

Item No.: 07
Date: 16 2024 JAN

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Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

Province of Leyte
Legal Office
Relator
[Signature]
1-11-24

PROVINCIAL LEGAL OFFICE

SANGGUNIANG PANTALAWIGAN
PROVINCE OF LEYTE
JAN 11 2024
[Signature]

2nd INDORSEMENT
January 8, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-15 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 *[Signature]*

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;


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

*Received
1-3-24*

1ST INDORSEMENT
21 December 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2023-15** of the **MUNICIPALITY** of **CALUBIAN, LEYTE**, entitled: **An Ordinance Creating The Municipal Environment & Natural Resources Office As One Department/Office In The Municipal Government Of The Municipality Of Calubian, Leyte.**


FLORINDA JILL S. DYVICO
Secretary to the Sanggunian



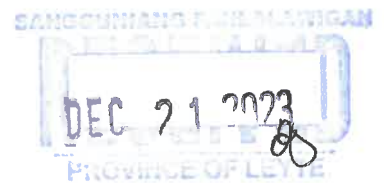
Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian
-oOo-



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. 2023-15 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. 2023-15
2. Certification of Posting

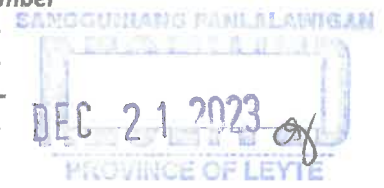


Republic of the Philippines
 Province of Leyte
 Municipality of Calubian
 -OoO-
 Office of the Sangguniang Bayan



EXCRPTS FROM THE MINUTES OF 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 - -do-
 SK FED. PRES. REMAR L. BELTRAN - -do-
 LIGA NG MGA BARANGAY PRES. ALFREDO M. CASAS - -do-



ABSENT : NONE

ORD. NO. 2023- 15

AN ORDINANCE CREATING THE MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICE AS ONE DEPARTMENT/ 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 MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICE AS ONE DEPARTMENT/ OFFICE IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF CALUBIAN, LEYTE."

SECTION 2. Rationale. A. Section 447 (a) (1)) of R. A. 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. The creation of the aforementioned proposed office, one department in the LGU of Calubian, is in accordance with Section 484 of R. A. No. 7160;

D. Section 443 (d) of R.A. 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.

E. Section 16 of R.A. 7160 on General Welfare, provides that - 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 and order, and preserve the comfort and convenience of their inhabitants. Xxx

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

JULIAN MARC A. BATIANCELA
 SB Member
 BENJAMIN A. CALBITAZA
 SB Member

Section 3. Definition of Terms : For purposes of this ordinance, the following terms are defined as follows:

- A. **Experience** - refers to the previous jobs in either the government or private sector, whether full time or part time, which, as certified by the Human Resource Management Officer or authorized officials of the previous employer, are functionally related to the duties in the PDF of the position to be filled.
- B. **Eligibility**- refers to the result of passing a merit and fitness test which may be determined as far as practicable by competitive examination, or based on highly technical qualifications or other tests of merit and fitness conducted by the Civil Service Commission, or other examinations jointly designed and coordinated by departments or agencies with the assistance of or in coordination with the CSC, and other examinations such as PRC-conducted board examinations, the SC conducted Bar Examination or the CESB-conducted CES examinations.
- C. **Training** - refers to formal or non- formal training courses and HRD interventions, such as coaching, mentoring, job rotation, seminars, workshops, and others that are part of the employee's individual Development Plan/ Career Development Plan.
- D. **Education**- refers to the formal or non- formal academic, technical, or vocational studies that will enable the candidate to successfully perform the duties and responsibilities indicated in the Position Description Form (PDF) (DBM- CSC Form No. 1, Revised 2017) of the position to be filled.

Section 4. Creation of the Position in the Plantilla of Personnel. The creation of the Position of a Municipal Government Department Head 1 (Municipal Environment & Natural Resources Officer) with Salary Grade 24, shall be a regular position, placed under the Environment & Natural Resources Office and shall be included in the Rolls of Employee / Plantilla of Personnel in the Municipal Government of Calubian, Leyte.

