

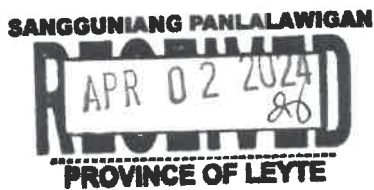
Item No.: 03

Date: 16 2024 APR

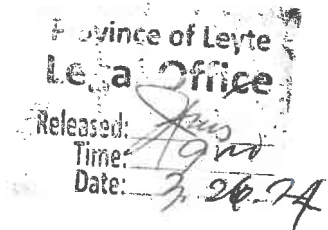
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Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
March 25, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 460 of the Sangguniang of Bayan of Babatngon, 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 447(5)(xvi)ⁱ of the Local Government Code in relation to R.A. 7277ⁱⁱ. Provided, that Section 5 (Fines and Penalties) of the ordinance be amended to conform with Section 447(1)(iii)ⁱⁱⁱ in accordance with the law.

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

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

ⁱ Formulate policies and adopt measures mutually beneficial to the elderly and to the community; provide incentives for non-governmental agencies and entities and, subject to the availability of funds, appropriate funds to support programs and projects for the benefit of the elderly;

ⁱⁱ AN ACT PROVIDING FOR THE REHABILITATION, SELF-DEVELOPMENT AND SELF-RELIANCE OF DISABLED PERSONS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY AND FOR OTHER PURPOSES.

ⁱⁱⁱ (iii) Approve ordinances imposing a fine not exceeding Two thousand five hundred pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance;

PLO


Republic of the Philippines
PROVINCE OF LEYTE
-0-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
26 March 2023

Province of Leyte
Legal Office
Received: *[Signature]*
Date: *3.26.24*

Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the
herein **ORDINANCE NO. 460** of the **MUNICIPALITY OF BABATNGON,**
LEYTE, for review and recommendations.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG BAYAN
BABATNGON, LEYTE
RELEASED
BY: *[Signature]*
DATE: 3/20/24
TIME: 10:00 AM

EXCERPT FROM THE MINUTES OF THE 82nd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF
BABATNGON, LEYTE HELD ON THE 4th DAY OF MARCH 2024 AT THE SB SESSION HALL, LEGISLATIVE
BUILDING, BABATNGON, LEYTE.

RECEIVED
22 MAR 2024
PROVINCE OF LEYTE
ORDINANCE NO. 460

MAYOR'S OFFICE
BABATNGON, LEYTE
RECEIVED
BY: *[Signature]*
DATE: 3-19-24
TIME: 9:50 AM

**AN ORDINANCE ADOPTING REPUBLIC ACT 7432, AS AMENDED BY
REPUBLIC ACT NO. 9257, OTHERWISE KNOWN AS THE "EXPANDED
SENIOR CITIZEN ACT OF 2003 AND REPUBLIC ACT 7277 OTHERWISE
KNOWN AS "MAGNA CARTA FOR DISABLED PERSONS" AND REQUIRING
ALL GOVERNMENT OFFICES AND COMMERCIAL ESTABLISHMENT IN THE
MUNICIPALITY OF BABATNGON TO PROVIDE EXPRESS LANES FOR
SENIOR CITIZENS AND PERSONS WITH DISABILITIES AT THE POINT OF
SALE AND TRANSACTION AREAS ONLY, AND PROVIDING PENALTIES
FOR VIOLATIONS THEREOF.**

Author: Hon. Alex Veloso Bello
Co-Authors: Hon. Hilarión S. Menzon
Hon. Christian C. Lawsín
Hon. Kemuel Rue M. Corsiga

WHEREAS, the Constitution declares that the state shall provide social justice in all phases of national development and the state values the dignity of every human person and guarantees full respect for the human rights;

WHEREAS, one of the objectives of the Republic Act 7432, as amended by Republic Act No. 9257, otherwise known as the "Expanded Senior Citizen Act of 2003" and Republic Act 7277 otherwise known as "Magna Carta For Disabled Persons" is to provide provision of express lanes for senior citizens and persons with disability in all commercial and government establishment;

WHEREAS, the Municipality of Babatngon continues to grow as a town, both economically and socially and recognizes the welfare of senior citizens, persons with disabilities and pregnant women;

WHEREAS, requiring all government offices and commercial establishments, such as malls, groceries, department stores, and other similar stores to have courtesy/priority express lanes will provide senior citizens and PWDs, easy access to and convenience in securing services, as a way of showing them special consideration and care in light of their valued standing in society.

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

SECTION 1. Title – This Ordinance shall be known as **"EXPRESS LANES ORDINANCE FOR SENIOR CITIZENS AND PERSONS WITH DISABILITIES"**.





