

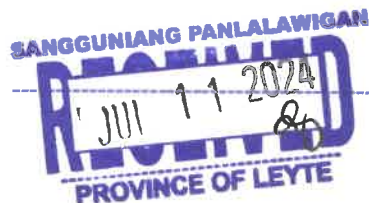


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Palo, Leyte

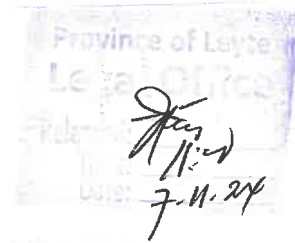
Item No.: 13

Date: 16 2024 JUL

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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
July 5, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 11 S. of 2024 of the Sangguniang Bayan of Capoocan, Leyte.

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

- Ordinance No. 11 S. of 2024 entitled: An Ordinance Abolishing the Plantilla Position Municipal Government Assistant Department Head I (Local Disaster Risk and Management Officer IV), Salary Grade 22.

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 (viii)** of the Local Government Code of 1991 granting the legislative body of the municipality, to enact ordinances to 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.

Moreover, under **Section 325** of R.A. 7160, in cases of abolition of positions and the creation of new ones resulting from the abolition of existing positions in the career service, such abolition or creation shall be made in accordance with pertinent provisions of R.A. No. 7160 and the civil service laws, rules, and regulations.

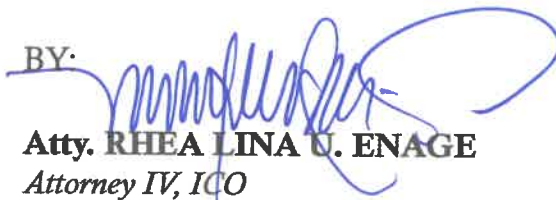
Thus, this office recommends for the declaration of its validity.

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

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

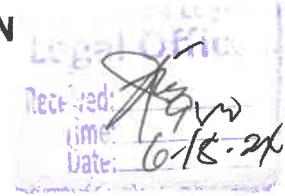
BY:


Atty. RHEA LINA U. ENAGE
Attorney IV, ICO

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
14 June 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance. 11, series of 2024 of the Municipality of Capoocan, Leyte, entitled: An Ordinance Abolishing the Plantilla Position Municipal Government Assistant Department Head I (Local Disaster Risk Reduction and Management Officer IV), Salary Grade 22.**

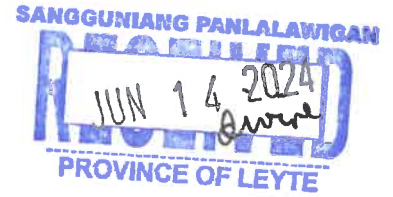

FLORINDA JILLS UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan

✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com
☎ 09976874138

June 3, 2024



THE HONORABLE BODY
Sangguniang Panlalawigan
Legislative Building
Capitol Grounds
Tacloban City

Dear Gentlemen / Mesdames:

Good Day!

Submitting **ORDINANCE No. 11, Series of 2024** of the Sangguniang Bayan of Capoocan, Leyte entitled, ***"AN ORDINANCE ABOLISHING THE PLANTILLA POSITION MUNICIPAL GOVERNMENT ASSISTANT DEPARTMENT HEAD I (LOCAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICER IV), SALARY GRADE 22"***, for review of the Honorable Body

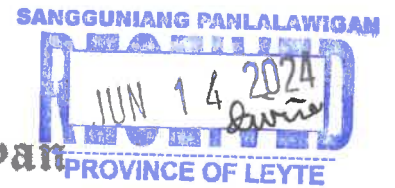
Earliest and favorable action shall be gratefully acknowledged.

Respectfully yours,

JUDE R. DELA TORRE
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan



✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com
☎ 09976874138

SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 97th REGULAR SESSION
HELD ON APRIL 30, 2024 AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING

ORDINANCE NO. 11, Series of 2024

AN ORDINANCE ABOLISHING THE PLANTILLA POSITION MUNICIPAL GOVERNMENT ASSISTANT DEPARTMENT HEAD I (LOCAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICER IV), SALARY GRADE 22

WHEREAS, Section 76 of Republic Act 7160 states that "Every Local Government Unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirement and financial capability";

WHEREAS, MUNICIPAL GOVERNMENT ASSISTANT DEPARTMENT HEAD I (LOCAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICER IV), SALARY GRADE 22 was created pursuant to *Ordinance No. 29, Series of 2020* dated October 21, 2022 entitled, "AN ORDINANCE CREATING THE FOLLOWING PLANTILLA of PERSONNEL FOR CY 2021:

