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Item No.: 13

Date: 25 2024 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Date: 9-19-24

SANGGUNIANG PANLALAWIGAN
SEP 19 2024
PROVINCE OF LEYTE

2nd INDORSEMENT
September 11, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 27 Series of 2024 of Sangguniang Bayan of Jaro, Leyte.

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

- Ordinance No. 27 Series of 2024 entitled: **An Ordinance for the Purpose of Protection and Preservation of Rivers Owned within the Jurisdiction of Jaro, Leyte and Imposing Penalty for Violations Thereof.**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is within the powers covered under Section 447(1)(iii)¹ and 447(5)(i)² of the Local Government Code of 1991 (R.A7160) and in consonance with Article II Section 16³ of the 1987 Philippine Constitution.

Furthermore, said ordinance is in line with the mandate of Republic Act 9275, the Philippine Clean Water Act of 2004, which aims to protect the country's water bodies from pollution from land-based resources (industries and commercial establishment, agriculture and community/household activities). 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 447(1)(iii) Approve ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos (P2,500.00) xx

² Section 447(5)(i) Provide for the establishment, maintenance, protection and conservation of communal forest and water sheds, tree parks, greenbelts, mangroves, and other forest development project.

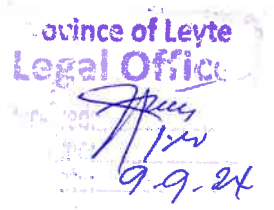
³ Article II Section 16 of the Constitution expressly declare that the state shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Republic of the Philippines
PROVINCE OF LEYTE

-0-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST ENDORSEMENT
06 September 2024



Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the herein **ORDINANCE NO. 27 SERIES OF 2024**; titled: **"AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF"**, for review and recommendations.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

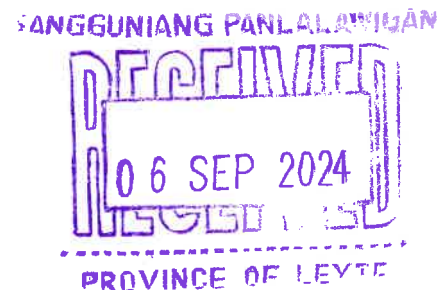


Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
Office of the Sangguniang Bayan Secretary
Legislative Building
Corner Del Carmen and Real Streets

September 4, 2024

THE HONORABLE SANGGUNIANG PANLALAWIGAN
Provincial Capitol Complex
Tacloban City

Thru: **Florinda Jill S. Uyvico**
Secretary to the Sanggunian



Madam;

Respectfully forwarding **ORDINANCE NO. 27**, Series of 2024, otherwise known as **"AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF"**, for review and favorable action by the Honorable Sangguniang Panlalawigan.

Thank you in advance for your kind consideration on the matter.

Very truly yours,

NICOMEDES R. BORJA
Board Secretary V
Secretary to the Sanggunian

NOTED:

HON. RODRIGO C. ARBAS
Municipal Vice-Mayor
Presiding Officer



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF JARO

SANGGUNIANG PANLALAWIGAN
RECEIVED
06 SEP 2024
PROVINCE OF LEYTE

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 90th REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF JARO, LEYTE HELD AT THE SB SESSION HALL,
LEGISLATIVE BUILDING ON JULY 15, 2024.

PRESENT:

HON. RODRIGO C. ARBAS	-Municipal Vice-Mayor/Presiding Officer
HON. LANDILINO T. KATANGKATANG	-SB Member
HON. JULIAN L. EMNAS	-SB Member
HON. FRANCISCO R. ALTRES	-SB Member/Majority Floor Leader
HON. ALEXANDER N. SALGADO	-SB Member
HON. REY P. AURE	-SB Member
HON. PEDRO B. TAÑALA, JR.	-SB Member/ABC Fed.-President
HON. VIANCA MAE N. FAMILAR	-SB Member/SK Fed.-President

PRESENT:

HON. JONELL MARTIN A. QUE	-SB Member
HON. LEO ANGELO T. PORMIDA	-SB Member
HON. GUALBERTO V. ELISES	-SB Member/Presiding Officer Pro-Tempore

EXPLANATORY NOTE

Section 16, Article II of the 1987 Philippine Constitution expressly declares 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.

