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Item No.:

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Date 7 2024 MAY

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT April 29, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 06, S. 2024-2025 of the Sangguniang Bayan of Villaba, 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 16ⁱ and Section 447 (5)(xvi)ⁱⁱ of the Local Government Code.

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.

[&]quot; (xvi) 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;

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1st INDORSEMENT 23 April 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed MUNICIPAL ORDINANCE NO. 06, S. 2024-2025 of the MUNICIPALITY OF VILLABA, LEYTE, entitled: Amending Section 4 of Ordinance No. 21, s. 2022-2025 - An Ordinance Crafted to Create a Home for the Aged in the Municipality of Villaba and Establish Public-Private Partnership for the Operation Thereof.

FLORINDA ILL. UYVICO Secretary to the Sanggunian

orince of Leyto



April 23, 2024

SANGGUNIANG PANLALAWIGAN

AND AND REAL PROPERTY.

PROVINCE OF LEYTE

THE SANGGUNIANG PANLALAWIGAN MEMBERS

New Provincial Government Complex Campetic, Palo, Leyte

Thru:

LEONARDO M. JAVIER, JR.

Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

We respectfully transmit herewith fifteen (15) copies of:

MUNICIPAL ORDINANCE NO. 06, S-2024-2025 - entitled: "AMENDING SECTION 4 OF ORDINANCE NO. 21, S. 2022-2025."

for your review and approval.

Best regards.

Very truly yours,

Secretary to the Sangguniang Bayan

Copy Furnished:

1. LOCAL CHIEF EXECUTIVE OFFICE

2. MUNICIPAL TREASURY OFFICE

3. MUNICIPAL ACCOUNTING OFFICE

4. MUNICIPAL BUDGET OFFICE Local Government Unit Villaba, Leyte



MUNICIPAL ORDINANCE NO. 06, S. 2024-2025

AMENDING SECTION 4 OF ORDINANCE NO. 21, S. 2022-2025

PREFATORY STATEMENTS



It would have become a painful scenario the existence of aged/elderly who might be left alone by their families to wander with nowhere to shelter themselves and scavenge or search for something useful or edible in rubbish or other discarded materials. On account of this, the idea to preempt the situation emerged, thereby the most-wanted structure for its intervention was given consideration.

The primary ordinance which created the Home for the Aged in the Municipality of Villaba was based upon the provision of Section 6, Chapter II of Ordinance No. 39, s. 2019 enacting the Senior Citizens Code of Villaba, Leyte. This Section provides, among other things, that every senior citizen, and the aged for that matter, has the right to sufficient shelter, proper medical care and all the basic physical requirements of a healthy and vigorous life and, that the neglected, abandoned and exploited be given special space at the Senior Citizens Center under the care of a trained person to be designated by the LCE for such a purpose.

In as much as LGU-Villaba does not have a Senior Citizens Center, it is but appropriate that a space in the Evacuation Center shall serve for the end in view.

Consequently, the above premises define the urgency of the legislative action pertinent to the specific placement of the Home for the Aged and, for this reason, this amendment is executed.

NOW, THEREFORE, on motion by the Hon. Rogelio J. Baay, Chairman, SB Committee in Senior Citizens and PWDs, duly seconded EN MASSE, Be it

ORDAINED, as the Sangguniang Bayan in regular session assembled hereby ordained, that:

Section 1. TITLE. This legislation shall be known as "An Ordinance Amending Section 4 of Ordinance No. 21, S. 2022-2025," herein referred to as:

AS, SR FFIIP Sangg Sold Bayan Member

ROOUE M. COMPRA Samuriang Bayan Member Sangguniang Bay

ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member

MACARIO V. ESMAS LNB President

LETA T. SUMPAIG gguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ Sanggunlang Bayan Member

Temporary Secretary to the Sanggunian

ERALYN D. ARIAGON

ngguniang Bayan Member

ROGENO J BAAY Sangganian Bayan Member AN ORDINANCE CRAFTED TO CREATE A HOME FOR THE AGED IN THE MUNICIPALITY OF VILLABA AND ESTABLISH PUBLIC-PRIVATE PARTNERSHIP FOR THE OPERATION THEREOF

Section 2. ORIGINAL PROVISION. Section 4 of Ordinance No. 21, S. 2022-2025 states that:

"Section 4. Establishment of the Home for the Aged-As recommended by the Congressman, the evacuation Center at Sitio Cayangi-an, Brgy. Tinghub, Villaba, Leyte, shall be converted into a Home for the Aged. The structure may be remodeled and make it a well-appointed house, equipped with all the necessary fixtures and facilities suited for a comfortable and healthy living"

Section 3 AMENDMENT. Section 4 of Ordinance No. 21 S. 2022-2025 shall hereby be amended to read as follows:

"Section 4. Establishment of the Home for the Aged. The Home for the Aged shall, in order of priority, be situated at the lower portion/first floor of the Evacuation Center considering the identified health condition of this class of senior citizens and giving vent to their convenience."

