Enclosed herein are the discussions of the allegations for the issues of the legality of the questioned ordinances. I look forward to a swift and just resolution to this concern

Thank you for your time, consideration, and dedication to serving the people.

Very truly yours ,

  
AZUCENA P. MIRAMBEL

0917 - 826 -3130



**Azucena Jabines-Polo Mirambel**  
Taxpayer.  
Barangay Guadalupe,  
Inopacan, Leyte.

**20 December 2023**

**Hon. Jericho L Petilla**  
Governor  
Province of Leyte  
Palo, Leyte

**Subject : Request for Further Study on the legal issues of Municipal Ordinances of the Municipality of Inopacan, Leyte No. 23-13 dated September 26, 2023 and Ordinance No. 23-14 dated October 17, 2023 and Requesting to Set Aside and Suspend its Implementation Until Resolution of its legality.**

In my humble capacity as Inopacan Taxpayer and on behalf of its citizens, we all have an enormous and pressing concern with regards to the proper disbursement of public funds. Specifically, regarding the illegality of Ordinances No. 23-13 respectively enacted on 26 September 2023 and Municipality of Inopacan Ordinance No. 23-14 dated 17 October 2023. In addition to this, this is also a request to set aside and suspend the implementation of loan agreement since as we all know, the disbursement of public funds, especially at the local government level requires a valid ordinance. The Supreme Court in a case has ruled that "It is a basic principle that public funds cannot be disbursed without legal authorization."<sup>1</sup> The same is also reflected under Section 305 (a) of the Local Government Code which provides:

*(a) No money shall be paid out of the local treasury except in pursuance of an appropriations ordinance or law;<sup>2</sup>*

To begin, please allow me to provide context as to the illegality of the aforementioned ordinances which I have attached in this letter as Annex "A" for Municipality of Inopacan Ordinance No. 23-13 dated 26 September 2023 and Annex "B" for Municipality of Inopacan Ordinance No. 23-14 dated 17 October 2023.

First, allow me to explain that an ordinance is a local law of a municipal corporation, made for its internal practice and good government.<sup>3</sup> From this definition alone, we could see that municipal corporations are allowed to enact their own local laws for, among others, good government. This authority emanates from the delegated authority of local governments to create its own ordinances as provided under the general welfare clause. The general welfare clause is enshrined under Section 16 of the Local Government Code which is reproduced below, to wit:

*Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or*

<sup>1</sup> Disuanco v. Villafuerte, G.R. No. 247391, July 13, 2021.

<sup>2</sup> Section 305 (a), R.A 7160, Local Government Code of 1991, October 10, 1991.

<sup>3</sup> De Guzman v. Subido, G.R. No. L-31683, January 31, 1983.

*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 and order, and preserve the comfort and convenience of their inhabitants.<sup>4</sup>*

According to the Supreme Court, the general welfare clause is the delegation in statutory form of the police power of the state to local government units. Through this, local government units may prescribe regulations to protect the lives, health, and property of their constituents and maintain peace and order within their respective territorial jurisdictions.<sup>5</sup>

It is also worth noting that for an ordinance to be valid, it must not only be within the corporate powers of the municipality to enact but must also be passed according to the procedure prescribed by law, and must be in consonance with certain well established and basic principles of a substantive nature. For an ordinance to be valid though, it must not only be within the corporate powers of the Local Government Unit to enact and must be passed according to the procedure prescribed by law, it should also conform to the following requirements: (1) not contrary to the Constitution or any statute; (2) not unfair or oppressive; (3) not partial or discriminatory; (4) not prohibit but may regulate trade; (5) general and consistent with public policy; and (6) not unreasonable.<sup>6</sup> (Emphasis Provided)

Correspondingly, the questioned ordinances pertain to the act of securing a loan for the following projects: the construction of a new abattoir in the Municipality of Inopacan and the purchase of heavy machinery for the Municipality of Inopacan. Being a contract of loan, there is a need to examine the relevant provisions of law which I think are relevant to be cited for purposes of clarity:

*Section 297. Loans, Credits, and Other Norms of Indebtedness of Local Government Units. – (a) A local government unit may contract loans, credits, and other forms of indebtedness with any government or domestic private bank and other lending institutions to finance the construction, installation, improvement, expansion, operation, or maintenance of public facilities, infrastructure facilities, housing projects, the acquisition of real property, and the implementation of other capital investment projects, subject to such terms and conditions as may be agreed upon by the local government unit and the lender. The proceeds from such transactions shall accrue directly to the local government unit concerned.*

*(b) A local government unit may likewise secure from any government bank and lending institution short-, medium- and long-term loans and advances against security of real estate or other acceptable assets for the establishment, development, or expansion of agricultural, industrial, commercial, house financing and livelihood projects, and other economic enterprises.*

<sup>4</sup> Section 16, R.A. 7160, Local Government Code of 1991, October 10, 1991.

<sup>5</sup> Roble Arrastre, Inc. v. Villaflo, G.R. No. 128509, August 22, 2006.

<sup>6</sup> Manila Electric Company v. City of Muntinlupa, G.R. No. 198529, February 9, 2021.

