

Item No.: 11

Date: 16 2024 JUL



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

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Province of Leyte  
Legal Office  
Released: *[Signature]*  
Time: *11:00*  
Date: *7-11-24*

SANGGUNIANG PANLALAWIGAN  
**NOTIFIED**  
JUL 11 2024  
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

**2<sup>nd</sup> INDORSEMENT**  
July 5, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 468 of the Sangguniang Bayan of Babatngon, Leyte.

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

- Ordinance No. 468 entitled: **An Ordinance Declaring Every Saturday of the Week as Barangay Clean-Up Day”.**

**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 and appropriately citing provisions of the Local Government Code, the 1987 Constitution and the Special Laws including Administrative issuances in its “whereas” clauses. Hence, the contents of the Ordinance appears to be valid for purposes of declaring its validity.

However, perusal thereof, this office is of the opinion that the Ordinance lacks the following for it to be effective:

1. Mandate specifying that the ordinance should apply to all barangays of the Municipality of Babatngon, Leyte. In fact, the contents of the Ordinance will establish that the barangay level is the primary concern hence the ordinance should more appropriately be titled as “*An Ordinance Requiring the xxx Barangays of Babatngon Leyte to conduct a weekly Clean up Drive every Saturday in their respective Territorial Jurisdiction and for other purposes.*” Should it involve the Municipality, provisions as to the supervision and participation shall be incorporated to carry out the Clean-up drive as specified in Section 3 thereof.
2. Actions for Non-compliance

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 are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

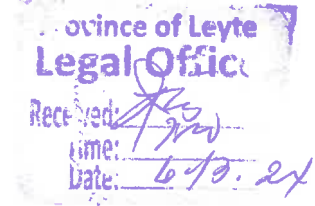
**ATTY. JOSE RAYMUND A. ACOL**  
PGADH

BY: *[Signature]*  
**Atty. RHEA LINA U. ENAGE**  
Attorney IV, ICO

Republic of the Philippines  
**PROVINCE OF LEYTE**  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> ENDORSEMENT**  
**11 June 2024**



Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the herein **ORDINANCE NO. 468** of the **MUNICIPALITY OF BABATNGON, LEYTE**, entitled: **"AN ORDINANCE DECLARING EVERY SATURDAY OF THE WEEK AS BARANGAY CLEAN-UP DAY"**, for review and recommendations.

  
**FLORINDA JILLS. TYVICO**  
Secretary to the Sanggunian



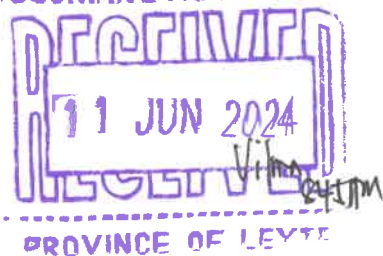
OFFICE OF THE SANGGUNIANG BAYAN

07 June 2024

**Honorable Leonardo M. Javier, Jr.**  
Vice Governor and Presiding Officer, and

**The Honorable Members**  
Sangguniang Panlalawigan  
Province of Leyte  
Legislative Bldg., Capitol Grounds  
Tacloban City

SANGGUNIANG PANLALAWIGAN



**Dear Honorable Ladies and Gentlemen,**


Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Ordinance No. 468, entitled: "AN ORDINANCE DECLARING EVERY SATURDAY OF THE WEEK AS BARANGAY CLEAN-UP DAY." Subject Ordinance is being forwarded to that Body for review in compliance with Section 56(a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 468; and
2. Certification of Posting

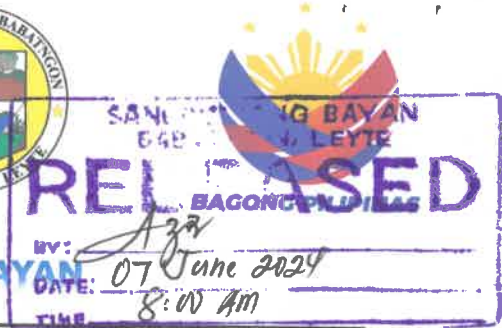
Please find them in order and praying for your favorable action thereof.

Very truly yours,

  
**ALMA A. BALDOMAR**  
Secretary II  
Secretary to the Sanggunian-designate

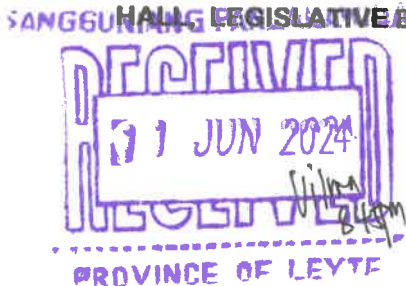
Enclosed:  
As stated





OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 95th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 3<sup>rd</sup> DAY OF JUNE 2024 AT THE SB SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.



