

Item No.: 07
Date: 27 2024 FEB

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Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

SANGGUNIANG PANLALAWIGAN
RECEIVED
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PROVINCE OF LEYTE

2nd INDORSEMENT
February 19, 2024

Province of Leyte
Legal Office
Released: JRM
Time: 9:11
Date: 2.22.24

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 1 Series of 2024 of the Sangguniang Bayan of Capooacan, 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 Article 16¹ of the Local Government Code, in relation to DILG memo circular 2023-001.¹¹

Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.

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

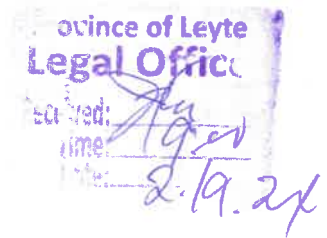
¹ Section 16. *General Welfare.* - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. 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.

¹¹ Implementation of the Halina't Magtanim ng Prutas at Gulay (HAPAG)

Republic of the Philippines
Province of Leyte
OFFICE OF THE SANGGUNIANG PANLALAWIGAN



Endorsement
15 February 2024



The **Provincial Legal Office** is respectfully requested to review and submit comments and recommendations on the herein enclosed **Municipal Ordinance NO. 1 SERIES OF 2024** from **SB of CAPOOCAN, Leyte**, entitled: **"AN ORDINANCE PROVIDING GUIDELINES ON THE IMPLEMENTATION OF HALINA'T MAGTANIM NG PRUTAS AT GULAY (HAPAG) SA BARANGAY PROJECT IN THE MUNICIPALITY OF CAPOOCAN, LEYTE."**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

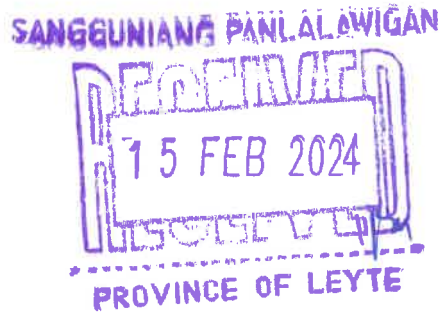
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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
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February 15, 2024

THE HONORABLE BODY
Sangguniang Panlalawigan
Legislative Building
Capitol Grounds
Tacloban City




Dear Gentlemen / Mesdames:

Good Day!

Submitting **MUNICIPAL ORDINANCE NO. 1, Series of 2024** of the Sangguniang Bayan of Capoocan, Leyte entitled, **"AN ORDINANCE PROVIDING GUIDELINES ON THE IMPLEMENTATION OF HALINA'T MAGTANIM NG PRUTAS AT GULAY (HAPAG) SA BARANGAY PROJECT IN THE MUNICIPALITY OF CAPOOCAN, LEYTE"**, for review of the Honorable Body.

Earliest and favorable action shall be gratefully acknowledged.

Respectfully yours,


JUDE R. DELA TORRE
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan
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SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 81st REGULAR SESSION
HELD ON JANUARY 9, 2024 AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING

MUNICIPAL ORDINANCE NO. 1 SERIES OF 2024

**AN ORDINANCE PROVIDING GUIDELINES ON THE
IMPLEMENTATION OF HALINA'T MAGTANIM NG
PRUTAS AT GULAY (HAPAG) SA BARANGAY PROJECT
IN THE MUNICIPALITY OF CAPOOCAN, LEYTE**

SPONSOR: HONORABLE EMMANUEL D. ARBOSO
CO-SPONSORS: HONORABLE ROBERTA C. PEÑARANDA
HONORABLE ALLAN B. EGANO
HONORABLE VON LITO Q. VALLAR
HONORABLE FEDERICO P. CAROLINO, JR.
HONORABLE FLORENCE R. CAROLINO-MISAGAL

WHEREAS, the economy of the Philippines depends heavily on the agricultural sector, thus challenges encountered, especially by farmers, have negative effects on the food security in the country. Given its geographic location, the Philippines experienced numerous threats to food security brought about by strings of natural calamities that have rendered farm produce unusable or increased food prices due to food shortage

WHEREAS, COVID-19 pandemic has further worsened the country's food security, disrupting the availability and access to free and nutritious foods at affordable process.

WHEREAS, the Philippines ranks 68th of the 116 countries assessed for experiencing hunger globally. With a score of 16.8, the Philippines had a moderate level of hunger (2021 Global Hunger Index). In addition, the result of the latest Social Weather Stations (SWS) National Survey released on September 11, 2022 with 1,500 respondents shows that 11.6% of Filipino or about 2.9 Million households have experienced involuntary hunger in the past three months.