(c) Government financial and other lending institutions are hereby authorized to grant loans, credits, and other forms of indebtedness out of their loanable funds to local government units for purposes specified above.

From the aforementioned provision above, it can be inferred that both Ordinances No. 23 - 13 and 23 - 14 are contrary to the law as well as not being consistent with general public policy. Consequently, this means that both ordinances are invalid, therefore, it behooves upon your esteemed office to examine the legality of the loan contracts between the Landbank of the Philippines and the Municipality of Inopacan since both contain glaring violations of the law and general public policy. This is also reflected in the case of *Municipality of San Mateo v. Smart Communications*,<sup>7</sup> wherein the Supreme Court has reiterated that ordinances must not be violative of the law and also of general public policy. Otherwise, such ordinance must be struck down for being invalid.

Now, this begs the questions as to who "foots the bill" if the said ordinance is approved. Allow me to provide an answer – the citizens of the Municipality of Inopacan.

Indeed, it is true that the agreement between the LandBank of the Philippines and the Municipality of Inopacan is a contract of loan which means that it deals with the funds of the local government unit which in extension means that the citizens of the Municipality of Inopacan are the ones who will be paying with the money. Being taxpayers money, I have the interest to question, jurisprudence has often repeated this concept wherein taxpayers, by virtue of their interest in the spending of public funds can question such contracts involving taxpayer's money especially when it concerns the illegal disbursement of public funds.<sup>8</sup>

Another aspect of the ordinance that should be looked into is in relation to the Deed of Assignment mentioned which provided that 20% allotment of the National Taxes Allotment share of the Municipality of Inopacan shall serve as collateral for the loan agreement. However, I have found out that the Municipality of Inopacan, by reason of the *Mandanas* ruling, shall receive a smaller National Tax Allotment. Consequently, this means that the collateral for this loan should be investigated by your good office before the loan agreement is entered into between the Municipality and the LandBank of the Philippines.

While it is indeed acceptable that the National Taxes Allotment to the Local Government Unit can serve as collateral for a loan that a local government unit seeks, the Supreme Court has already determined that such arrangement is allowed under *Cardenas v. People*.<sup>9</sup> The same is also reflected in the Landbank Rise-Up program that your institution offers to Local Government units which provides that a 20% collateral of the National Tax Allotment shall be needed for the loan contract.<sup>10</sup> However, in this case an investigation should be done and hold the approval of the loan contract in abeyance for the reason of the reduction of the National Tax Allotment that the Municipality of Inopacan shall receive.

It is worthy to note as well that both ordinances (Municipality of Inopacan Ordinance No. 23-13 dated 26 September 2023 and Municipality of Inopacan Ordinance No. 23-14 dated 17 October 2023) are void because of the following reasons:

<sup>7</sup> *Municipality of San Mateo v. Smart Communications*, G.R. No. 219506, June 23, 2021.

<sup>8</sup> *Mamba v. Lara*, G.R. No. 165109, December 14, 2009.

<sup>9</sup> *Cardenas v. People*, G.R. Nos. 231538-39, December 1, 2021

<sup>10</sup> LandBank Rise-Up Program, available at <https://www.landbank.com/rise-up-igus-lending-program> (Last Accessed on December 15, 2023).

### 1. *Violation of the One-Subject - One-Title Rule*

It is known that bills should contain one-subject - one-title. Under this rule, no bill may be enacted into a law which shall embrace more than one subject which shall be provided in the title of the law. The purpose of this is to prevent omnibus bills and log-rolling legislation to include surreptitious enactments in a bill. Consequently, this allows the people to be informed of the subject and the proposed legislative measures.<sup>11</sup>

Upon examination of the provision of the said municipal ordinance, it would seem that the municipal ordinance contains the following subjects which are wholly different from each other: first, would be the loan agreement itself and the deed of assignment of the 20% National Tax Allotment without going through the details of how arrangement should be made. Furthermore, it should be noted that the Municipality of Inopacan cannot assign the latter for the sole reason that it is an expectancy and it has no right to dispose of the allotment. The Local Government Unit can only have complete ownership of such National Tax Allotment when the Department of Budget and Management approves and releases it.

### 2. *No source of authority stated in the ordinances' preamble.*

It is also a fundamental principle that an ordinance's preamble reveals the purpose of the ordinance. The preamble will evince if the ordinance fulfills the public purpose requirement which is required for ordinances. It should be remembered that in the disbursement of public funds, it must be shown that there must be a public purpose for it to become a proper disbursement of public funds. Otherwise, such disbursement should be disallowed.