Section 4. SEPARABILITY CLAUSE. If for any reason, any part or provision of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to be in full force or effect.

Section 5. REPEALING CLAUSE. All ordinances, laws, decrees, executive orders, rules and regulations or part thereof, inconsistent with the provisions of the ordinance, are hereby repealed or modified accordingly.

Section 6. EFFECTIVITY. This ordinance shall take effect upon approval and after this shall have been posted in three (3) conspicuous places in accordance with the posting requirement of the Local Government Code;

On motion for the approval by Hon. Rogelio J. Baay, this ordinance was approved on March 11, 2024.

ERALYN D ARAGON

Temporary Secretary to the Sanggunian

ATTESTED:

DENNIS L. SY

Vide Mayor/Presiding Officer

JULCA KATRINA L. CON-UI Sangguniang Bayan Member

VIOLETA T. SUMAPIG

Sangguniang Bayan Member

MERIAM P. UMPAD

Sangguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member

MACARIO V. ESMAS

LNB President

ROQUE M. COMPRA

Sangguniang Bayan Member

ELLY MARIA N. ENEVOLDSEN

Sangguniang Bayan Member

FELIPE S CASAS, SR.

Sangguniang Bayan Member

ROGELIO J. BAAY

Sanggurliang Bayan Member

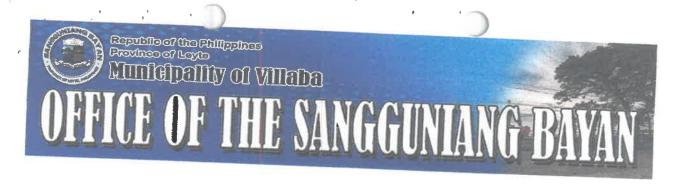
APPROVED:

ENGR. CARLOS G. VELOSO

Municipal Mayor

0 3 APR 2024

Page 2 | 2



MUNICIPAL ORDINANCE NO. 21, S. 2022-2025

AN ORDINANCE CRAFTED TO CREATE A HOME FOR THE AGED IN THE MUNICIPALITY OF VILLABA AND ESTABLISH PUBLIC-PRIVATE-PARTNERSHIP FOR THE OPERATION THEREOF

PREFATORY STATEMENTS

Introduced by: HON. ROGELIO J. BAAY
Sangguniang Bayan Member

It is declared in Section 11, Article II of the 1987 Constitution of the Philippines that, "The State values the dignity of every human person and guarantees full respect for human rights."

Section 15, Article II of the same Constitution, further declares that, "The state shall protect and promote the right to health of the people and install health consciousness among them."

The Local Government Code of 1991 (R.A. 7160) mandates the sangguniang bayan, under Section 447, (5), (XIV), Article Three, to provide for the care of paupers, the aged and the abandoned senior citizens and put up centers and facilities for said needy and disadvantaged persons.

As per recommendation by the former Congressman, Justice Vicente Veloso, III, the Municipal Mayor, through a letter dated December 9, 2022 sent by the Municipal Administrator Designate to the Sangguniang Bayan, requested the latter to pass an Ordinance on the creation of a Home for the Aged in this municipality and, thereby, establish a Public-Private-Partnership for its fully carried out operation.

