

Item No.: 12

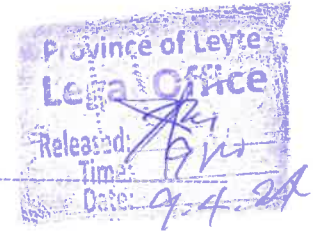
Date: 10 2024 SEP



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

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SANGGUNIANG PANLALAWIGAN PROVINCIAL LEGAL OFFICE



2<sup>nd</sup> INDORSEMENT  
September 2, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 188 Series of 2024 of the Sangguniang Bayan of Matag-ob, Leyte.

**Issues/concerns for review is/are as follows:**

- Ordinance No. 188 Series of 2024 entitled: **“An Ordinance Imposing Rentals of Commercial Space in the Senior Citizens Building of Matag-ob, 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 (3)<sup>1</sup> sub par (i) and (iii)<sup>2</sup> of the Local Government Code. 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.

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

<sup>1</sup> Section 447 (1) - Approve ordinances and pass resolutions necessary for an efficient and effective municipal government xxx

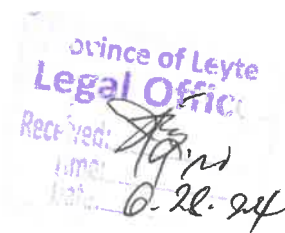
<sup>2</sup> Section 447, par 3.

(i) Fix and impose reasonable fees and charges for all services rendered by the municipal government to private persons or entities; xxx

(iii) Prescribe the terms and conditions under which public utilities owned by the municipality shall be operated by the municipal government or leased to private persons or entities, preferably cooperatives;

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.188**, series of 2024 of the **Municipality of Matag-ob, Leyte**, entitled: **An Ordinance Imposing Rentals of Commercial Space in the Senior Citizens Building of Matag-ob, Leyte.**

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




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:

  
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. VIACRUSIS  
SB Member


  
HON. EDUARDO E. TOLEDO  
SB Member

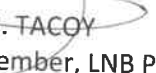
**ABSENT, on Leave**

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

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. 188 series 2024  
(Proposed Municipal Ordinance No. 205)**

AN ORDINANCE IMPOSING RENTALS OF COMMERCIAL SPACE IN THE SENIOR CITIZENS BUILDING OF MATAG-OB, LEYTE.

Author : Hon. Ricardo L. Giva  
Co-authors : Hon. Romeo N. Albarida  
Hon. Joel N. Denoy  
Hon. Evangeline C. Carno  
Hon. Paolo Antonio C. Laurente

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

**SECTION 1. Short Title.** This ordinance shall be known as the Rental rates for commercial spaces in the Senior Citizens Building.

**SECTION 2. Definition of terms.** When used in this ordinance, the following terms shall mean as follows:

1. Rentals – an amount paid or received as rent;
2. Commercial Spaces – shall mean the sub-divided stalls inside the Senior Citizens Building used for business;

**SECTION 3. Commercial Stalls/Space.** The Senior Citizens Building is sub divided into 2 commercial stalls/spaces and 1 Tourism Information Center numbered as follows:

- 3.1 Stall #1 – situated in the left wing for commercial activity;
- 3.2 Stall #2 – shall be utilized by the Municipal Tourism Office as its Welcome and Information Center;
- 3.3 Stall #3 – situated in the right wing for commercial activity/Pasalubong Center;



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Province of Leyte  
MUNICIPALITY OF MATAG-OB  
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COPIES FOR

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OFFICE OF THE SECRETARY TO THE SANGGUNIAN

## ENDORSEMENT


June 10, 2024

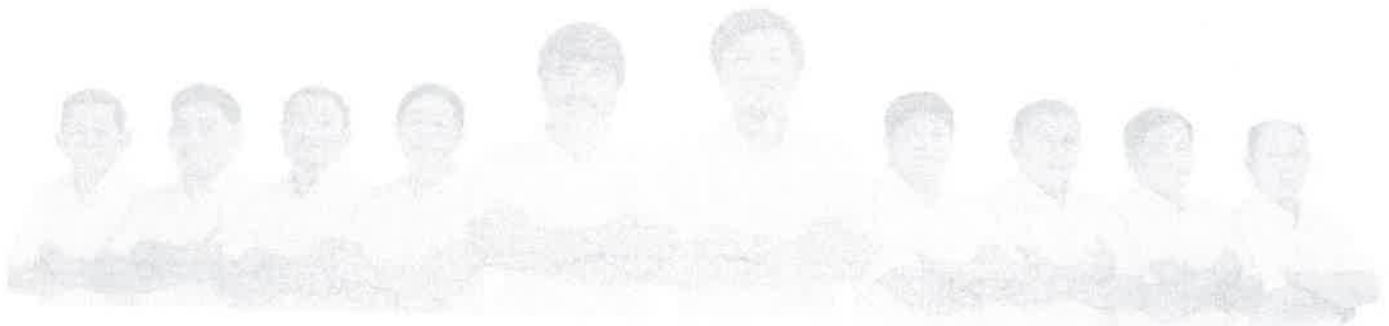
HONORABLE LEONARDO "SANDY" JAVIER  
Vice-Governor  
Presiding Officer  
Sangguniang Panlalawigan of Leyte

Sir:

Respectfully forwarding to your good office the herein attached Municipal Ordinance No. 188 series 2024, of the Sangguniang Bayan of Matag-ob, Leyte titled: AN ORDINANCE IMPOSING RENTALS OF COMMERCIAL SPACE IN THE SENIOR CITIZENS BUILDING OF MATAG-OB, LEYTE.", for review and approval by the Sangguniang Panlalawigan.