WHEREAS, to address the problem of hunger and food insecurity in the Philippines, the national government enacted several laws and implemented various initiatives and strategies to ensure sustainable and resilient production and food availability throughout the country. However, food insecurity remains a challenge in the country due to food shortage and rising food prices brought by natural calamities and disasters, health crises such as the COVID-19 pandemic, among others, hindering economic growth and national development.

WHEREAS, the Department of the Interior and Local Government thru its Memorandum Circular 2023-001 shows its support in cognizant of the role of barangay as essential partners of the national government in contributing to address hunger and ensuring food security in the country thru the Halina't Magtanim ng Prutas at Gulay (HAPAG) sa Barangay Project;

[Handwritten signatures of the officials mentioned in the ordinance]

WHEREAS, HAPAG project aims to strengthen the capacities of barangay towards sustainable agriculture initiatives. One of which is the intensification and fostering of agricultural activities and communities will be encourage to produce fresh, healthy and affordable fruits and vegetables from their backyard spaces, through the establishment of community gardens in the barangays with vacant areas.

NOW, THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Capoocan, Leyte in session duly assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as the **HAPAG Ordinance of Capoocan, Leyte;**

SECTION 2. DECLARATION OF POLICY.

- 2.1 To encourage the practice of agriculture that will provide food on the table of needy families in the community;
- 2.2 To create greener and productive spaces in the Municipality, curbing the increasing problem of air pollution and other negative impact of commercialization;
- 2.3 To use agricultural techniques that will reduce the cost required to transport food, making healthier foods more readily available to the public and provide food sustainability in the municipality;
- 2.4 To enhance productivity by making use of idle lots and open spaces;
- 2.5 To alleviate poverty through self-sustaining programs such as backyard to table food programs, thereby encouraging residents to grow fresh organic produce in the comfort of nearby community spaces and even in their own home;
- 2.6 To create and maintain a network of green spaces in order to maintain a healthy biodiversity.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall mean:

- 3.1 **Barangay Community Garden** – a piece of land or several patches of land operated and cultivated by the barangay for the purpose of planting and growing vegetables and fruit bearing trees
- 3.2 **Aeroponics** – is the process of growing plants in the air or mist environment without soil or an aggregate medium.
- 3.3 **Aquaponics** – bio-system that incorporated recirculated aquaculture or fish farming with hydroponic vegetable and herbs production to create symbiotic relationship between the plants and the fish.
- 3.4 **Container gardening** – micro model farming where family unit or household is producing fruits and vegetables in special containers for personal consumption;
- 3.5 **Fruit Bearing Tree Planting** – refers to the planting of fruit bearing trees for food production purposes such as papaya, bananas, mango etc;
- 3.6 **Hydroponics** – a method of growing food using mineral nutrients solutions ion water without soil;
- 3.7 **Square Foot Gardening** – is a simple method of creating small orderly and highly productive kitchen garden;

3.8 Vertical Gardening – special kind or urban gardening suitable for small spaces, particularly for decorating the walls and roofs in various styles.

SECTION 4. MANDATORY ESTABLISHMENT OF BARANGAY COMMUNITY GARDEN. It is hereby prescribed that each barangay, whether situated in the rural or urban area of the Municipality of Capoocan, Leyte, must establish their own community garden. It shall have **at least a minimum of two hundred (200) square meters** of land area or its equivalent patches of land consisting of at least five (5) varieties of vegetables. However, barangays that do not have vacant areas, shall implement alternative gardening such as container gardening, vertical gardening, square foot gardening, hydroponics, aquaponics and aeroponics.

Barangays are encouraged to coordinate and request from the concerned city/municipal government for any vacant property owned by the local government or with private individuals who own a certain vacant lot that can be used to establish the barangay community garden. Barangays shall encourage their residents to set up their family vegetable garden and/or plant fruit bearing trees in available open spaces.

The Barangay Kagawad Chairman of the Committee on Agriculture, in cooperation with the Sangguniang Kabataan, shall be the focal person in maintaining and sustaining the community garden.

SECTION 5. OPEN SPACES IN PUBLIC SCHOOLS. Public schools shall develop a vegetable gardening area within the school premises. Fresh produce shall be incorporated in healthy canteen food programs of the said school; or used in feeding or donation/relief programs of the school.

This shall be implemented in partnership with the Parent-Teacher Association of the said school.

SECTION 6. PRIVATE OPEN SPACES. Idle lots owned by private individuals within the territorial jurisdiction of the Capoocan, Leyte, without any development plan within the year may convert their lots into a vegetable garden wither by them or by the barangay through any form of legal arrangement with the owner until such time that development on the lot shall commence.