- | | |
|------------|---|
| 1. MDRRMO | MUNICIPAL GOVERNMENT ASSISTANT DEPARTMENT HEAD I (LDRRMO IV) SG22 |
| 2. MDRRMO | DRIVER I SG3 |
| 3. MDRRMO | ADMIN AIDE I SG1 (CASUAL) |
| 4. MHO | DRIVER I SG3 |
| 5. MHO | NURSE I SG15 |
| 6. MO | RECORDS OFFICER III SG18 |
| 7. MPDO | PROJECT DEVELOPMENT OFFICER III SG18 |
| 8. MPDO | ZONING INSPECTOR I SG6 |
| 9. MPDO | DRIVER I SG3 |
| 10. SB SEC | ADMIN AIDE I SG1 |
| 11. SB SEC | ADMIN AIDE II SG2 |
| 12. SB SEC | ADMIN AIDE I SG 1 |
| 13. MTO | LOCAL TREASURY OPERATION OFFICER III (LTOO III) SG18 |
| 14. MTO | ADMIN AIDE II SG2 |
| 15. MACCO | SENIOR BOOKKEEPER SG9 |
| 16. MASSO | ENGINEER II SG16 |
| 17. MASSO | ADMIN AIDE I SG1 (CASUAL) |
| 18. YDO | YOUTH DEVELOPMENT OFFICER III (YDO III) SG18 |
| 19. MEO | ENGINEER II SG16 |
| 20. MEO | ADMIN AIDE I SG1 |
| 21. PESO | ADMIN AIDE I SG1 |
| 22. MSWDO | ADMIN AIDE I SG1 |
| 23. BAO | ADMIN AIDE I SG1 |
| 24. BAO | ADMIN AIDE I SG1"; |

BE IT ORDAINED, as it is hereby ordained by the Sangguniang Bayan of Capoocan, Leyte in session assembled that:


Section 1. The PLANTILLA POSITION of MUNICIPAL GOVERNMENT ASSISTANT DEPARTMENT HEAD I (LOCAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICER IV), SALARY GRADE 22 is hereby ABOLISHED.

Section 2. Separability Clause. If any provision of this Ordinance is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect.

Section 3. Repealing Clause. Any ordinance found inconsistent hereof, in whole or in part, is hereby repealed or modified accordingly.

Section 4. Effectivity. This ordinance shall take effect immediately upon approval.

ENACTED by the Sangguniang Bayan, in session assembled this 30th day of April 2024 at Capoocan, Leyte.


ENGR. ALLAN B. EGANO
SB Member



VONLITO D. VALLAR
SB Member

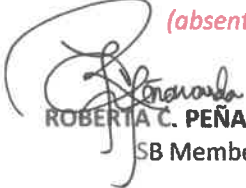

EMMANUEL D. ARBOSO
SB Member

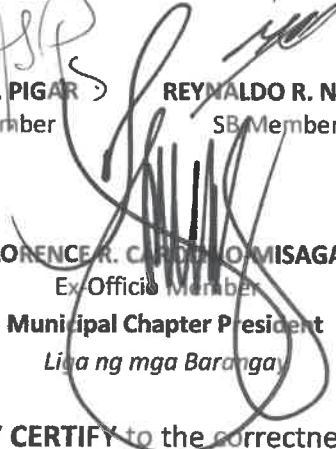
JOJO N. NEPOMUCENO
SB Member
(absent)



GRACIA G. PIGAR
SB Member


REYNALDO R. NIMO
SB Member


FEDERICO P. CAROLINO, JR.
SB Member


ROBERTA C. PEÑARANDA
SB Member


FLORENCE R. CAROLINO MISAGAL
Ex-Officio Member
Municipal Chapter President
Liga ng mga Barangay


DAVE A. NIDERA
Ex-Officio Member
President

Pambayang Pederasyon ng mga Sangguniang Kabataan

I HEREBY CERTIFY to the correctness of this foregoing ordinance and that the same was enacted on the date above stated.


JUDE R. DELA TORRE
Secretary to the Sanggunian

ATTESTED:


ATTY. FEDERICO N. CAROLINO, SR.
Municipal Vice-Mayor/Presiding Officer

APPROVED:


ATTY. FE CLAIRE P. CAROLINO-PARAGATOS
Municipal Mayor

DATE: 5.16.24