Section 447 (a) (5) (i) of RA 7160, or otherwise known as the Local Government Code of 1991, states that the Sangguniang Bayan shall provide for the establishment, maintenance, protection, and conservation of communal forests and watersheds, tree parks, greenbelts, and other similar forest development projects.

Relative thereto, every municipality is mandated to exert efforts to establish, develop and maintain a permanent forest, tree parks or watershed areas within public lands owned by the municipality with an aggregate size equivalent to at least two percent of its entire area, Provided, that forest, park, or watershed areas may be located in one or more places within the municipality.

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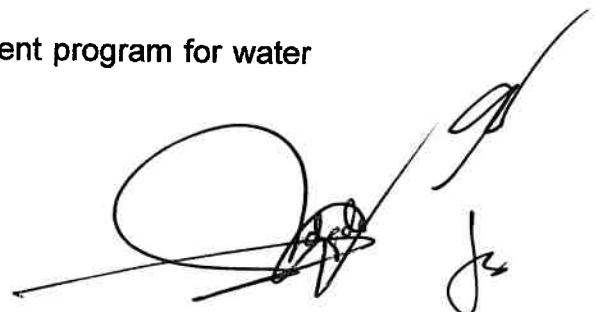
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Section 2 of Republic Act No. 9275, or otherwise known as Philippine Clean Water Act of 2004, provides that the state shall pursue a policy of economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh waters. To achieve this end, the framework for sustainable development shall be pursued. As such, it shall be the policy of the State:

- a. To streamline processes and procedures in the prevention, control and abatement of pollution of the country's water resources;
- b. To promote environmental strategies, use of appropriate economic instruments and of control mechanisms for the protection of water resources;
- c. To formulate a holistic national program of water quality management that recognizes that water quality management issues cannot be separated from concerns about water sources and ecological protection, water supply, public health and quality of life;
- d. To formulate an integrated water quality management framework through proper delegation and effective coordination of functions and activities;
- e. To promote commercial and industrial processes and products that are environment friendly and energy efficient;
- f. *To encourage cooperation and self-regulation among citizens and industries through the application of incentives and market-based instruments and to promote the role of private industrial enterprises in shaping its regulatory profile within the acceptable boundaries of public health and environment;*
- g. To provide for a comprehensive management program for water pollution focusing on pollution prevention;

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- h. To promote public information and education and to encourage the participation of an informed and active public in water quality management and monitoring;
- i. To formulate and enforce a system of accountability for short and long-term adverse environmental impact of a project, program or activity; and
- j. To encourage civil society and other sectors, particularly labor, the academe and business undertaking environment-related activities in their efforts to organize, educate and motivate the people in addressing pertinent environmental issues and problems at the local and national levels.

Likewise, RA No. 9275, mandates that Local Government Units shall share the responsibility in the management and improvement of water quality within their territorial jurisdictions.

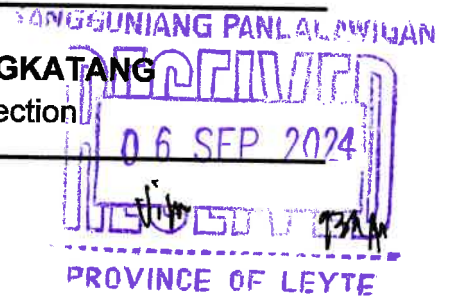
It provides further, that every concerned agency, association and individuals shall extend efforts in order to conserve, protect, restore and enhance the water bodies within the local government unit, consistent with the rules and regulations authorized or promulgated by the Secretary for Agriculture and Natural Resources.

The Municipality of Jaro, Leyte recognizes on the need to conserve and protect the municipal waters and its resources within its territorial jurisdictions, and is committed to ensure the sustainable management, development and its conservation; henceforth, this proposed ordinance for the enactment of the Sangguniang Bayan.


HON. LANDILINO T. KATANGKATANG
Chairman Committee on Environmental Protection

INTRODUCED BY: HON. LANDILINO T. KATANGKATANG
Chairman Committee on Environmental Protection

ORDINANCE NO. 27
SERIES OF 2024



AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF.

SECTION 1. TITLE - This Ordinance shall be known as the *"An Ordinance for the Purpose of Protection and Preservation of Rivers Owned Within the Jurisdiction of Jaro, Leyte and Imposing Penalty for Violations Thereof"*.

