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Item No.: 19
Date: 02 2024 APR

SANGGUNIANG PANLALAWIGAN
RECEIVED
MAR 25 2024
PROVINCE OF LEYTE

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *[Signature]*
Date: *3.25.24*

2nd INDORSEMENT
March 18, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 02, S.2024 of the Sangguniang Panlungsod of Baybay City, 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 under Section 16 Article 2ⁱ of the of the Philippine Constitution, in relation to RA 10176ⁱⁱ.

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


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

ⁱ *The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.*

ⁱⁱ **AN ACT REVIVING THE OBSERVANCE OF ARBOR DAY BY AUTHORIZING THE LOCAL GOVERNMENT UNITS THE RESPONSIBILITIES FOR CELEBRATING THE DAY FOR TREE PLANTING AS AN ANNUAL EVENT**

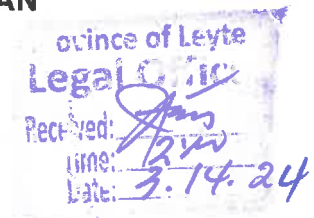


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte




OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
14 March 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **CITY ORDINANCE NO. 02, S. 2024** of the **CITY OF BAYBAY, LEYTE**, entitled: **AN ORDINANCE DECLARING FIRST FRIDAY OF JUNE EACH YEAR AS BAYBAY CITY ARBOR DAY AND FOR OTHER PURPOSES.**


FLORINDA MILLS UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay

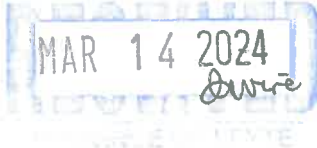
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Office of the Sangguniang Panlungsod



Telefax No. (+63-53)335-4808/563-9009 2nd Floor, Legislative Bldg., Magsaysay Ave., Baybay City, Leyte 6521 @ sangguniangpanlungsod@gmail.com

SANGGUNIANG PANLALAWIGAN



March 13, 2024

The Sangguniang Panlalawigan
Province of Leyte
Tacloban City

Sir/Madam

I am pleased to transmit herewith the Soft and Hard copies of City Ordinance No. 02 S. 2024 of the Sangguniang Panlungsod of Baybay City:

It is hoped that said Ordinance is in order and therefore, merits your kind consideration.

Thank you very much.


ATTY. VIVIAN E. VIDALLON
SP Secretary

Incl.: as stated

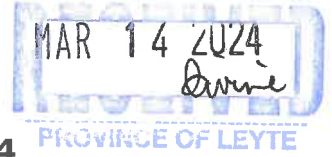


OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 @ panlungsodsangguniang@gmail.com

6th SANGGUNIANG PANLUNGSOD

SANGGUNIANG PANLALAYIGAN



CITY ORDINANCE NO. 02, SERIES 2024 8th Regular Session

AN ORDINANCE DECLARING FIRST FRIDAY OF JUNE EACH YEAR AS BAYBAY CITY ARBOR DAY AND FOR OTHER PURPOSES

Sponsored by: SP Members Carmen L. Cari, Filemon F. Avila, Jose Rommel A. Peñaranda, Kyla Shannen Y. Vidal, Jules Lucas C. Cari, Romulo B. Alcalá, Simoune L. Astorga, Ramon Ronald J. Veloso and Jose L. Bacusmo

WHEREAS, Section 16 Art. II of the 1987 Philippine Constitution provides that the State shall protect and promote the right of the people to balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Philippines envisages to reduce its carbon emission by 75% by the end of 2030 (Philippines commitment to the Paris Agreement on Climate Change).

WHEREAS, Baybay City, which has a number of barangays situated in or close to mountainous areas, has high average annual rainfall rendering these populated areas vulnerable to soil erosion and landslides;

WHEREAS, trees, mangroves and bamboos reduce the amount of carbon in the atmosphere by sequestering carbon in new growth each year and planting trees between 20°-35° slope increases slope stability reducing the likelihood of landslides.

