



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

Item No.: 13

Date: 11 2024 JUN

-oOo-

SANGGUNIANG PANLALAWIGAN

PROVINCIAL LEGAL OFFICE



**2<sup>nd</sup> INDORSEMENT**

June 6, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 04, S. 2024 of the Sangguniang Bayan of Abuyog, Leyte.

**Issues/concerns for review/recommendation/legal opinion is/are as follows:**

- Ordinance No. 04, S. 2024 entitled: **An Ordinance Creating New Plantilla Positions and Provide the Corresponding Funding for Each Created Position in the Municipal Government of Abuyog, Leyte.**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is within the corporate powers of the local government unit particularly covered under Section 447, of the Local Government Code of 1991 cited as follows:

“SEC. 447. Powers, Duties, Functions and Compensation.

“(a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code and shall:

“(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government, and in this connection shall:

xxx

“(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;”

In relation thereto, the SB resolution is an indispensable requirement for the creation of a new plantilla position.<sup>1</sup>

Thus, recommending subject Ordinance for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents as presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

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

<sup>1</sup> CSC Decision No. 190324 dated July 17, 2019 (De Torres, Violeta A.).

Republic of the Philippines  
**PROVINCE OF LEYTE**

-0-

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
**03 June 2024**

Province of Leyte  
**Legal Office**  
Received: *[Signature]*  
Date: *6-7-24*

Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the  
herein **ORDINANCE NO. 04 s. 2024** of the **MUNICIPALITY OF ABUYOG,**  
**LEYTE,** for review and recommendations.

*[Signature]*  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



*Republic of the Philippines*  
**MUNICIPALITY OF ABUYOG**  
Province of Leyte



## Office of the Sangguniang Bayan Secretary

May 31, 2024

FLORINDA JILL S. UYVICO  
Secretary to the Sanggunian  
Sangguniang Panlalawigan of Leyte  
Legislative Building  
Capitol Grounds  
Tacloban City

SANGGUNIANG PANLALAWIGAN



PROVINCE OF LEYTE

*Handwritten signature*  
SG. VILLOTE

Ma'am:

Respectfully transmitting herewith as attached Ordinance of the 19<sup>th</sup> Sangguniang Bayan of Abuyog, Leyte for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte; viz:

1. **ORDINANCE NO. 04, S. 2024** – AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE
2. **ORDINANCE NO. 09, S. 2024** – AN AMENDATORY ORDINANCE AMENDING THE 2024 REVISED CHARTER OF THE ABUYOG COMMUNITY COLLEGE OF ABUYOG, LEYTE INSERTING THEREOF SECTION 7

Thank you.

Very respectfully yours,

**ARSENIO T. VILLOTE**  
Sangguniang Bayan Secretary



Republic of the Philippines  
MUNICIPALITY OF ABUYOG  
Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 17<sup>TH</sup> REGULAR SESSION OF THE 19<sup>TH</sup> HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON APRIL 30, 2024

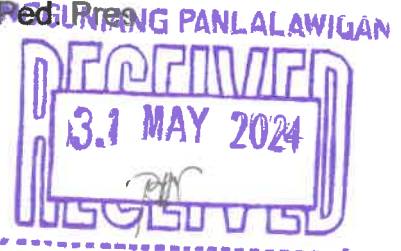
PRESENT:

- |                               |                                      |
|-------------------------------|--------------------------------------|
| Hon. James L. Bohol           | Municipal Vice-Mayor, Prsdg. Officer |
| Hon. Jeannette A. Valida      | SB Member, Prsdg. Pro-tempore        |
| Hon. Antonio C. Almendra, Jr. | SB Member                            |
| Hon. Arnold R. Allera         | SB Member                            |
| Hon. Patrocinio A. Risos, Jr. | SB Member                            |
| Hon. Editha C. Deloy          | SB Member                            |
| Hon. Edmundo P. Saño          | SB Member                            |
| Hon. Francisco B. Landia      | SB Member, Floor Leader              |
| Hon. Erwin V. Belleza         | SB Member                            |
| Hon. Dario P. Llave           | SB Member, ABC President             |
| Hon. Melliza Jane C. Traya    | SB Member, SK Red Pres               |

ABSENT:

None

ORDINANCE NO. 04, S. 2024



AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE

BE IT ORDAINED BY THE 19<sup>TH</sup> SANGGUNIANG BAYAN OF ABUYOG, LEYTE IN A REGULAR SESSION ASSEMBLED; that:

SECTION 1. TITLE - this ordinance shall be known and referred to as AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE

SECTION 2. SCOPE AND COVERAGE, SOURCE OF AUTHORITY/PURPOSE – the said creation of positions including each corresponding funding is for the smooth operation of the concerned department and/or agency in the Municipal Government of Abuyog, Leyte so as to give effective and efficient delivery of services to the clientele particularly in the following offices mentioned below.

The approved creation of new positions and the provision of corresponding funding are as follows; to wit:

POSITIONS

SALARY GRADE

A. Municipal Treasurer's Office

1. One (1) – Senior Administrative Assistant 1

SG-13

**B. Municipal Assessor's Office**

- 1. One (1) – Administrative Assistant VI SG-12
- 2. One (1) Tax Mapper SG-11

**C. Municipal Budget Office**

- 1. Two (2) Administrative Aide II SG-2

**D. Municipal Health Office**

- 1. One (1) – Midwife III SG-13

**E. Municipal General Services Office**

- 1. One (1) – Administrative Aide VI SG-6

**SECTION 3. SEPERABILITY CLAUSE.** If any part of this ordinance is held unconstitutional or invalid by any court or tribunal or competent authority, no other sections or provisions hereof shall be affected thereby


**SECTION 4. EFFECTIVITY.** This ordinance shall take effect upon approval.

**ENACTED:** This 30<sup>th</sup> day of April 2024.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

  
**ARSENIO Y. VILLOTE**  
Sangguniang Bayan Secretary

ATTESTED:

  
**HON. JAMES L. BOHOL**  
Municipal Vice Mayor, Prsdg. Officer

  
**HON. JEANNETTE A. VALIDA**  
SB Member, Prsdg. Pro-tempore

  
**HON. ARNOLD R. ALLERA**  
SB Member

  
**HON. ANTONIO C. ALMENDRA, JR.**  
SB Member

  
**HON. PATROCINIO A. RISOS, JR.**  
SB Member

**HON. EDITHA C. DELOY**  
SB Member

**HON. EDMUNDO P. SAÑO**  
SB Member

**HON. FRANCISCO B. LANDIA**  
SB Member, Floor Leader

**HON. ERWIN V. BELLEZA**  
SB Member

**HON. DARIO P. LLEVE**  
SB Member/ ABC Fed. President

**HON. MELLIZA JANE C. TRAYA**  
SB Member, SK Ped. Pres.

APPROVED:

**HON. LEMUEL GIN K. TRAYA**  
Municipal Mayor  
Date: 5/24/24