OFFICE OF THE SANGGUNIANG BAYAN

SECTION 2. Definitions of Terms – The following terms shall mean:

- a. **Senior Citizens** – any resident citizen in the Philippines who reaches the age of sixty (60);
- b. **Persons With Disabilities** – are those suffering, may it be temporary or permanent, from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for human being;
- c. **Establishment** – shall include but not limited to private offices including hospitals, drug stores, banks, public transport terminals, payment centers, educational institutions, supermarkets, mall and stores, hotels, restaurants, recreational centers and all establishments that might have point of sale or purchase area;
- d. **Express Lane** – a lane designated by an establishment to cater to senior citizens and persons with disabilities which will give them immediate access in queuing for their personal transactions being done by them for the benefit of their people.
- e. **Personal Use** – shall mean that the transactions senior citizens and persons with disabilities shall be limited for their own personal benefits which shall exclude transactions being done by them for the benefit of their people.

SECTION 3. Policy. It shall be mandatory for all government offices and commercial establishments in the Municipality of Babatngon to provide a courtesy/priority express lane or areas in their establishment exclusively for personal use of senior citizens and persons with disabilities.

SECTION 4. Posting of Signage or Notice to all Establishment – A sign or notice must be posted in a conspicuous place, or in an area noticeable to all where the Express Lane is designated. The signage or notice must be at least 8 inches vertically and 16 inches horizontally in size and placed overhead or displayed at the designated Express Lane and shall show the following information:



SECTION 5. Fines or Penalties – Any person, including juridical persons, such as managers of private establishments or corporation who violate this ordinance shall be meted with the following penalty:

5.1 No Express Lane

- 1st offense - warning
- 2nd offense - fine of P 2,000.00
- 3rd offense - fine of P5,000.00 and revocation/cancellation of business permit.

5.2 No signage of Express Lane

- 1st offense - fine of P 500.00
- 2nd offense - fine of P 2,000.00
- 3rd offense - fine of P 5,000.00 and revocation/cancellation of business permit.

5.3 Any person who abuses the privileges granted herein or misrepresented himself/herself as senior citizens and persons with disabilities shall be punished with a fine of P 1,000.00 for first offense; P 2,000.00 for second offense and P 5,000.00 for third and succeeding offenses and/or imprisonment of not less than three (3) days at the discretion of the court.

SECTION 6. Separability Clause – If any provision of this Ordinance is held invalid, other provisions which are not affected shall remain in full force and effect.





OFFICE OF THE SANGGUNIANG BAYAN

SECTION 7. Effectivity – This Ordinance shall take effect upon approval.

APPROVED and ENACTED this 4th day of March 2024 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ALMA A. BALDOMAR
Secretary II

Secretary to the Sanggunian-Designate

ATTESTED:


HON. ROSARY PEARL G. CATUDIO
Municipal Vice-Mayor
Presiding Officer

HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member


HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member

(Mandatory Leave)
HON. KARL JOMAR L. EMBANA
Sangguniang Bayan Member

(Mandatory Leave)
HON. ILDEFONSO B. ODON
Sangguniang Bayan Member

(Mandatory Leave)
HON. FEDERICO D. ELIZAGA, JR.
Sangguniang Bayan Member

(Mandatory Leave)
HON. HILARION S. MENZON
Sangguniang Bayan Member


HON. CHARITA M. CHAN
Sangguniang Bayan Member


HON. ALEX V. BELLO
Sangguniang Bayan Member

(Official Travel)
HON. EDGARDO Y. MORDEN
President
Liga ng mga Barangay


HON. JUDE LEMWEL B. VETHIMVAS
President
Pambayang Pederasyon ng
Sangguniang Kabataan

APPROVED:


HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: 20 March 2024






CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that **POSTING** in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting **20 March 2024** and copies of said ordinance shall remain posted for **three (3) consecutive weeks**, pursuant to **Sec. 59 (b) of Republic Act 7160**, in relation to hereunder **Ordinance**, to wit:

1. **ORDINANCE NO. 460** - AN ORDINANCE ADOPTING REPUBLIC ACT 7432, AS AMENDED BY REPUBLIC ACT NO. 9257, OTHERWISE KNOWN AS THE "EXPANDED SENIOR CITIZEN ACT OF 2003 AND REPUBLIC ACT 7277 OTHERWISE KNOWN AS "MAGNA CARTA FOR DISABLED PERSONS" AND REQUIRING ALL GOVERNMENT OFFICES AND COMMERCIAL ESTABLISHMENT IN THE MUNICIPALITY OF BABATNGON TO PROVIDE EXPRESS LANES FOR SENIOR CITIZENS AND PERSONS WITH DISABILITIES AT THE POINT OF SALE AND TRANSACTION AREAS ONLY, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Made this **21st** day of **March 2024** at **Babatngon, Leyte**.


AEMA A. BALDOMAR
Secretary II

Secretary to the Sanggunian-designate