WHEREAS, trees and other vegetation in a city provides a number of ecosystem services including: regulate temperature, provide shade, mitigate soil erosion, reduce noise pollution, improve quality of air and improve aesthetics and recreation

WHEREAS, there is a need for collaborated effort for the state and its citizenry to combat the loss of natural resources and rejuvenate the environment by undertaking planting activities and providing effective measures for their maintenance and sustainability

WHEREAS, R.A. 10176 of the "Arbor Day Act of 2012" provides that all able-bodied citizens of the Philippines, who are at least twelve (12) years of age, shall be required to plant one (1) tree every year and all provinces, cities and municipalities with their component barangays shall be required to revive, by

ROMULO B. ALCALA
SP Member
SIMOUNE L. ASTORGA
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DR. FULTON IKE C. ARRADAZA
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JOSE L. BACUSMO
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CARMEN L. CARI
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RAMON RONALD J. VELOSO
SP Member

ATTY. JOSE ROMMEL A. PEÑARANDA
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SP Member
JORGE V. REBUCAS
SP Member
JULES LUCAS C. CARI
President, LIGANG mga Barangay
Ex-Officio SPM
KYLA SHANNEN T. VIDAL
SK Chair, City Federation
Ex-Officio SPM

appropriate proclamation of their respective local chief executives, an Arbor Day at an appropriate fixed date every calendar year as shall be deemed suitable;

WHEREAS, DILG-MC 2016-133 mandates revival of Arbor Day, by authorizing the local government units the responsibilities to celebrate the day for tree planting annually;

NOW THEREFORE, on a motion of SP Member Carmen Cari, duly seconded by all members present

BE IT ORDAINED by the 6th Sangguniang Panlungsod in its 8th Regular Session assembled that:

Section 1. Title - This Ordinance shall be known as "**Baybay City Arbor Day Ordinance**".

Section 2. Declaration of Policy - It is hereby declared that the policy of Baybay City, Leyte to promote the growing of trees, bamboos and other vegetation that serves not only to protect and enhance its environment but also provide sustainable livelihood to its constituents.

Section 3. Scope - This Ordinance shall be applicable to all able-bodied residents of Baybay City, Leyte, who are at least twelve (12) years of age, personnel of government offices and business enterprises based/ operating within Baybay City.

Section 4. Definition of Terms - As used in this Ordinance, the terms below shall mean:

- a) Arbor Day - a day dedicated annually to public tree-planting,
- b) Timber trees - native species of trees whose wood can be used as lumber.
- c) Fruit trees - tree species that bears fruit that is consumed or used by animals and humans.
- d) Mangrove - certain shrubs and trees that grow in dense thickets or forests along tidal estuaries, in salt marshes, and on muddy coasts.
- e) Bamboos - diverse group of fast -growing, tall treelike mostly evergreen perennial flowering plants making up the subfamily Bambusoideae of the grass family Poaceae.
- f) Seedlings -a young plant especially one that grow.
- g) Tree Planting -process of transplanting tree seedlings, generally for forestry, land reclamation or landscaping purposes.

Section 5. Proclamation of Arbor Day - The Arbor Day celebration of Baybay City, Leyte shall be observed every first Friday of June each year. The Baybay City Arbor Day is therefore declared as a public working holiday in order to ensure the participation of the different sectors of society. Although adoption of uniform dates for its celebration shall be encouraged, varying dates may be allowed for season and weather condition considerations.

Section 6. Creation of Baybay City Greening Steering Committee - In implementing the intents of this Ordinance, the Baybay City Greening

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SP Member

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SP Member

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SP Member

JULES VICAS C. CARI
President, LIGA ng mga Barangay
Ex-Oficio SPM

KYLA SHAINEN T. VIDAL
SK Chair, City Federation
Ex-Oficio SPM

Steering Committee shall be created, the composition of which shall be selected by the Chief Executive. The members shall preferably be composed of, but not limited to the following:

- Chairperson - City Mayor
- Vice Chairperson - Head of Baybay City ENRO

Members:

- All Heads of National Government Agencies located in the City
- Chair of SP Committee on Culture and Tourism
- Chair of SP Committee on Agriculture
- Chair of SP Committee on Environment, Natural Resources and Conservation
- President, Liga ng mga Barangay
- SK Federation Chair
- Manager, Baybay City Water District
- VSU President
- President of CSOs and Cooperative Federation
- Representative from DepEd
- Representative from DENR
- Representative from Uniformed Personnel (PNP, BJMP, BFP, PCG)