On account of the above - mentioned premises,

NOW, THEREFORE, Be it ORDAINED, as the Sangguniang Bayan of Villaba, Leyte in regular session assembled hereby ORDAINED, that:

Section 1. Title. – This enactment shall be known as "The Home for the Aged Ordinance in the Municipality of Villaba, and Establishing for the Purpose a Public-Private-

ROGELO I BAAY VICLETA T. SUMAPIG Sangguilarig Bayan Member/ Presiding Officer FEMPE SAS, SR. Sanggunang Bayan A guniang Bayan Meraber g Bayan Member MERIAM P. UMPAD AF B. INOPIQUEZ MARIANE V. DE CLARO Sangguniang Bayan Member Sangguniang Bayan Member ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member esident INR P FIDERICO FINO igguniang Bayan ENGR. CARLOS G. VELOSO Municipal Maydr

Section 2. Scope. - This ordinance shall cover the care of paupers, the aged and the , abandoned senior citizens in the municipality, as well as, the institution of a center or

Section 3. Definition of Terms. - As used in this ordinance, the following terms are hereby defined to wit:

- a) Aged of advanced age or having attained a specified age of 75 years old and
- b) Charity an institution engaged in relief of the poor
- c) "Home" shall refer to the Home for the Aged
- d) Occupant any of a group occupying a single place of residence e) Look After - Take care of
- f) Pauper a person without means of support except from charity

Section 4. Establishment of the Home for the Aged. - The evacuation center at Sitio Cayangi-an, Brgy. Tinghub, Villaba, Leyte, shall be converted into a Home for the Aged. The structure may be remodeled and make it a well-appointed house, equipped with all the necessary fixtures and facilities suited for a comfortable and healthy living.

Section 5. Source of Fund. - There shall be allocated by the local government enough funds for the installation of the Home for the Aged and maintenance of subsistence, laundry and other basic necessities of the paupers, indigent aged and/or abandoned senior citizens who will be the occupants of this Home. For the sustainability of this project and, in the event that the local resources will not suffice for a long period, the government may explore the possibilities to foment the organization of a public-private-partnership with open-handed/ philanthropic residents in the locality and abroad. An idea cannot be discounted that through relentless cooperative efforts, this partnership would give rise to a foundation, and when this happens, the Home for the Aged would be under the management of the foundation officials and personnel.

Section 6. Oversight and Control. - The Local Chief Executive shall make use of one (1) nurse and two or more regular employees / Job Orders for the supervision and control of the occupants in the Home for the Aged, without prejudice, however, to increasing this number as the need arises in the course of its implementation.

The nurse shall look after the health condition of the persons in this Home through physical check-up/ examination and the administration of the proper medication to them under the instruction of the Rural Health Doctor.

The regular employees/JOs may take turns to help in the distribution of food packs and in seeing to it that the aged are in comfort, that their needs are addressed and that their problems, if any, are reported to proper authority for possible solution.

Section 7. Protection of the Home Residents. – Security Guards shall be employed by the Local Chief Executive every day and night for the safety of the home residents. The elderly may be allowed to get out of the Home but occasionally and for a reasonable intension. They shall be escorted in the event that they wish to do so.

AT. SUMAPIS VIOLE FELIP lang Bayan Memb SR. ng Officer uniang Bayan Memb Sangguni MERIAM P. MPAD van Membe NIEL ALBERT DUNOPLOUEZ Sangguniang Bayan Member Sanggunlang Bayan Member MARIANO E CLARO ELECTRIARIA ENEVOLDSEN
Sanggunian Bayan Member ig Bayan M LNR Pres FEDERICAL REAL elation Vice President ngguniang Bayan ENGR. CAYLOS II. VECOSO

Section 8. Food Preparation. - The Local Government Unit, through the Local Chief Executive with the assistance of the MSWDO, shall organize a Team of three (3) employees/Job Order's to prepare the ration, or whatever process, for the daily meals of the occupants in the Home for the Aged. These team members may also be augmented as the number of occupants in the Home necessitates.

Section 9. Enlistment Procedure. - In order for the paupers, aged and abandoned senior citizens to be worthy of dwelling in the Home for the Aged, the Municipal Mayor shall delegate the Municipal Social Welfare and Development Officer (MSWDO) to create a system of registration and availment of benefits utilizing as guide Sections 10 and 11 of this ordinance.

Section 10. Requirements. - The MSWDO shall cause the issuance of an Identification Card (ID) which shall be considered as competent evidence of identity. The following are the requirements:

1) Voter's ID or Certification or any government issued ID providing proof that the applicant is a resident of the municipality;

2) Barangay Certification to prove that the applicant is a resident of the barangay

for at least one (1) year at the time he reached old age;

3) Application Form provided by the aforementioned office base on numbers 1) and 2) information, indicating likewise the name, residence, date of birth, category whether pauper, aged or abandoned senior citizens; whether supported by the family or not; whether living with the family or alone, and other related information.

