

Item No.: 07

Date: 20 2024 AUG



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

-oOo-



PROVINCIAL LEGAL OFFICE

2<sup>nd</sup> INDORSEMENT

July 30, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 189 series of 2024 of the Sangguniang Bayan of Matag-ob, Leyte.

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

- Ordinance No. 189, series of 2024 entitled: **“An Ordinance Amending Certain Provisions of Municipal Ordinance No. 86, Series of 2019, Otherwise Known as the Anti-Littering Ordinance of Matag-ob Leyte.**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 447(1)(iii)<sup>1</sup> and (5)(xiii)<sup>2</sup> of the Local Government Code of 1991( R.A 7160).

Likewise as settled in the case of Constantino v. Desierto 288 SCRA 654, it is within the power of the local council to repeal or amend its prior acts either expressly, or by the passage of an essentially inconsistent resolutions. Hence, recommending 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 and/or the courts.

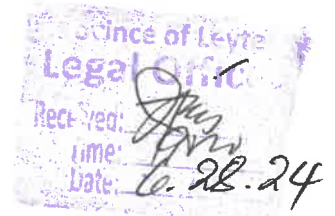
**ATTY. JOSE RAYMUND A. ACOL**  
*Asst. Provincial Legal Officer*

<sup>1</sup> Section 447(1)(iii) Approve Ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos(P 2,500.00) xxxxx

<sup>2</sup> Section 447(5)(xiii) Provide for an efficient and effective system of solid waste and garbage collection and disposal and prohibit littering and the placing or throwing of garbage, refuse and other filth and wastes....

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**



1<sup>ST</sup> INDORSEMENT  
27 June 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No.189**, series of 2024 of the **Municipality of Matag-ob, Leyte**, entitled: **An Ordinance Amending Certain Provisions of Municipal Ordinance No. 86, Series of 2019, Otherwise Known as the Anti-Littering Ordinance of Matag-ob, Leyte.**

A handwritten signature in blue ink, appearing to be "F. Uyvico".

**FLORINDA JILL S. UYVICO**  
Secretary to the Sangguniang



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MATAG-OB  
-o0o-

**COPY FOR**

SB : \_\_\_\_\_  
MMO : \_\_\_\_\_  
OTHERS : OP \_\_\_\_\_

**OFFICE OF THE SECRETARY TO THE SANGGUNIAN**

**INDORSEMENT**

June 10, 2024

HONORABLE LEONARDO "SANDY" JAVIER  
Vice-Governor  
Presiding Officer  
Sangguniang Panlalawigan of Leyte

Sir:

Respectfully forwarding to your good office the herein attached Municipal Ordinance No. 189 series 2024, of the Sangguniang Bayan of Matag-ob, Leyte titled: "AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 86 SERIES 2019, OTHERWISE KNOWN AS THE ANTI-LITTERING ORDINANCE OF MATAG-OB, LEYTE.", for review and approval by the Sangguniang Panlalawigan.

Very truly yours,

ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian





**COPY FOR**

SB :

MMO :

OTHERS : *SP*

Republic of the Philippines

Province of Leyte

MUNICIPALITY OF MATAG-OB

OFFICE OF THE SANGGUNIANG BAYAN

I HEREBY CERTIFY that the foregoing ordinance was duly enacted by the Sangguniang Bayan in regular session assembled:

*AM*  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

ATTESTED:

*[Signature]*  
HON. ROMEO N. ALBARIDA  
Senior SB Member

*[Signature]*  
HON. ARTEMIO T. ALMOROTO  
SB Member

*[Signature]*  
HON. JOEL N. DENOY  
SB Member

*[Signature]*  
HON. EVANGELINE C. CARNO  
SB Member

*[Signature]*  
HON. ORLANDO G. VIACRUSIS  
SB Member

*[Signature]*  
HON. EDUARDO E. TOLEDO  
SB Member

ABSENT, on Leave

HON. PAOLO ANTONIO C. LAURENTE  
SB Member

ABSENT, on O.B.

HON. RICARDO L. GIVA  
SB Member

*[Signature]*  
HON. ANA LOYE D. BORDEN  
Ex-Officio-Member, SK Fed. President

*[Signature]*  
HON. JOEL G. TACOY  
Ex-Officio Member, LNB President

*[Signature]*  
HON. VINCENT LYBBERN P. TACOY  
Municipal Vice-Mayor  
Presiding Officer

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGUNIANG BAYAN OF MATAG-OB, LEYTE, HELD AT THE LEGISLATIVE SESSION HALL ON MAY 27, 2024.

**MUNICIPAL ORDINANCE NO. 189 series 2024  
(Proposed Municipal Ordinance No. 210)**

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 86 SERIES 2019, OTHERWISE KNOWN AS THE ANTI-LITTERING ORDINANCE OF MATAG-OB, LEYTE.