Section 7. Functions of the Baybay City Greening Steering Committee – the steering committee shall have the following functions:

- a) Formulate plans and program necessary to achieve the intent of this ordinance
- b) Monitor and evaluate the implementation of this Ordinance
- c) Recommend appropriate revision(s) to this Ordinance to the SP of Baybay City

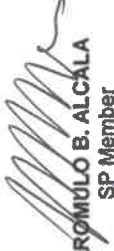
Section 8. Mechanism of Implementation - within 30 days of the enactment of this Ordinance and in consultation with all stakeholders, the City ENRO is tasked to formulate the Implementing Rules and Regulation thereof subject to the approval of the city mayor.


Section 9. Implementing Office - The Baybay City, Leyte ENRO and barangay officials, shall be tasked to provide guidance and coordination in the implementation of this Ordinance.


Section 10. Information Campaign and Capability Building – massive information campaign and capability building of stakeholders shall be undertaken within six (6) months from the enactment thereof, after which, this Ordinance will be enforced.


Section 11. Transitory Provision- the first Arbor Day celebration shall be held in the month of June, 2024.

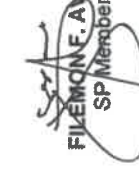
Section 12. Budgetary Appropriations - The City Government shall provide for the allocation of resources pertinent to the implementation of this



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Ordinance. Moreover, the the barangays, national agencies, and establishments concerned shall allocate each year, funds for this purpose.

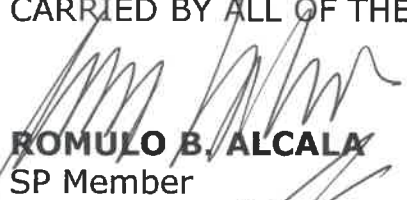
Section 13. Separability Clause – If any provision of this Ordinance is held invalid or unconstitutional, the same shall not affect the validity and effectivity of other provisions hereof.


Section 14. Repealing Clause- pertinent provisions of all other laws, decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 15. Effectivity Clause - this Ordinance shall take effect upon compliance with the publication requirement as provided for by law.

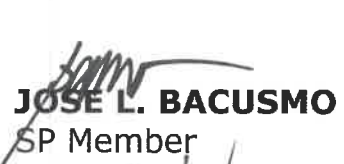
Enacted: February 22, 2024
Baybay City, Leyte, Philippines.

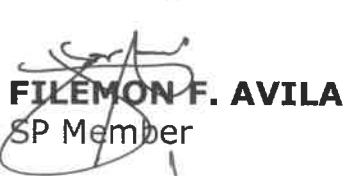
CARRIED BY ALL OF THE MEMBERS PRESENT:


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SP Member


SIMOUNE L. ASTORGA
SP Member


DR. FULTON IKE C. ARRADAZA
SP Member


JOSE L. BACUSMO
SP Member

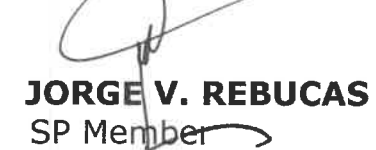

FILEMON F. AVILA
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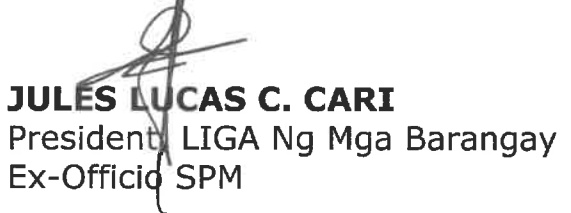

CARMEN L. CARI
SP Member

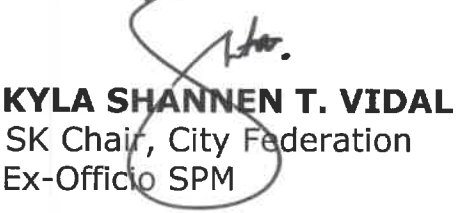

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RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Florante Cayunda Jr.; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Jay Ryan Austero; City Treasurer Alberta A. Manatad, CLGOO Juvy C. Pedrera, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.