**ORDINANCE NO. 468**

BY: *[Signature]*  
DATE: 06/03/24  
TIME: 2:02 PM

**AN ORDINANCE DECLARING EVERY SATURDAY OF THE WEEK AS BARANGAY CLEAN-UP DAY.**

**Author: HON. FEDERICO P. ELIZAGA, JR.**  
**Co-Author: HON. ILDEFONSO B. ODON**  
**HON. EDGARDO Y. MORDEN**  
**HON. JUDE LEMWEL B. VETHIMVAS**

**WHEREAS**, Article II, Section 16 of the 1987 Philippine Constitution provides that 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;

**WHEREAS**, Section 16 of Republic Act No. 7160 or otherwise known as the "Local Government Code of 1991" mandates all Local Government Units (LGUs) to ensure and support the promotion of health and safety and enhancement of the right of the people to a balanced ecology in the promotion of general welfare;

**WHEREAS**, Section 2 of Republic Act No. 8749 or otherwise known as the "Philippine Clean Air Act of 1999" states that the State shall promote and protect the global environment to attain sustainable development while recognizing the primary responsibility of LGUs to deal with environmental problems and that the State recognizes that the responsibility of cleaning the habitat and environment is primarily area-based. It further stipulates that the State recognizes that a clean and healthy environment is for the good of all and should, therefore, be the concern of all;

**WHEREAS**, Section 2 of Republic Act No. 9003 or otherwise known as the "Ecological Solid Waste Management Act of 2000" declares that the State shall adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the protection of the public health and environment, encourage greater private sector participation in solid waste management, and institutionalize public participation in the development and implementation of national and local integrated, comprehensive, and ecological waste management programs, among others;

**WHEREAS**, through DILG Memorandum Circular No. 2024-001, the KALINISAN (Kalinga at Inisyatiba para sa Malinis na Bayan) sa Bagong Pilipinas Program was launched last January 6, 2024 that aims to consolidate all efforts of the government to maintain and provide a healthy and safe environment for all by capacitating LGUs and enabling community participation anchored on the tradition of "bayanihan";

**WHEREAS**, DILG Unnumbered Advisory dtd. January 25, 2024 entitled "Submission of Compliance Reports to the Weekly Clean-Up Drive of the Barangays enjoins all Barangays to enact an ordinance or any appropriate issuance declaring one day of the week as their Barangay Clean-up Day;

**NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF BABATNGON IN REGULAR SESSION ASSEMBLED:**

**Section 1. Title.** This Ordinance shall be known as an "Ordinance Declaring Every Saturday of the Week as Barangay Clean-up Day".

**Section 2. Declaration of Policy.** It shall be the policy of this municipality to promote local development while simultaneously protecting and preserving the environment. The Barangay likewise recognizes the



vital role the community plays in ensuring the safety of its residents by establishing a safe and healthy ecology.

**Section 3. Clean-up.** A clean-up drive shall be conducted every Saturday of the week. The following activities can be undertaken but not limited to:

- a. Coastal Clean-up;
- b. Dredging of clogged canals, esteros, and other waterways;
- c. Pruning thick bushes or tree branches;
- d. Draining of receptacles containing stagnant waters;
- e. Dismantling all possible breeding places of mosquitoes;
- f. Community gardening/tree planting; and
- g. Information drives on solid waste management, dengue prevention, and community gardening.

**Section 4. Photo Documentation and Posting in Social Media.** The Barangay Secretary shall document and upload the photo documentation of the clean-up activities to the official social media page/s of the Barangay.

**Section 5. Reporting.** There shall be a weekly reporting of the weekly clean-up drive to the Local Government Operations Officer by the Barangay Secretary with the following information indicated therein:

- a. Number of participants;
- b. Number of barangay officials who participated in the clean-up;
- c. Volume of waste collected (in kilograms);
- d. Number of clean-up sites; and
- e. Link to social media posting of the weekly clean-up.

**Section 6. Community Participation.** The Barangay shall ensure and encourage the participation of community members, private sectors, civil society organizations, particularly youth and student organizations during the weekly clean-up activity.

**Section 7. Repealing Clause.** All Ordinances, Executive Orders and Rules and Regulations inconsistent or in conflict with any provisions of this Ordinance are hereby repealed or modified accordingly.

**Section 8. Separability Clause.** If any provision of this Ordinance shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

**Section 9. Effectivity.** This Ordinance shall take effect immediately upon its approval


**APPROVED and ENACTED** this 3<sup>rd</sup> day of June 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. FEDERICO P. ELIZAGA, JR.**  
Sangguniang Bayan Member  
Temporary Presiding Officer

(Mandatory Leave)  
**HON. ROSARY PEARL G. CATUDIO**  
Municipal Vice Mayor

  
**HON. CHRISTIAN C. LAWSIN**  
Sangguniang Bayan Member

  
**HON. KEMUEL RUE M. CORSIGA**  
Sangguniang Bayan Member



  
**HON. KARL JOMAR L. EMBANA**  
Sangguniang Bayan Member

  
**HON. ILDEFONSO B. ODON**  
Sangguniang Bayan Member

  
**HON. HILARION S. MENZON**  
Sangguniang Bayan Member

(Sick Leave)  
**HON. CHARITA M. CHAN**  
Sangguniang Bayan Member

  
**HON. ALEX V. BELLO**  
Sangguniang Bayan Member

(Mandatory Leave)  
**HON. EDGARDO Y. MORDEN**  
President  
Liga ng mga Barangay

  
**HON. JUDE LEMUEL B. VETHIMVAS**  
President  
Pambayang Pederasyon ng  
Sangguniang Kabataan

**APPROVED:**

  
**HON. ELEONOR B. LUGNASIN**  
Municipal Mayor

Date: 06 June 2024





OFFICE OF THE SANGGUNIANG BAYAN

**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 06 June 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. 468 - AN ORDINANCE DECLARING EVERY SATURDAY OF THE WEEK AS BARANGAY CLEAN-UP DAY.**

**Made this 7<sup>TH</sup> day of June 2024 at Babatngon, Leyte.**

  
**ALMA A. BALDOMAR**  
**Secretary II**  
**Secretary to the Sanggunian-designate**