SECTION 7. PARTICIPATION OF BARANGAYS. The 21 Barangays of the Municipality shall be encouraged to formulate its own short, medium and long-term programs with specific budget allocation from its annual budget for the maintenance of the Barangay Community Garden.

SECTION 8. COLLABORATION WITH THE PRIVATE SECTOR. The efforts of the civil society organizations in promoting organic gardening prior to the passage of this ordinance are recognized. The Municipality and the Barangays are encouraged to enjoin the participation of the private sector in the promotion, propagation development and implementation of organic agriculture from production and use of agricultural bio-system techniques.

SECTION 9. INCENTIVES. The Municipal Government shall grant incentives and awards to barangays with outstanding community garden during the **Founding Anniversary of Capoocan, Leyte.**

SECTION 10. CAPACITY BUILDING. To sustain and broaden the base for the implementation of this ordinance within sixty (60) calendar days from the effectivity of this ordinance and periodically thereafter, the Municipal Agriculture Office, shall develop and conduct series of orientation, seminars and trainings for the development and proper care of the barangay community garden to be funded by the Municipal Government.

SECTION 11. PROMOTION OF URBAN ORGANIC AGRICULTURE. The Municipal Agriculturist shall endeavor to promote urban organic gardening by utilizing new technologies and taking advantage of ecological solid waste. The Office shall endeavor to provide free organic fertilizer and biopesticides.



SECTION 12. SUSTAINABILITY AND INSTITUTIONALIZATION. The Barangay Nutrition Scholars (BNS) of the barangays shall maintain a record of stunted and severely stunted children ages 0-59 months and shall be the primary beneficiaries of the organic produce of the barangay community gardens. Beneficiaries may also include the indigent members of the community. Documentation on distribution shall be prepared and submitted on a monthly basis by the Kagawad Chairman on Agriculture to the Municipal Agriculturist.

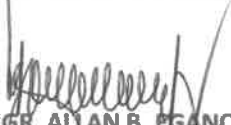




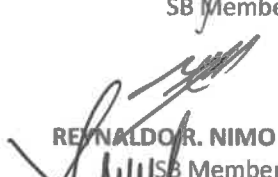

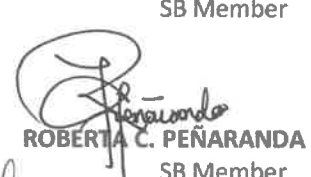
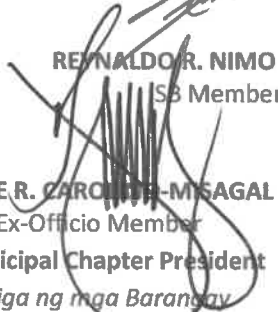

SECTION 13. APPROPRIATION. The Municipal Government of Capoocan, Leyte shall appropriate a substantial budget to Municipal Agriculture Office to ensure the implementation of this Ordinance and to support the Barangay Community Gardening.

SECTION 14. SEPARABILITY CLAUSE. If any part of this ordinance is declared unconstitutional, the remaining parts unaffected thereby shall continue to remain valid and in effect.


SECTION 15. REPEALING CLAUSE. All ordinances, executive orders, rules and regulations contrary to or inconsistent with the provisions of this ordinance or any part thereof are hereby repealed or modified accordingly;

SECTION 16. EFFECTIVITY CLAUSE. This ordinance shall take effect upon its approval.


ENACTED by the Sangguniang Bayan, in session assembled this 9th day of January, 2024 at Capoocan, Leyte.

 ENGR. ALLAN B. EGANO SB Member	 VON LITO C. VALLAR SB Member	 EMMANUEL D. ARBOSO SB Member	 JOJO N. NEPOMUCENO SB Member
 GRACIA G. PIGAR SB Member	 REYNALDO R. NIMO SB Member	 FEDERICO P. CAROLINO, JR. SB Member	 ROBERTA C. PEÑARANDA SB Member
 FLORENCE R. CAROLINO-MISAGAL Ex-Officio Member Municipal Chapter President <i>Liga ng mga Barangay</i>		 DAVE A. NIDERA Ex-Officio Member President <i>Pambayang Pederasyon ng mga Sangguniang Kabataan</i>	


I HEREBY CERTIFY to the correctness of the foregoing resolution of the Sangguniang Bayan of Capoocan, Leyte.


JUDER. DELA TORRE
Secretary to the Sanggunian

ATTESTED:


ATTY. FEDERICO H. CAROLINO, SR.
Municipal Vice-Mayor/Presiding Officer

APPROVED:


ATTY. FE CLAIRE P. CAROLINO-PARAGATOS
Municipal Mayor
Date: 2.2.24