Section 5. Educational Qualifications, Licence or Eligibility, Training and Experience of the Position . The position of a Municipal Government Department Head I (Municipal Environment & Natural Resources Officer), with Salary Grade 24, which is placed under the Municipal Environment & Natural Resources Office in the Rolls of Employees or Plantilla of Personnel in the Municipal Government of Calubian, Leyte, shall require the following :

- A. **Education** : A graduate of Bachelor 's Degree in Environment & Natural Resources, Forestry, Agriculture & related college courses ;
- B. **License or Eligibility** : Civil Service Professional Eligible ;
- C. **Experience** : Must have acquired experience in environmental and natural resources management, conservation, and utilization, of at least three (3) years or any other relevant experiences;
- D. **Training Required** : Eight (8) hours relevant trainings in environmental and natural resources management, conservation, and utilization ; and
- E. **Concurrence of Appointment** from the Sangguniang Bayan of Calubian, Leyte pursuant to Section 443 (d) of R. A. No. 7160.

Section 6. Official Duties and Responsibilities for the Position once filled up. The following are the official duties and responsibilities prescribed for the Municipal Government Department Head 1 (Municipal Environment & Natural Resources Officer) with Salary Grade 24, once appointed / filled up, the same being stated in the Position Description Form (PDF) (DBM- CSC Form No. 1, Revised 2017) of the said position item, to wit :

A. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the Mun. Mayor 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. No. 7160 ;

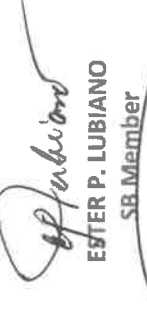
B. Develop plans and strategies and upon approval of the Mun. Mayor, implement the same, particularly those which have to do with environment and natural resources programs and projects which the Mun. Mayor is empowered to implement, and which the sanggunian is empowered to provide for under R. A. No. 7160 ;


C. In addition to the foregoing duties and functions, the Mun. Environment and Natural Resources Officer shall:

(1) 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;

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


JULIA E. HALICHIC
SB Member


ESTER P. LUBIANO
SB Member


EUGENIO A. CHING, JR.
SB Member


NOEL G. EAMIGUEL
SB Member


JULIAN MARC A. BATIANCELA
SB Member


ALFREDO M. CASAS
Liga ng mga Barangay Pres.


REMAR L. BELTRAN
SK Fed. President


LUCITA A. PALCONIT
SB Member


ALVIN A. NERRAZ
SB Member


BENJAMIN A. CALBITAZA
SB Member

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

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

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

(6) 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;

(7) 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;

(8) Recommend to the sanggunian and advise the Mun. Mayor, 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

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

Section 7. Funding / Budget Allocation of the Position.

A. The funding necessary for the implementation of this Ordinance shall be included in the Annual Appropriations of the Municipal Government of Calubian, Leyte, upon approval of this Ordinance.

B. Salaries, allowances, Representation Allowance & Travelling Allowance (RATA), and other emoluments of the Position of a Municipal Government Department Head 1 (Municipal Environment & Natural Resources Officer) with Salary Grade 24, shall be made and prescribed in accordance with existing Department of Budget and Management (DBM) circulars, rules and regulations, and pursuant to R. A. No. 11466 or the "Salary Standardization Law of 2019".

Section 8. 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 9. Repealing Clause. All ordinances or resolutions, local issuances or rules inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.


Section 10. Effectivity Clause. This ordinance shall take effect immediately upon review & approval of the Honorable Sangguniang Panlalawigan of Leyte.

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 Julia E. Halichic, Benjamin A. Calbitaza & Alyza F. Nierras.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.


JULIA E. HALICHIC
SB Member


ESTER P. LUBIANO
SB Member


EUGENIO A. CHING, JR.
SB Member


NOEL SEAMIGUEL
SB Member


JULIAN MARC A. BATIANCELA
SB Member


ALFREDO M. CASAS
Liga ng mga Barangay Pres.


REMAR L. BELTRAN
SK Fed. President


LUCITA A. PALCONIT
SB Member



ALYZA F. NIERRAS
SB Member


BENJAMIN A. CALBITAZA
SB Member

ATTESTED:


ANNA LOVE VELOSO- LAURENTE
Mun. Vice Mayor & Pres. Officer

APPROVED:


MARCIANO A. BATIANCELA, JR.
Mun. Mayor


NORMINDA R. RAAGAS
SB Secretary



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. 2023-15 , otherwise known as "**AN ORDINANCE CREATING THE MUNICIPAL ENVIRONMENT & NATURAL RESOURCES OFFICE AS ONE DEPARTMENT/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