From the questioned ordinances, it is quite clear that there is a lack of source authority provided in the preamble of the ordinance. The ordinance should have stated whether the projects are for the general welfare of the public or even at the very least state the benefits that the public may gain from the loan contract entered. However, the ordinances were unable to mention the aforementioned aspects of the ordinance. This places the contracting of the loans issued as having no public purpose at all, which according to the Supreme Court is an important aspect to have, otherwise the **disbursement of public funds should be disallowed.**<sup>12</sup>

The ordinance 23-14 prior to its amendment was enacted without the presence of the presiding officer of the Sangguniang bayan, as provided under Section 49 of the Local Government Code of 1991 which provides, to wit:

*Section 49. Presiding Officer. (a) The vice-governor shall be the presiding officer of the sangguniang panlalawigan; the city vice-mayor, of the sangguniang panlungsod; the municipal vice-mayor, of the sangguniang bayan; and the punong barangay, of the sangguniang barangay. The presiding officer shall vote only to break a tie.*

*(b) In the event of the inability of the regular presiding officer to preside at a sangguniang session, the members present and consisting a quorum shall elect from among themselves a temporary presiding officer. He shall certify within ten (10) days from the passage of ordinances enacted and resolutions adopted by the sangguniang in the session over which he temporarily presided.*

<sup>11</sup> Remman v. Pebres, G.R. No. 197676, February 4, 2014.

<sup>12</sup> Yap v. Commission on Audit, G.R. No. 158562, April 23, 2010.



It enactment of Ordinances 23-13 is tainted with irregularity. As found out, the presiding officer, who is the vice mayor of the Municipality of Inopacan, was absent during the session. It is also worth noting that as the regular presiding officer of the Sangguniang bayan, he should be present during their sessions. Otherwise, the session is irregular, consequently, this would mean that the acts of the Sangguniang bayan are tainted with irregularity, putting into question the validity of both Ordinances.

It should be noted that jurisprudence is consistent that in counting the quorum for the members of the Sangguniang, the presence of the Vice-Mayor should be counted for the purposes of determining the quorum for the Sanggunian. However, the minutes provided that the Vice-Mayor was absent during the enactment of Ordinance 23-13 and no express provision that there was an election among those who were present as to the presiding officer of that day. Since the enacted Ordinances are questionable and contain a cloud of doubt as to its legality, it is incumbent upon your office, to disapprove of the Ordinance that pertains to Loan by the Municipality of Inopacan

### ***3. No Annual Investment Program / Plan Approved from the Local Government Unit.***

Lastly, I would like to highlight that no annual investment program or plan was approved by the Local Government Unit. The importance of this program or plan cannot be understated since the Local Government Code requires that in order to create indebtedness and avail of credit facilities such as ones that are offered by your bank would show that there must be an approved local development plan or public investment program.

*SECTION 296. General Policy. – (a) It shall be the basic policy that any local government unit may create indebtedness, and avail of credit facilities to finance local infrastructure and other socio-economic development projects in accordance with the approved local development plan and public investment program.<sup>13</sup>*

From this provision of law, it is clear that before indebtedness may be incurred by the local government and avail of any credit facilities such must be included and approved within the local development plan and public investment program of the local government unit. Furthermore, under Local Finance Circular 1 - 2012 lists the necessary requisites before a local government unit can enter into a loan contract. Allow me to list the following requirements below:

- Letter-request from the local chief executive indicating the lending institution and the purpose and terms of the loan;
- Certification of absence or existing and approved loans, when applicable;
- Certification by local accountant that LGU has not incurred default in payment of amortization of an existing loan;
- Certification from the secretary of the Sanggunian or the local legislative body that the proposed project to be financed by the loan is included in the Approved Annual Investment Plan for the current year;

<sup>13</sup> Section 296, R.A. 7160, The Local Government Code of 1991, October 19, 1991.

- Authenticated copy of the resolution authorizing the local chief executive to negotiate and contract a loan in behalf of the LGU;
- Certification issued by the lending institution stating that it shall not require LGU deposits as compensating balance for the loan if the lender is a private entity;
- Seal of Good Housekeeping from the Department of Interior and Local Government (DILG) and;
- Proof of compliance with the full disclosure policy of the DILG

However, as what could be gleaned from the aforementioned requirements, there is an absence of stating that the proposed project is included in the Approved Annual Investment Plan for the current year. This highlights another defect within the ordinances which authorize the Municipality of Inopacan to enter into a contract of loan with financial institution.

Pursuant to Section 17 (g) of RA No. 7160, the NTA and other local resources shall first cover the cost of providing the services and facilities enumerated under Section 17 (b) thereof, particularly those devolved by the National Government, before applying the same for other purposes.

Section 287 of RA No. 7160 and Article 383 (b) of its IRR direct the LGUs to set aside no less than twenty percent (20%) of their NTA to fund development projects as identified in the LGUs' development plans. The appropriation and utilization of said no less than 20% of the NTA, which is commonly known as 20% Development Fund, shall be governed by DBM - Department of Finance - Department of the Interior and Local Government Joint Memorandum Circular No. 1 dated November 4, 2020.

Certainly debt servicing allocation and allocation for development plans serve different purposes in the financial management of local government unit. Let's clarify the distinctions:

#### Debt Servicing Allocation

Debt servicing involves the repayment of debts incurred by the LGU. This could include principal repayment and interest payments on loans or other forms of indebtedness. The allocation for debt servicing ensures that the LGU can meet its financial obligations and maintain a good credit standing. This allocation is crucial for fulfilling commitments to creditors and ensuring the financial sustainability of the LGU.

#### Development Plans Allocation


The allocation for development plans refers to funds set aside for projects and initiatives that contribute to the economic, social, and environmental development of the LGU. These funds are typically directed towards infrastructure projects, social services, environmental programs, and other initiatives outlined in the LGU's development plan. The goal is to foster growth, improve living conditions, and enhance the overall well-being of the community.