I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


ATTY. VIVIAN C. ENARIO-VIDALLON
SP Secretary

Attested & Certified True & Correct:


ATTY. ERNESTO M. BUTAWAN
City Vice Mayor, Presiding Officer

Approved by His Honor:


ENGR. JOSE CARLOS L. CARI
City Mayor

Date Approved: 3/04/24



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PROVINCE OF LEYTE
City of Baybay

-000000-

Office of the Sangguniang Panlungsod



Telefax No. (+63-53)335-4808/563-9009 2nd Floor, Legislative Bldg., Magsaysay Ave., Baybay City, Leyte 6521 @ sangguniangpanlungsod@gmail.com

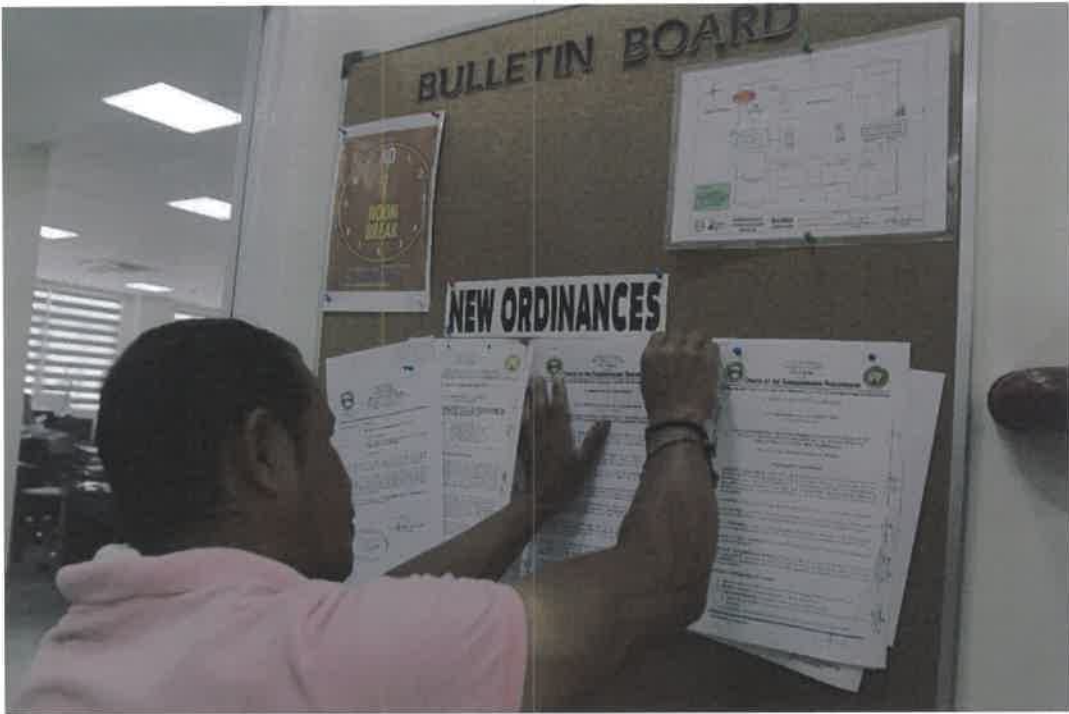
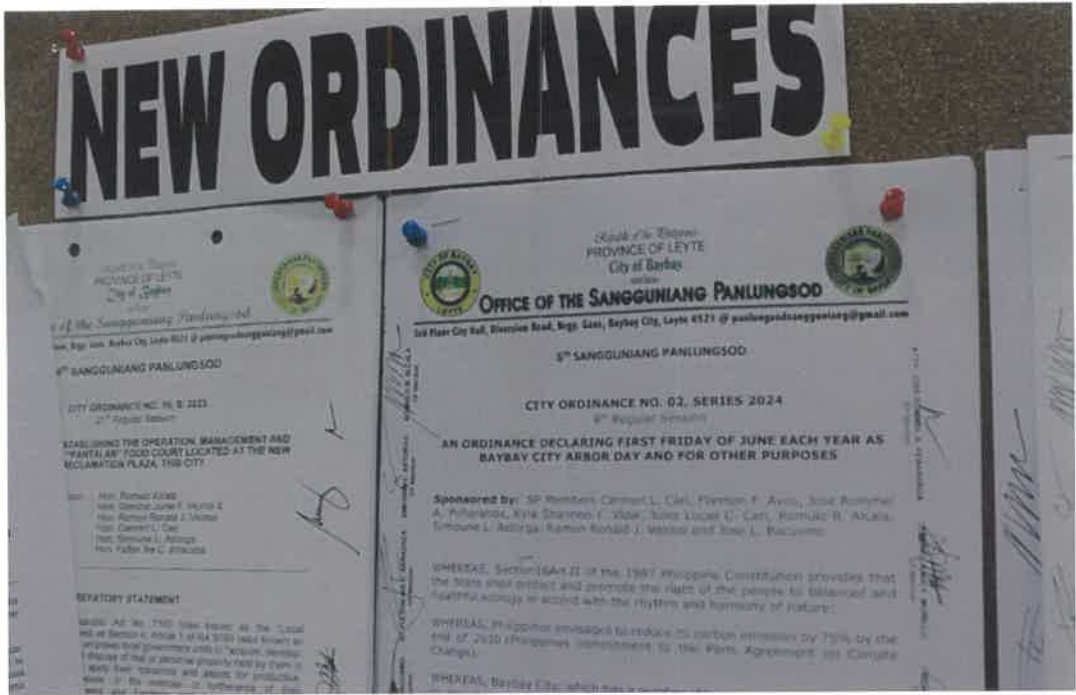
CERTIFICATION