Section 11. Assessment. - The applicant who manifests his or her intention to avail of the benefits of this Ordinance shall be subject to assessment by the social worker in the MSWD Office. The assessment shall cover, but not limited to, the following:

Determination of the applicant's category as reflected in No. 3, Section 10 of this ordinance. However, for further clarification purposes, these categories are hereby elucidated:

Pauper is a person without means of support except from charity or charitable institution, an organization engaged in relief of the poor. This organization is usually found in big cities where national and international NGOs are available to provide aid to the people, especially, the elderly. The pauper is a senior citizen but not abandoned because he/she is entrusted to a charitable institution for care.

The aged are of advanced age or having attained a specified old age. He/she may be a pauper if being in the good graces of a government or private foundation, but become an abandoned senior citizen when deprived of assistance from any organization and not even taken care of by his/her immediate relatives.

In the final analysis, the regulation for the admission of the upcoming residents of the Home for the Aged shall be dependent upon the wise, compliant and objective decision of the Screening Committee to be organized by the Local Chief Executive. OSCA and FEBSCAVIL may be tapped to assist in screening.

Whoman VIOLETAT. SUMAPIG FELIPE S Sangguniang Bayan Member/ Presiding Officer SR uniang Bayan Memb yan Member NIEL ALBERT B. INOPIOLE ROQUE M. COMPR MARIANC Sanggunlang Bayan Member Sangguniang Bayan Wh ELCHAPIAN. ENEVOLDSEN LNB Pre Sangunang Bayan Member ENGR. CARLOS G VELOSO Municipal Mayor

Section 12. Availment. - Proof of entitlement based on the provisions of Section 10 and . 11 of this ordinance issued by the MSWDO, shall be presented to the Municipal Mayor, or whoever is assigned to this concern, for registration.

Section 13. Repealing Clause. - Any municipal ordinances rules and regulations, executive orders or parts thereof inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 14. Separability Clause. - In the event that any part or provision of this ordinance is held unconstitutional or invalid by a court of law, the other parts or provisions shall continue to be in force or effect.

Section 15. Effectivity. - This ordinance shall take effect upon approval and after this shall have been posted in three (3) conspicuous places in accordance with the posting requirement of the Local Government Code.

On motion for approval by the Sangguniang Bayan Member Rogelio J. Baay, duly seconded by all members of the Sangguniang Bayan, this ordinance was approved.

This Ordinance was approved by the Sangguniang Bayan on February 20, 2023.

Secretary to the Sanggunian

ATTESTED:

Sangguniang Bayan Member/Temporary Presiding Officer

JULCA KATRINA Sangguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member

Sangguniang Bayan Member

ROQUE M. COMPRA

VIOLETA T. SUMAPIG

Sangguniang Bayan Member

FELIPE'S CASAS, SR. Sangguniang Bayan Member

Mt Phypad MERIAM P.'UMPAD Sangguniang Bayan Member

SK Federation President

Sangguniang Bayan Member

DE CLARO MARIANO

LNB President

APPROVED:

ENGR. CARLOS G. VELOSO Municipal Mayor

MINUTES OF THE PUBLIC HEARING ON THE AMENDMENT OF SECTION 4 OF ORDINANCE NO. 21, S. 2022-2025 AND THE RESOLUTION FOR THE CONVERSION OF PART OF THE EVACUATION CENTER AT SITIO CAYANGI-AN BARANGAY TINGHUB, VILLABA, LEYTE INTO A RESIDENTIAL CARE FACILITY OF THIS MUNICIPALITY

VENUE: Old Municipal SB Session Hall

DATE: March 8, 2024 9:00 A.M.

This Public Hearing was attended by the MSWD representative, OSCA Head and the Officers of FEBSCAVIL, The presence of the Municipal Administrator was not available.

I. Home for the Aged. The Chair opened the discussion by introducing the approved ordinance on Home for the Aged believing that the invited persons before him were aware of its existence, but only to find out that they have no idea in reference to it. This plainly shows to prove that their offices were not served even a single copy of said ordinance. So it took the Chair ample time to explain the matter before he was fully understood. Thus, at this juncture, a query was raised: "why there is an amendment?" The chair, in response, stated that an amendment is indispensable because the Home for the Aged Ordinance and Residential Care Facility resolution seem to be occupying the same point at the same time. This conflict needs a reasonable solution

II. Conversion of the Evacuation Center into Villaba Residential Care Facility.

Here is the clash of opposing interest;

On December 9, 2022, the Municipal Mayor requested the August Body of the municipality to pass an ordinance for the establishment of a Home for the Aged, converting the Evacuation Center at Sitio Kayangi-an, Barangay, Tinghub for this purpose.