With the 20% debt servicing it does not provide balance between debt servicing and development allocations to ensure both fiscal responsibility, and sustained growth which in sum to the prejudice of the constituents.


All in all, it would be prudent for your good institution to hold off on the execution of a loan contract with Landbank of the Philippines. The defects listed above are glaring and should be enough to convince your good office to hold off in executing the loan contracts. Lastly, I would like to state that these are just cursory examinations, more details shall be provided when the appropriate cases are filed with the proper institutions.

I kindly request that you acknowledge the receipt of this letter should you require any further information or clarification, please do not hesitate to contact me at the above-mentioned address. My fervent hope that the legislative body of the province of Leyte will review on the legal issues of the enacted ordinance as a sign of support to the people of Inopacan, Leyte in its financial health and the needs of the community.

Thank you for your prompt attention to this matter since this is a matter of public interest for the Municipality of Inopacan and the electorate of Inopacan.

  
AZUCENA P. MIRAMBEL  
Tax Payer

Assisted By:

  
**Atty. LUCILLE M. TEVES**  
TEVES LAW OFFICE  
San Antonio St. Inopacan, Leyte  
Roll of Attorney No. 66995  
*IBP No. 249420 ; January 09, 2023; Leyte Chapter*  
*PTR No. 6791929; January 12, 2023, Inopacan, Leyte*  
MCLE Compliance No. VII 0006563

**Copy Furnished:**

Bureau of Local Government Finance  
The Auditor, COA Province of Leyte

Hon. Rogelio D. Pua, Jr.  
Municipal Mayor  
Municipality of Inopacan, Leyte

Hon. Sanders C. Lumarda  
Municipal Vice-Mayor  
Municipality of Inopacan, Leyte

Ms. Verhaert B. Nirza  
Acting Municipal Treasurer  
Municipality of Inopacan, Leyte



Inopacan



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Palo, Leyte  
-000-



**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

EXCERPTS FROM THE MINUTES OF THE 64<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX, PALO, LEYTE ON OCTOBER 24, 2023.

**RESOLUTION NO. 2023-499**

A RESOLUTION APPROVING MUNICIPAL ORDINANCE NO. 2023-07 OF JAVIER, LEYTE, ORDINANCE NO. 23-13 OF INOPACAN, LEYTE, AND MUNICIPAL ORDINANCE NOS. 03, 04 AND 05 SERIES OF 2023 OF MATALOM, LEYTE.

**WHEREAS**, pursuant to Section 468 (a)(1)(i) of Republic Act 7160 otherwise known as The Local Government Code of 1991, among the powers and duties of the Sangguniang Panlalawigan is "to review all ordinances approved by the Sanggunian of component cities and municipalities;"

**WHEREAS**, submitted to the Sangguniang Panlalawigan are Ordinances from the different municipalities of the Province of Leyte, for approval, to wit:

1. **Ordinance No. 2023-07 of Javier, Leyte** entitled: "AN ORDINANCE ESTABLISHING THE MUNICIPAL PHARMACY IN THE LOCAL GOVERNMENT UNIT OF JAVIER, JAVIER RURAL HEALTH UNIT (RHU) AND APPROVING THE PHARMACY NAME, "JAVIER COMMUNITY PHARMACY", PROVIDING FUNDS THEREOF AND FOR OTHER PURPOSES";
2. **Ordinance No. 23-13 of Inopacan, Leyte** entitled: "AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR "PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABBATOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION";

-over-

3. **Municipal Ordinance No. 03 series of 2023 of Matalom, Leyte** entitled: **"AN ORDINANCE ABOLISHING THE VACANT POSITION OF ONE (1) LOCAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICER V, SALARY GRADE 24, ITEM NO. 108 IN THE LOCAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICE, MATALOM, LEYTE"**;
4. **Municipal Ordinance No. 04-2023 of Matalom, Leyte** entitled: **"AN ORDINANCE REGULATING THE OPERATION OF THE LOCAL ECONOMIC ENTERPRISE IN CANIGAO ISLAND, MATALOM, LEYTE AND AUTHORIZING THE FEES AND OTHER CHARGES FOR THE USE OF FACILITIES AND OTHER STRUCTURES"**;
5. **Municipal Ordinance No. 05-2023 of Matalom, Leyte** entitled: **"AN ORDINANCE PRESCRIBING THE FEES AND OTHER CHARGES FOR THE OPERATION OF THE MATALOM COMMUNITY HOSPITAL, MATALOM, LEYTE"**;

**WHEREAS**, the Provincial Legal Office was requested to review and submit recommendation on the subject Ordinances pursuant to Section 481 (3) (vii) of R.A. 7160;

**WHEREAS**, the August Body, upon review, finds the subject Ordinances in conformity with the existing laws, rules and regulations, provided that In **Municipal Ordinance No. 03 Series of 2023 of Matalom, Leyte**, the abolition of the position is done in accordance with pertinent provisions of the Civil Service Law, Rules and Regulations, and that in **Municipal Ordinance Nos. 04 and 05 Series of 2023 of Matalom, Leyte**, it does not run afoul the prohibitions stated in Section 186 of the Code;