Author : Hon. Romeo N. Albarida  
Co-Authors : Hon. Artemio T. Almoroto  
Hon. Orlando G. Viacrusis  
Hon. Eduardo E. Toledo  
Hon. Paolo Antonio C. Laurente  
Hon. Ricardo L. Giva

Be it ordained by the Sangguniang Bayan of Matag-ob, Leyte, in its regular session assembled, that:

**Section 1.** Add the foregoing Section which assigned as **Section 4**, to read as follows:

***“Section 4. It shall be unlawful to throw trash or garbage in any places within the territorial jurisdiction of the Municipality to maintain cleanliness and orderliness of their immediate surroundings and frontage, or any prohibited act stated in Municipal Ordinance No. 174 s. 2023.***

**Section 2.** **Section 4** of Municipal Ordinance No. 86 series 2019 shall be assigned as **Section 5**, which shall be amended to add a sub-section to read as follows:


***“5.3 All biodegradable must be thrown in compost pit area, while non-biodegradable must be placed at material recovery facility of respective barangays of the 21 component barangays of the municipality.***

**Section 3.** **Section 8** shall be assigned as **Section 9** and shall be amended to read as follows:

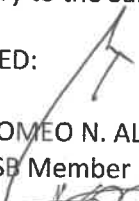






I HEREBY CERTIFY that the foregoing ordinance was duly enacted by the Sangguniang Bayan in regular session assembled:

  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

ATTESTED:

  
HON. ROMEO N. ALBARIDA  
Senior SB Member

  
HON. ARTEMIO T. ALMOROTO  
SB Member

  
HON. JOEL N. DENOY  
SB Member

  
HON. EVANGELINE C. CARNO  
SB Member

  
HON. ORLANDO G. VIACRUSIC  
SB Member

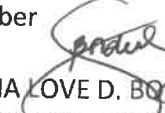
  
HON. EDUARDO E. TOLEDO  
SB Member

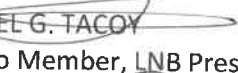
**ABSENT, on Leave**


HON. PAOLO ANTONIO C. LAURENTE  
SB Member

**ABSENT, on O.B.**

HON. RICARDO L. GIVA  
SB Member

  
HON. ANA LOVE D. BORDEN  
Ex-Officio Member, SK Fed. President

  
HON. JOEL G. TACOY  
Ex-Officio Member, LNB President

  
HON. VINCENT LYNBERN P. TACOY  
Municipal Vice-Mayor  
Presiding Officer

Any person/s found violating any provision of this ordinance shall be penalized as follows:

First Offense: Pay the Administrative Fine of 300.00 or render community service of 3-hours;

Second Offense : Pay the Administrative Fine of Five Hundred (P500.00) Pesos or render community service of 4-hours;

Third offense: Pay the Administrative Fine of One Thousand Pesos (Php1,000.00) and/or imprisonment of 1 day, or both such fine and imprisonment at the discretion of the court.

**Section 4. Repealing Clause.** By virtue of this ordinance, Municipal Ordinance No. 32 series 1991, and Municipal Ordinance No. 25 series 2003, and all other ordinances inconsistent herewith are hereby repealed and/or modified accordingly.

**Section 5. Amendments Clause.** This ordinance may be amended or modified as necessary through the appropriate legislative process.

**Section 5. Effectivity Clause.** This ordinance will take effect 15 days upon approval.

APPROVED by the Body with the following votes:

**AYES: 8 Votes**


1. HON. ROMEO N. ALBARIDA  
Senior SB Member
2. HON. ARTEMIO T. ALMOROTO  
SB Member
3. HON. JOEL N. DENOY  
SB Member
4. HON. EVANGELINE C. CARNO  
SB Member
5. HON. ORLANDO G. VIACRUSIC  
SB Member
6. HON. EDUARDO. E. TOLEDO  
SB Member
7. HON. ANA LOVE D. BORDEN  
Ex-Officio Member, SK Fed. President
8. HON. JOEL G. TACOY  
Ex-Officio Member, LNB President



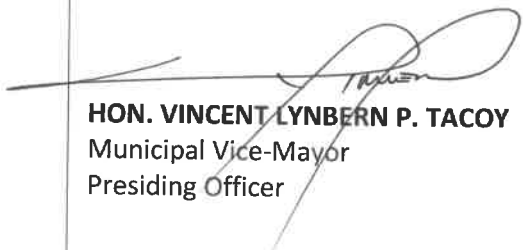
**NAYES: 0**  
**ABSTAIN: 0**

ENACTED this 27<sup>th</sup>. day of May, 2024.


I HEREBY CERTIFY that the foregoing ordinance was duly enacted by the Sangguniang Bayan in regular session assembled:

  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

ATTESTED:

  
HON. VINCENT LYNBERN P. TACOY  
Municipal Vice-Mayor  
Presiding Officer

I HEREBY CERTIFY the correctness of the foregoing ordinance duly enacted by the Sangguniang Bayan of Matag-ob, Leyte in regular session on May 27, 2024.

