

Item No.: 08

Date: 01 2024 OCT

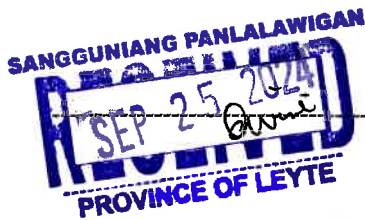


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released: [Signature]
Time: [Signature]
Date: 9-25-24



2nd INDORSEMENT
September 23, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 06 Series of 2024 of the Sangguniang Bayan of Tunga, Leyte.

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

- Ordinance No. 06 Series of 2024 entitled: **“An Ordinance Creating A Plantilla Position of Tax Mapper, Salary Grade 11 in the Local Government Unit of Tunga, Leyte Under the Office of the Municipal Assessor and Appropriating Funds Therefor.**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 76¹, Section 325(g)² and Section 447(1)(viii)³ of the Local Government Code of 1991 (R.A 7160). Hence, recommending 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 and/or the courts.

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

¹ Section 76 Every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.

² Section 325(g) The creation of new positions and salary increases or adjustment shall in no case be made retroactive;

³ Section 447(1)(viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of official 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.

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Province of Leyte
Legal Office
Received: *[Signature]*
Time: *[Signature]*
Date: 9.20.24

1ST INDORSEMENT
20 September 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 06, series of 2024 of Tunga, Leyte**, entitled: **An Ordinance Creating a Plantilla Position of Tax Mapper, Salary Grade 11 in the Local Government Unit of Tunga, Leyte under the Office of the Municipal Assessor and Appropriating Funds Therefor.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
Province of Leyte
MUNICIPALITY OF TUNGA
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SANGGUNIANG PUNLALAWIGAN



OFFICE OF THE SANGGUNIANG BAYAN

PROVINCE OF LEYTE

EXCERPTS FROM THE MINUTES OF THE 99TH REGULAR SESSION OF THE SANGGUNIANG BAYAN, TUNGA, LEYTE HELD ON SEPTEMBER 9, 2024 AT THE SB SESSION HALL.

PRESENT:

- | | |
|-----------------------------|---|
| Hon. Egidio G. Baac | - Municipal Vice-Mayor/Presiding Officer |
| Hon. Martiniano F. Requiez | - SR Member |
| Hon. Edmundo O. Labarda | - SB Member |
| Hon. Joselito L. Arintoc | - SB Member |
| Hon. Lemuel G. Ponferrada | - SB Member |
| Hon. Marietta A. Catalo | - SB Member |
| Hon. Rex S. Ergina | - SB Member |
| Hon. Jose Capoporo A. Uribe | - SB Member |
| Hon. Severino B. Sari | - SB Member |
| Hon. Leo Van C. Delgado | - Ex-Officio Member/SK Federation President |

ABSENT:

- | | |
|-----------------------------|-----------------------------------|
| Hon. Florentina A. Obsequio | - Ex-Officio Member/ABC President |
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MUNICIPAL ORDINANCE NO. 06
Series of 2024

AN ORDINANCE CREATING A PLANTILLA POSITION OF TAX MAPPER, SALARY GRADE 11 IN THE LOCAL GOVERNMENT UNIT OF TUNGA, LEYTE UNDER THE OFFICE OF THE MUNICIPAL ASSESSOR AND APPROPRIATING FUNDS THEREFOR.

Sponsored: Hon. Lemuel G. Ponferrada
Co-Sponsored: Hon. Jose Capoporo A. Uribe
Hon. Marietta A. Catalo

WHEREAS, Section 447 (1)(viii) of Republic Act No. 7160 provides that one of the functions of the Sangguniang Bayan is to determine the positions and the 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;

WHEREAS, Section 76 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standard and guidelines prescribed by the Civil Service Commission;

WHEREAS, The Sangguniang Bayan is likewise empowered to create any position in the Local Government Unit based on the priority needs of the municipality as identified by the Local Chief Executive provided that all mandatory positions have been created. The Salary Standardization Law has been fully implemented and the budgetary limitations on Personal Services (PS) expenditures are not exceeded as provided in Section 325 of the Local Government Code;

WHEREAS, Human Resource is no doubt the biggest resource of LGUs as such, it must be fully used in the service of the people to continually fulfill their obligation to serve the people in the most effective, efficient, and accountable manner,

RESOLVED, as it is hereby resolved, by the Sangguniang Bayan of Tunga, Leyte, in session assembled, to enact the following ordinance:

SECTION 1. TITLE – This Ordinance shall be known as an “Ordinance Creating a Plantilla Position of Tax Mapper in the Local Government Unit of Tunga, Leyte under the Office of the Municipal Assessor and Appropriating Funds Therefor.”

SECTION 2. PURPOSE – To meet the needs of the present demands and a very functional responsive government institution.

POSITION	SALARY GRADE	OFFICE
1 Tax Mapper	11	Office of the Municipal Assessor

SECTION 3. QUALIFICATIONS, POWERS, AND DUTIES/RESPONSIBILITIES

The qualifications, powers, duties and responsibilities herein enumerated position shall be based on the provisions of the Local Government Code and Civil Service Commission (CSC) laws, rules and regulations.

SECTION 4. APPOINTMENTS – The appointment for the one who will be occupying, the herein mentioned position shall be within the prescribed qualification standard and guidelines set forth by the Civil Service Commission (CSC) and other relevant laws.

SECTION 5. APPROPRIATION – Appropriation of funds shall be incorporated in the Local Government Unit (LGU) Annual Budget for effective and continuous implementation of this ordinance.


SECTION 6. REPEALING CLAUSE – All ordinances, rules and regulations or part thereof inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 7. EFFECTIVITY CLAUSE – This ordinance shall take effect 15 days after posting in three (3) conspicuous places.

ENACTED by the Sangguniang Bayan, in session assembled this 9th day of September 2024 at Tunga, Leyte.

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I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance.


NAOMI C. ARCALLANA
Secretary to the Sanggunian

ATTESTED:


EGIDIO G. BAAC
Municipal Vice Mayor/Presiding Officer


MARTINIANO F. REQUEZ
SB Member


EDMUNDO O. LABARDA
SB Member


JOSELITO L. ARINTOC
SB Member


LEMUEL G. PONFERRADA
SB Member


MARIETTA A. CATALO
SB Member


REX S. ERGINA
SB Member


JOSE CAOPORO A. URIBE
SB Member


SEVERINO B. SARI
SB Member

(absent)
FLORENTINA A. OBSEQUIO
Ex-Officio/ABC President


LEO VAN C. DELGADO
Ex-Officio/SK Fed. President

APPROVED:


REINBERT C. COSTELO
Municipal Mayor
Date: 09-18-24



REPUBLIC OF THE PHILIPPINES
Province of Leyte
MUNICIPALITY OF TUNGA
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that *Municipal Ordinance No. 06, S. 2024* entitled: **“AN ORDINANCE CREATING A PLANTILLA POSITION OF TAX MAPPER, SALARY GRADE 11 IN THE LOCAL GOVERNMENT UNIT OF TUNGA, LEYTE UNDER THE OFFICE OF THE MUNICIPAL ASSESSOR AND APPROPRIATING FUNDS THEREFOR”**, has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Issued this 19th day of September, 2024 at Tunga, Leyte.


NAOMI C. ARCALLANA
Secretary to the Sanggunian