**NOW, THEREFORE**, on omnibus motion presented by Atty. Carlo P. Loreto, duly seconded by Honorable Ma. Corazon E. Remandaban, Honorable Michael L. Cari and Honorable Carmen L. Cari, be it

**RESOLVED**, as it is hereby resolved, to **APPROVE MUNICIPAL ORDINANCE NO. 2023-07 OF JAVIER, LEYTE, ORDINANCE NO. 23-13 OF INOPACAN, LEYTE, AND MUNICIPAL ORDINANCE NOS. 03, 04 AND 05 SERIES OF 2023 OF MATALOM, LEYTE.**


Approved unanimously.

I **HEREBY CERTIFY** to the correctness of the foregoing resolution.

**ATTESTED:**



**HON. LEONARDO M. JAVIER, JR.**  
Vice Governor/Presiding Officer



**FLORINDA JILI S. UYVICO**  
Secretary to the Sanggunian

06

24 2023 OCT

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**PROVINCIAL LEGAL OFFICE**

2<sup>nd</sup> INDORSEMENT  
October 12, 2023

*Jose R. Acol*  
10.17.23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No.23-13 of the Sangguniang Bayan of Inopacan, 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), in accordance with the mandate of Section 444 (a)(i)(vi)<sup>i</sup> of the Code in relation with Section 447(2)(iii)<sup>ii</sup> thereof.

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

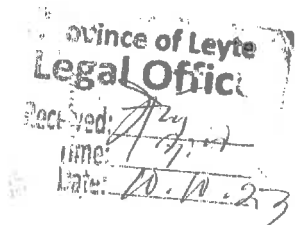
<sup>i</sup> Section 444(a)(i)(vi) LGC - Upon authorization by the sangguniang bayan, represent the municipality in all its business transactions and sign on its behalf all bonds, contracts, and obligations, and such other documents made pursuant to law or ordinance.

<sup>ii</sup> Section 447(2)(iii) LGC - Subject to the provisions of Book II of this Code and upon the majority vote of all the members of the sangguniang bayan, authorize the municipal mayor to negotiate and contract loans and other forms of indebtedness.

Republic of the Philippines  
PROVINCE OF LEYTE  
Palb, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1<sup>ST</sup> INDORSEMENT  
10 October 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 23-13** of the **MUNICIPALITY** of **INOPACAN, LEYTE**, entitled: **AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR "PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION."**

  
FLORINDA JILLS UYVICO  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
Municipality of Inopacan

-000-

15TH SANGGUNIANG BAYAN

OCT 10 2023

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
15<sup>th</sup> SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON  
SEPTEMBER 26, 2023 AT THE SB SESSION HALL

PRESENT:

- |                               |  |
|-------------------------------|--|
| Hon. Joel D. Bernales         | - SB Member, Temporary Presiding Officer |
| Hon. Fernando B. Rulete       | - SB Member                              |
| Hon. Andrew B. Dedal          | - SB Member                              |
| Hon. Zenaida G. de los Santos | - SB Member                              |
| Hon. Darja D. Malanguis       | - SB Member                              |
| Hon. Rowena K. Madrazo        | - SB Member                              |
| Hon. Diosdado P. Siao         | - SB Member                              |
| Hon. Arnilo J. Polo           | - SB Member (LnB Pres)                   |
| Hon. Marianne B. Boldios      | - SB Member (PSK Pres)                   |

ABSENT:

- |                           |                         |
|---------------------------|-------------------------|
| Hon. Sanders C. Lumarda   | - Vice Mayor (on leave) |
| Hon. Alfie Jian B. Yamson | - SB Member (on leave)  |

**AUTHOR: HON. ANDREW B. DEDAL**

**CO-AUTHORS: HON. JOEL D. BERNALES  
HON. ZENAIDA G. DE LOS SANTOS  
HON. FERNANDO B. RULETE  
HON. DIOSDADO P. SIAO**

WHEREAS, the heavy equipment owned by the Local Government Unit was damaged, and the LGU has no option but to borrow the same from the Provincial Government hence dependent on their availability that hampers infra activities of the Municipal Government;

WHEREAS, the existing slaughter house of the LGU deemed necessary to condemn since it is located within residential houses where residents keep on complaining;

WHEREAS, funds of the LGU cannot suffice for the purchase of heavy equipment and construction of abattoir;

WHEREAS, the Municipal Government of Inopacan, Leyte applied for a loan with Land Bank of the Philippines in the amount of Thirty-Five Million Pesos (P 35,000,000.00) to purchase two (2) units of heavy equipment and budget allocation for construction of abattoir;

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(ordinance no. 23-13 of the sangguniang bayan of inopacan, leyte dated september 26, 2023, continued)

WHEREAS, the Land Bank of the Philippines approved the loan applied for by the Municipal Government of Inopacan, Leyte in the amount of Thirty-five Million Pesos (P 35,000,000.00);

NOW, THEREFORE, premises considered, the Sangguniang Bayan in session assembled hereby enact the following:

**ORDINANCE NO. 23-13**

**“AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR “PURCHASE OF ONE(1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE(1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION.”**

BE IT ORDAINED by the Sangguniang Bayan of Inopacan, Leyte that;

**SECTION 1.** The Sangguniang Bayan hereby approve all representations and warranties of the Honorable Mayor and all the terms and conditions of the loan agreement, assignment of 20% NTA and/or mortgage of properties, promissory notes and all other pertinent documents, contracts, undertakings, certifications, deeds, notes and papers entered into by and between the Municipal Government of Inopacan, Leyte represented by Hon. Rogelio D. Pua, Jr. and the Land Bank of the Philippines, represented by the head of Tacloban Lending Center.