  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED  
TO BE DULY ENACTED.**

  
HONORABLE ROMEO N. ALBARIDA  
Senior SB Member

  
HONORABLE ARTEMIO T. ALMOROTO  
SB Member

  
HONORABLE JOEL N. DENOY  
SB Member

  
HONORABLE EVANGELINE C. CARNO  
SB Member

  
HONORABLE ORLANDO G. VIACRUSIS  
SB Member

  
HONORABLE EDUARDO E. TOLEDO  
SB Member

**ABSENT – on Leave**  
HONORABLE PAOLO ANTONIO C. LAURENTE  
SB Member

**ABSENT – on O.B.**  
HONORABLE RICARDO L. GIVA  
SB Member

  
HONORABLE ANA LOVE D. BORDEN  
Ex-Officio Member, SK Federation President

  
HONORABLE JOEL G. TACOY  
Ex-Officio Member, LNB President

3

Mun. Ord. #189  
May 27, 2024



*IMMER*  
**HONORABLE VINCENT LYNBERN P. TACOY**  
Municipal Vice-Mayor  
Presiding Officer

I HEREBY CERTIFY that the foregoing minutes was adopted with amendments:

*AN*  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

ATTESTED:

*Romeo N. Albarida*  
HON. ROMEO N. ALBARIDA  
Senior SB Member

*Artemio T. Almoroto*  
HON. ARTEMIO T. ALMOROTO  
SB Member

*Joel N. Denoy*  
HON. JOEL N. DENOY  
SB Member

*Evangelina C. Carno*  
HON. EVANGELINE C. CARNO  
SB Member

*Orlando G. Viacrusis*  
HON. ORLANDO G. VIACRUSIS  
SB Member

*Eduardo E. Toledo*  
HON. EDUARDO E. TOLEDO  
SB Member

**ABSENT, on Leave**

HON. PAOLO ANTONIO C.  
LAURENTE  
SB Member

**ABSENT, on O.B.**

HON. RICARDO L. GIVA  
SB Member

*Borden*  
HON. ANA LOVE D. BORDEN  
Ex-Officio Member, SK Fed. Pres.

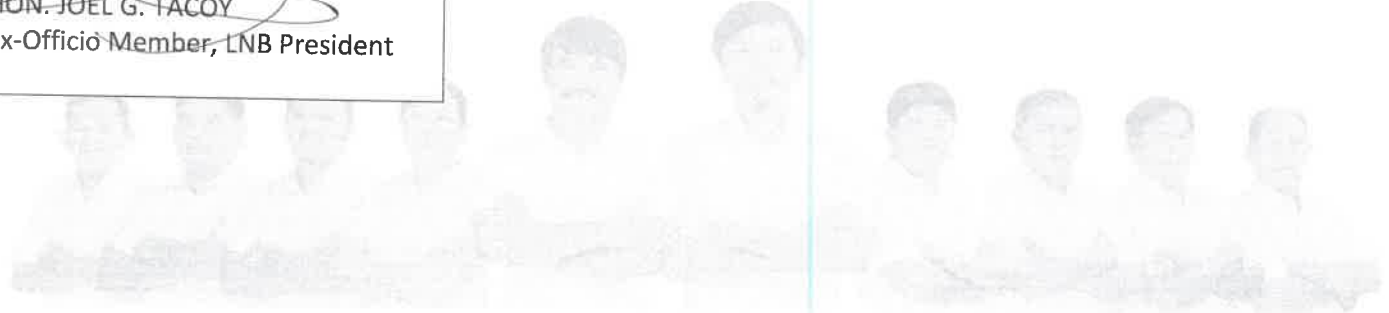
*Joel G. Tacoy*  
HON. JOEL G. TACOY  
Ex-Officio Member, LNB President

APPROVED:

*Bernardino G. Tacoy*  
**HONORABLE BERNARDINO G. TACOY**  
Municipal Mayor

**24 JUN 2024**

Date Signed





Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MATAG-OB  
-o0o-

**OFFICE OF THE SECRETARY TO THE SANGGUNIAN**

**CERTIFICATION OF POSTING**

THIS IS TO CERTIFY that copies of Municipal Ordinance No. 189 series 2024, of the Sangguniang Bayan of Matag-ob, Leyte, titled "AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 86 SERIES 2019, OTHERWISE KNOWN AS THE ANTI-LITTERING ORDINANCE OF MATAG-OB, LEYTE." are posted in Three (3) conspicuous places within the municipality of Matag-ob, Leyte for three consecutive weeks from May 27, 2024.

This certification is issued in compliance with Section 59 of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 10<sup>th</sup>. Day of June, 2024.

  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