Very truly yours,

  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

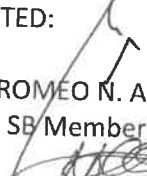


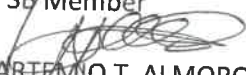



I HEREBY CERTIFY that the foregoing ordinance was duly enacted by the Sangguniang Bayan in regular session assembled:

  
ANA MARIA SANORIA-ECIJA  
Secretary to the Sanggunian

ATTESTED:

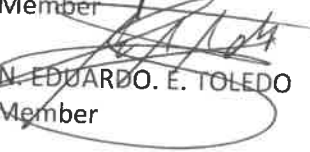
  
HON. ROMEO N. ALBARIDA  
Senior SB Member

  
HON. ARTEMIO T. ALMOROTO  
SB Member

  
HON. JOEL N. DENOY  
SB Member

  
HON. EVANGELINE C. CARNO  
SB Member

  
HON. ORLANDO G. VIACRUSIS  
SB Member

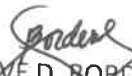
  
HON. EDUARDO. E. TOLEDO  
SB Member


**ABSENT, on Leave**

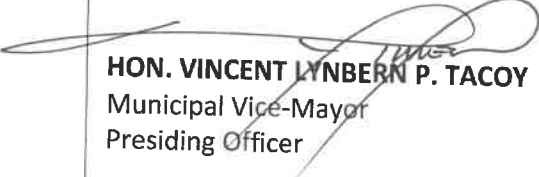
HON. PAOLO ANTONIO C. LAURENTE  
SB Member

**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

#### SECTION 4. RENTALS, FEES AND CHARGES.

The following fees and charges shall be imposed:

Monthly Rental	- 3,500.00
1 month advance	- 3,500.00
2 months deposit	- 7,000.00
Occupancy Rights	- 20,000.00
<b>TOTAL</b>	<b>=34,000.00</b>

#### SECTION 5. TERMS AND CONDITIONS.

The following terms and conditions shall govern in the implementation of this ordinance:

5.1 No person, natural or juridical shall be allowed to occupy any of the commercial space in the Senior Citizens Building unless a Lease Contract has been signed, duly notarized and payment of the corresponding rentals, fees and charges.

5.2 The Lessee shall at all times observe the terms and conditions stipulated in the Lease Contract.

5.3 The Lessee shall be given a free hand in the improvement of the interior of the stall provided that no alteration shall cause to change the actual size of the stall.

5.4 The Lessee shall be given a period of Two (2) Months free of rental to cover the cost of improvement made, if any in the interior of the stall.

5.5 Rentals shall be paid every 1<sup>st</sup>. day of the month. Delinquency in the monthly rental shall be charged 25 % surcharge, and 2% interest per month, which shall commence on the 2<sup>nd</sup>. day of the succeeding month.

#### SECTION 6. REPEALING CLAUSE.

All ordinances, rules, and regulations or parts thereof whose provisions are in conflict with or contrary to the provision of this ordinance are hereby repealed, amended or modified accordingly.

#### SECTION 7. AMENDMENTS.

This ordinance may be amended or modified as necessary through the appropriate legislative process.

#### SECTION 8. EFFECTIVITY.

This Ordinance Shall take effect within 10 days after its approval and shall be published in full for three (3) consecutive days in a newspaper of local circulation.

APPROVED by the Body with the following votes:


**AYES: 8 Votes**

1. HON. ROMEO N. ALBARIDA  
Senior SB Member





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:


**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

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. VIACRUSIS  
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 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

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Mun. Ord. #188

May 27, 2024



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

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

ATTESTED:

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**  
HONORABLE PAOLO ANTONIO C. LAURENTE  
SB Member

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

*[Signature]*  
**HONORABLE ANA LOVE D. BORDEN**  
Ex-Officio Member, SK Federation President

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

*[Signature]*  
**HONORABLE VINCENT LYBERN P. TACOY**  
Municipal Vice-Mayor  
Presiding Officer

*[Signature]*  
APPROVED:

*[Signature]*  
**HONORABLE BERNARDINO G. TACOY**  
Municipal Mayor

\_\_\_\_\_  
Date Signed





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Province of Leyte  
MUNICIPALITY OF MATAG-OB  
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**OFFICE OF THE SECRETARY TO THE SANGGUNIAN**

**CERTIFICATION OF POSTING**

THIS IS TO CERTIFY that copies of Municipal Ordinance No. 188 series 2024 of the Sangguniang Bayan of Matag-ob, Leyte, titled "AN ORDINANCE IMPOSING RENTALS OF COMMERCIAL SPACE IN THE SENIOR CITIZENS BUILDING 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