**SECTION 2.** That the Municipal Government of Inopacan, Leyte shall:

- 2.1 Direct the LGU's treasurer and the accountant to enter the loan in the appropriate books of the LGU;
- 2.2 Designate the LBP as the LGU's depository bank for the National Tax Allotment (NTA) and major depository bank for its other deposits, revenues and collections which designations shall not be revoked while the loan obligation remain outstanding and directing the LGU secretary to provide a copy of this ordinance to the Department of Budget and Management (DBM) and other NTA – administering office;

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(ordinance no. 23-13 of the sangguniang bayan of inopacan, leyte dated september 26, 2023, continued)

2.3 Appropriate the following amounts in the LGU's Annual Budget:

- 2.3.1 Loan repayment until the principal, interest, and other charges are fully paid;
- 2.3.2 The required LGU equity;
- 2.3.3 The repairs and maintenance of the projects;
- 2.3.4 The insurance premium payments;
- 2.3.5 Other statutory and contractual obligations

*Amador*

- 2.4 Authorize LBP to deduct amounts from any depositors of funds of the LGU with LBF and apply the same to the payment of the loan or any portion thereof, or interest and penalties thereon as may be deemed necessary by LBP;
- 2.5 Authorize the mayor to sign, transact, negotiate, execute, endorse, and deliver all promissory notes and deed of assignments, loan agreements, and other documents as may be necessary for the implementation of the authorities and directives
- 2.6 Authorize the assignment of the LGU's portion of NTA and special deposit account as collateral of the loan obtained and declaring them to be available and not restricted by the law or its other obligation.

**SECTION 3.** That copy of this ordinance be furnished to the Land Bank of the Philippines Baybay Branch, the Municipal Treasurer, the Municipal Accountant and Municipal Budget Officer for information, guidance, and appropriate action.

**SECTION 4.** Repealing Clause. All ordinances and/or resolutions which are inconsistent with this ordinance are hereby modified and repealed accordingly.

**SECTION 5.** Separability Clause. If for any reasons, any part of the ordinance be declared unconstitutional, other parts of provisions hereof which are not affected shall continue to be in full force and in effect.

**SECTION 6.** Effectivity Clause. This ordinance shall take effect upon its approval.

ENACTED this 26<sup>th</sup> day of September 2023 at Inopacan, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance and that the same was enacted on the date above stated.

*Melanie M. Martin-Ao*  
**MELANIE M. MATIN-AO, MPA**  
Secretary to the Sanggunian

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*[Handwritten signature]*



(ordinance no. 23-13 of the sangguniang bayan of inopacan, leyte dated september 26, 2023, continued)

ATTESTED:

**HON. JOEL D. BERNALES**  
SB Member  
Temporary Presiding Officer

APPROVED:

**HON. ROGELIO D. PUA, JR.**  
Municipal Mayor

Date 09-27-23



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Palo, Leyte  
-oOo-



**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**EXCERPTS FROM THE MINUTES OF THE 67<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX, PALO, LEYTE ON NOVEMBER 21, 2023.**

**RESOLUTION NO. 2023-537**

**A RESOLUTION APPROVING ORDINANCE NOS. 04 AND 09, S. 2023 OF ABUYOG, LEYTE; ORDINANCE NO. 2023-05 OF HINDANG, LEYTE; AND ORDINANCE NO. 23-14 OF INOPACAN, LEYTE**

**WHEREAS**, pursuant to Section 468 (a)(1)(i) of Republic Act 7160 otherwise known as The Local Government Code of 1991, among the powers and duties of the Sangguniang Panlalawigan is "to review all ordinances approved by the Sanggunian of component cities and municipalities;"

**WHEREAS**, submitted to the Sangguniang Panlalawigan are Ordinances from the different municipalities from the 5<sup>th</sup> District of the Province of Leyte, for approval, to wit:

- 1. Ordinance No. 04, S. 2023 of Abuyog, Leyte** entitled: "AN ORDINANCE ESTABLISHING THE OFFICE FOR SENIOR CITIZENS AFFAIRS (OSCA) IN THE MUNICIPALITY OF ABUYOG AS MANDATED UNDER REPUBLIC ACT NO. 9994";
- 2. Ordinance No. 09, S. 2023 of Abuyog, Leyte** entitled: "AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE";
- 3. Ordinance No. 2023-05 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";