TO WHOM THIS MAY CONCERN:

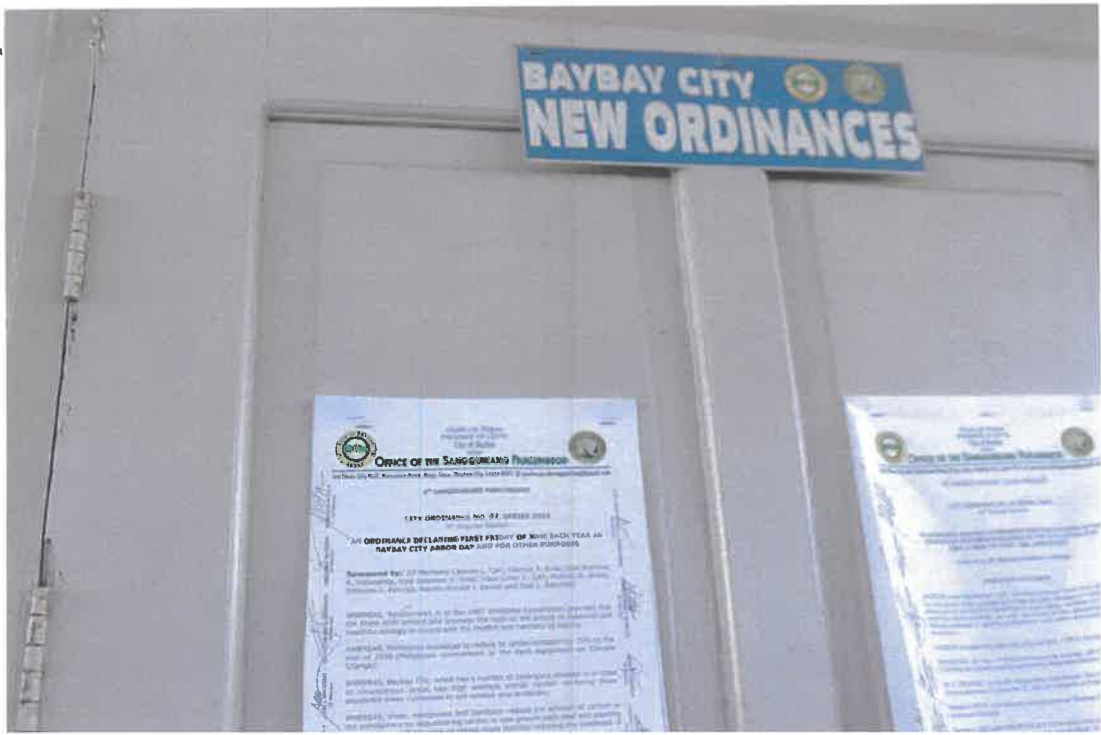
THIS IS TO CERTIFY that the **City Ordinance No. 02 s. 2024 " AN ORDINANCE DECLARING FIRST FRIDAY OF JUNE EACH YEAR AS BAYBAY CITY ARBOR DAY AND FOR OTHER PURPOSES"** was posted in the bulletin board at Legislative Department, New City Hall, Diversion Road, the public market and Baybay City Bus and Terminal immediately upon approval thereof.