On February 14, 2024, the Municipal Mayor requested the same August Body to pass a resolution approving the Conversion of the same Cayangi-an evacuation Center Residential Cara Facility.

Hence, to resolve the foregoing issue, Section 4 of Ordinance No. 21, S 2022 must be amended

There having no other question, the Public Hearing closed at 11:00 A.M.

Presented by:

HON. ROGELIOJ. BAAY

Chairman

SB Committee on Social Welfare and Development

HON. ELL MARIA M. ENEVOLDSEN

Vice Chairman

HON. VIOLETA T. SUMAPIG

Member

ATTENDANCE SHEET

March 8, 2024 Old SB Session Hall

Committee Hearing on the Conversion of the Evacuation Center at Sitio Cayangi-an, Barangay Tinghub, Villaba, Leyte, into Villaba Residential Care Facility – Amending Section 4 of Ordinance No. 21, s. 2022

NAME	ADDRESS	SIGNATURE
GLOND R. PELAYD	TEBSCAVIL Cognect, Villaba, Loyfe	Corpilary
Maria Chita Relan	BOBSCAVIL	Hi
P. Elisea C. Arain	FERSCAVIL	Ceavin
PROCESA T. CHINGIN	TEBS CAYIC	Tagin
GUEMPA S. PELAYU	FEBSCAVIL	gyelyr
Gemma Chang M. McKie	Quy _ 164	S S
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FEHX G. ARANEZ JR.	OSCA rep.	Allege
Elizabeth G. Sanaco	Febsconil	egenaer
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ROCELIO J, BAAY SB ME	_	Guyang
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SANGGUNIANG BAYAN

Office of the Secretary to the Sanggunian

NOTICE OF COMMITTEE HEARING

Notice is hereby given that a committee hearing will be conducted by the Sangguniang Bayan Committee on Social Welfare and Development, March 8, 2024 at 9:00 0'clock in the morning at the Old Sangguniang Bayan Session Hall, Administrative Building, Municipal Compound, this Municipality regarding the proposed ordinance authored by Sangguniang Bayan Member Rogelio J. Baay entitled:

"AMENDING SECTION 4 OF ORDINANCE NO. 21, S-2022-2025"

The Municipal Administrator's Office, Municipal Social Welfare and Development Office, Officers of FEBSCAVIL and all other interested parties are invited to attend.

Villaba, Leyte, March 4, 2024.

Sincerely,

Secretary to the Sanggunian



Hermosilla Drive, District 28, Ormoc City Contact Nos. (053) 561-0809 & 09285549820 e-mail: easternvisayasmail@gmail.com

Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN
MUNICIPAL ORDINANCE NO. 06, S. 2024-2025

AMENDING SECTION 4 OF ORDINANCE NO. 21, S. 2022-2025

AN ORDINANCE CRAFTED TO CREATE A HOME FOR THE AGED IN THE MUNICIPALITY OF VILLABA AND ESTABLISH PUBLIC-PRIVATE PARTNERSHIP FOR THE OPERATION THEREOF

APPROVED: (SGD)ENGR. CARLOS G. VELOSO Municipal Mayor

was published in said newspaper for ()	consecutive weeks in its EV Mail
EV Mail April 8-14, 2024	,
That I am executing this affidavit to attest sayeth naught.	to the fact of the foregoing statements. Affiant further
IN WITNESS WHEREOF, I have hereunted Ormoc City.	JIMA J. VERGARA

VERIFICATION

SWORN AND SUBSCRIBED before me this _____ day ANR 1 6 20th affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No.: 328
Page No.: 61
Book No.: 3
Series of 2024

Notary Public for the Lity of Ormoc Municipalities of Kuranga Matag-ob, Merida and leabe NC No. OB04-2Z-12-038-NC issued on 01/01/2023 Valid until Occamber 31, 2024, PTA No. 7856400 Ores/2024, Ormoc City IBP-No. 3826-27; Z/31/2023, Leyte Roll of Attorney No. 51625
TIN 207-693-130
MCLE Compliance No. VI-0014640
Valid until April 14, 2025

ATTY. ADELITO M. SOLIBAGA JR.