-over-

4. Ordinance No. 23-14 of Inopacan, Leyte entitled: "AN ORDINANCE AMENDING THE TITLE OF ORDINANCE NO. 23-13 AND SECTION 1 THEREOF OF THE SANGGUNIANG BAYAN OF INOPACAN, LEYTE DATED SEPTEMBER 26, 2023 ENTITLED " AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE, REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND COSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION";

**WHEREAS**, the Provincial Legal Office was requested to review and submit recommendation on the subject Ordinances pursuant to Section 481 (3) (vii) of R.A. 7160;

**WHEREAS**, the August Body, upon review, finds the subject Ordinances in conformity with the existing laws, rules and regulations, provided that in **Ordinance No. 09 S. 2023 of Abuyog, Leyte**, the creation of New Plantilla Positions does not violate the prohibition under Section 325 (a) and (g) of the Local Government Code;

**NOW, THEREFORE**, on omnibus motion presented by Atty. Carlo P. Loreto, duly seconded by Honorable Michael L. Cari and Honorable Carmen L. Cari, be it


**RESOLVED**, as it is hereby resolved, to **APPROVE ORDINANCE NOS. 04 AND 09, S. 2023 OF ABUYOG, LEYTE; ORDINANCE NO. 2023-05 OF HINDANG, LEYTE; AND ORDINANCE NO. 23-14 OF INOPACAN, LEYTE.**

Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

  
**HON. LEONARDO M. JAVIER, JR.**  
Vice Governor/Presiding Officer

  
**FLORINDA J. SUYVICO**  
Secretary to the Sanggunian

-over-

Page 3/3 – Res. No. 2023-537 dated November 21, 2023  
approving Ordinances of Abuyog, Hindang and Inopacan, Leyte

Copy furnished:

LCE and the Sangguniang Bayan  
of Abuyog, Leyte

LCE and the Sangguniang Bayan  
of Hindang, Leyte

LCE and the Sangguniang Bayan  
of Inopacan, Leyte

FJSU: ASS  
Naomi23November2023

34

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

Case No: 34  
Date: 21 2023 NOV

**PROVINCIAL LEGAL OFFICE**

NOV 10 2023  
*df*

2<sup>nd</sup> INDORSEMENT  
November 6, 2023

*Jose Raymund A. Acol*  
11-7-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 23-14 of the Sangguniang Bayan of Inopacan, 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 power of the local council to repeal/amend its prior act, either expressly or by the passage of an essentially inconsistent resolution<sup>1</sup>

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

<sup>1</sup> Constantino vs. Desierto, 288 SCRA 654



Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte


OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Province of Leyte  
Legal Office

*[Handwritten Signature]*  
10-25-23

1<sup>ST</sup> INDORSEMENT  
25 October 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 23-14** of the **MUNICIPALITY** of **INOPACAN, LEYTE**, entitled: AN ORDINANCE AMENDING THE TITLE OF **ORDINANCE NO. 23-13** AND **SECTION 1** THEREOF OF THE SANGGUNIANG BAYAN OF INOPACAN, LEYTE DATED SEPTEMBER 26, 2023, ENTITLED: "AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE, REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LANDBANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF PHP14,700,000.00; ONE UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF (PHP10,300,000.00; AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF PHP10,000,000.00; AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION.

  
**FLORINDA JILI SYUYVICO**  
Secretary to the Sanggunian

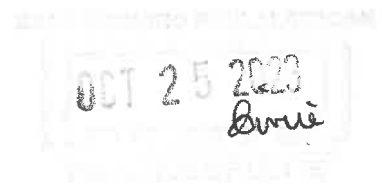


Republic of the Philippines  
Province of Leyte  
Municipality of Inopacan

15<sup>TH</sup> SANGGUNIANG BAYAN

24 October 2023

Honorable Leonardo Javier Jr.  
Vice Governor/Presiding Officer  
Sangguniang Panlalawigan of Leyte  
Provincial Government Complex  
Campetic, Palo, Leyte



Thru:


Ms. Florinda Jill S. Uyvico  
Secretary to the Sanggunian  
Sangguniang Panlalawigan of Leyte  
Provincial Government Complex  
Campetic, Palo, Leyte

Honorable Javier Jr.:

Forwarding herewith 2 original copies and 15 photocopies of **Ordinance No. 23-14** of the 15<sup>th</sup> Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, entitled, **"AN ORDINANCE AMENDING THE TITLE OF ORDINANCE NO. 23-13 AND SECTION 1 THEREOF OF THE SANGGUNIANG BAYAN OF INOPACAN, LEYTE DATED SEPTEMBER 26, 2023 ENTITLED " AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES, AND REGULATION"**, for consideration by the Sangguniang Panlalawigan of Leyte.

Attached herewith is the Certificate of Posting.