Issued this 13th day of March, 2024, at Baybay City, Leyte.

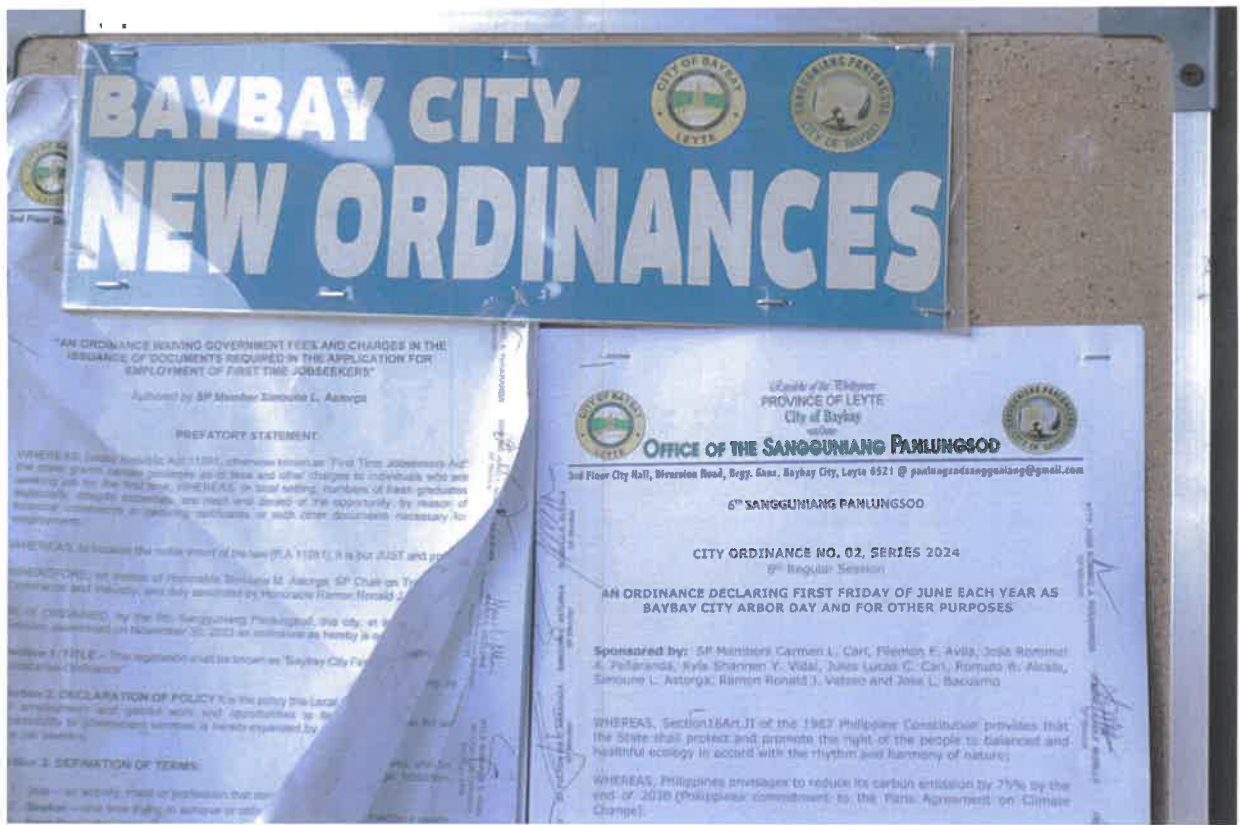

ATTY. VIVIAN E. VIDALLON
SP Secretary



SANGGUNIANG PANLUNGSOD BULLETIN BOARD



BAYBAY CITY BUS TERMINAL



BAYBAY CITY TRICYCLE TERMINAL