Sincerely,

  
MELANIE M. MATIN-AO, MPA  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
Municipality of Inopacan  
-000-

OCT 25 2023  
Divina

15TH SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
15<sup>th</sup> SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON  
OCTOBER 17, 2023 AT THE SB SESSION HALL

PRESENT:

- |                               |                                 |
|-------------------------------|---------------------------------|
| Hon. Sanders C. Lumarda       | - Vice Mayor, Presiding Officer |
| Hon. Fernando B. Rulete       | - SB Member                     |
| Hon. Andrew B. Dedal          | - SB Member                     |
| Hon. Zenaida G. de los Santos | - SB Member                     |
| Hon. Joel D. Bernales         | - SB Member                     |
| Hon. Alfie Jian B. Yamson     | - SB Member                     |
| Hon. Daria D. Malanguis       | - SB Member                     |
| Hon. Rowena K. Madrazo        | - SB Member                     |
| Hon. Diosdado P. Siao         | - SB Member                     |
| Hon. Marianne B. Boldios      | - SB Member (PSK Pres)          |

ABSENT:

- |                     |                        |
|---------------------|------------------------|
| Hon. Arnilo J. Polo | - SB Member (LnB Pres) |
|---------------------|------------------------|

**AUTHOR: HON. ANDREW B. DEDAL**

**CO-AUTHORS: HON. JOEL D. BERNALES  
HON. ZENAIDA G. DE LOS SANTOS  
HON. FERNANDO B. RULETE  
HON. DIOSDADO P. SIAO**

WHEREAS, the Municipal Government of Inopacan, Leyte is under the coverage of the Southern Leyte Lending Center;

NOW, THEREFORE, premises considered, the Sangguniang Bayan in session assembled hereby enact the following:

**ORDINANCE NO. 23-14**

**"AN ORDINANCE AMENDING THE TITLE OF ORDINANCE NO. 23-13 AND SECTION 1 THEREOF OF THE SANGGUNIANG BAYAN OF INOPACAN LEYTE DATED SEPTEMBER 26, 2023 ENTITLED "AN ORDINANCE APPROVING THE LOAN AGREEMENT,**



(ordinance no. 23-14 of the sangguniang bayan of inopacan, leyte dated october 17, 2023, continued)

**ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE, REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION."**

BE IT ORDAINED by the Sangguniang Bayan of Inopacan, Leyte that;

**SECTION 1.** The Title of Ordinance No. 23-13 shall read as follows:

**"AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE, REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE SOUTHERN LEYTE LENDING CENTER, FOR PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00), AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION."**

**SECTION 2.** Section 1 is hereby amended and shall read as follows:

Section 1. The Sangguniang Bayan hereby approve all representations and warranties of the Honorable Mayor and all the terms and conditions of the loan agreement, assignment of 20% NTA and/or mortgage of properties, promissory notes and all other pertinent documents, contracts, undertakings, certifications, deeds, notes and papers entered into by and between the Municipal Government of Inopacan, Leyte represented by Hon. Rogelio D. Pua, Jr. and the Land Bank of the Philippines, represented by the head of Southern Leyte Lending Center.

*Sangguniang*



(ordinance no. 23-14 of the sangguniang bayan of inopacan, leyte dated october 17, 2023, continued)

**SECTION 3.** That copy of this ordinance be furnished to the Land Bank of the Philippines Baybay Branch, the Municipal Treasurer, the Municipal Accountant and Municipal Budget Officer for information, guidance, and appropriate action.


**SECTION 4. Repealing Clause.** All ordinances and/or resolutions which are inconsistent with this ordinance are hereby modified and repealed accordingly.

**SECTION 5. Separability Clause.** If for any reasons, any part of the ordinance be declared unconstitutional, other parts of provisions hereof which are not affected shall continue to be in full force and in effect.

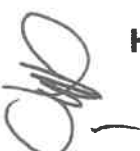
**SECTION 6. Effectivity Clause.** This ordinance shall take effect upon its approval.

ENACTED this 17<sup>th</sup> day of October 2023 at Inopacan, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance and that the same was enacted on the date above stated.

  
**MELANIE M. MATIN-AO, MPA**  
Secretary to the Sanggunian

ATTESTED:

  
**HON. SANDERS C. LUMARDA**  
Vice Mayor  
Presiding Officer

APPROVED:

  
**HON. ROGELIO D. PUA, JR.**  
Municipal Mayor

Date 10/24/2023





**Republic of the Philippines**  
**Province of Leyte**  
**Municipality of Inopacan**

**15<sup>TH</sup> SANGGUNIANG BAYAN**

**CERTIFICATE OF POSTING**

TO WHOM THIS MAY CONCERN:

**THIS IS TO CERTIFY** that copies of Ordinance No. 23-14 of the 15<sup>th</sup> Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, entitled, **“AN ORDINANCE AMENDING THE TITLE OF ORDINANCE NO. 23-13 AND SECTION 1 THEREOF OF THE SANGGUNIANG BAYAN OF INOPACAN, LEYTE DATED SEPTEMBER 26, 2023 ENTITLED “ AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES, AND REGULATION”**, has been posted in the bulletin board in the municipal hall/building and in conspicuous place in the public terminals of this Municipality and will be posted as well in all the Barangay Halls of this Municipality.

This Certification is being made to facilitate consideration of the above-mentioned Municipal Ordinance by the Sangguniang Panlalawigan of Leyte.

Done this **24<sup>th</sup>** day of **OCTOBER 2023**, at Inopacan, Leyte.

  
**MELANIE M. MARTIN-AO, MPA**  
Secretary to the Sanggunian