SECTION 2. DECLARATION OF POLICY - It is hereby the declared policy of the municipality to:

- A. Promote conservation and ensure sustainable and equitable management of its water bodies, especially the different watershed areas in Jaro, in conformity with local laws and regulations and other applicable special laws of the Philippines;
- B. Ensure, for the benefit and enjoyment of the people of Jaro, the judicious and wise utilization, protection, conservation and sustainable management of its water bodies and its resources to maintain biodiversity and sound ecological balance, protect the surroundings in order to preserve the existing panoramic view of the environment;
- C. Allow people's full and active participation in the conservation and management of the water bodies of Jaro and its resources and promote awareness through appropriate education and training including the proper taking out, catching or collecting of any living or non-living thing from or within the water bodies;

- D. Provide full support for sustainable protection and conservation of the municipal waters through appropriate technology and research, adequate financing, production and marketing assistance and other services;
- E. Allow the private sector to develop and utilize resources under the basic concepts that the grantee, licensee or permittee thereof, shall not only be a privileged beneficiary of the municipality, but also an active participant and partner of the municipal government in the management, development, conservation and protection of the water bodies and the resources of the municipality; and
- F. Promote and adhere to the precautionary principle of conservation, management and exploitation of living water resources in order to assure the sustainable development of its surrounding environment. The absence of adequate scientific and technical information should not be used as a reason for postponing or failing to take conservation and management measures.

SECTION 3. OBJECTIVE - The objective of this Ordinance is to protect and manage the water bodies, in all rivers owned within the jurisdiction of the municipality to ensure the sustainable use thereof, for better enjoyment and benefit of the people, and to establish the means and methods to enforce, control and regulate the activities of visitors, tourists, swimmers, and other resource users of the municipal rivers of Jaro.

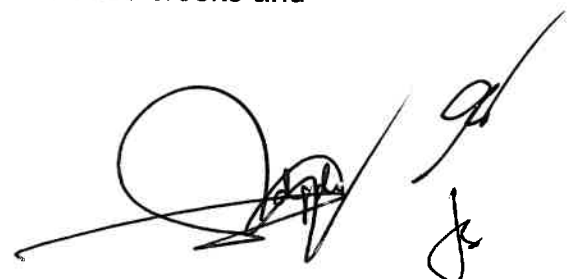
SECTION 4. APPLICABILITY AND ENFORCEMENT OF THE ORDINANCE

- The provisions of this Ordinance shall be applied and enforced in:

- A. All the municipal waters/rivers in Jaro, which includes creeks and watersheds areas;







- B. All activities or businesses relating to the use, development, conservation and management of the municipal waters and its resources; and
- C. All people, entities or corporations that use or intend to use the resources in the water bodies of Jaro.

SECTION 5. CREATION OF MUNICIPAL BANTAY KALIKASAN TASK FORCE AND ITS FUNCTIONS - A Municipal Bantay Kalikasan Task Force shall be created by the Municipality of Jaro, Leyte and composed of the following:

- Chairman : Municipal Environment and Natural Resources Officer
- Vice Chairman : Chairman Committee on Environmental Protection
- Members : Municipal Administrator
 - : Municipal Health Officer
 - : Municipal Planning and Development Coordinator
 - : Municipal Engineering Officer
 - : Municipal Building Official
 - : Municipal Local Government Operations Officer
 - : Philippine National Police - Jaro Police Station Officer
 - : Bureau of Fire Protection - Jaro Sub-Station
 - : Municipal Disaster Risk Reduction Management Officer
 - : All Members of the Municipal Sand and Gravel Task Force

The Municipal Bantay Kalikasan Task Force shall perform the following functions and duties in the implementation of this Ordinance:

- A. **Inspection** - Request the Municipal Environment and Natural Resources Office to designate field inspectors who will check if water pollutants and other hazardous substances are present in the water bodies and watershed areas of the municipality.

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- B. **Apprehension** - Coordinate with the Philippine National Police-Jaro and Department of Natural and Environment Resources, if necessary for the apprehension of any person, natural or juridical, found to be violating any of the prohibited acts of this Ordinance.

- C. **Information, Education, Communication (IEC)** - Coordinate with the Business Permit and Licensing Office/Local Economic and Investment Promotions Office for the conduct of massive IEC activities in collaboration with appropriate government or private agencies on proper wastewater management to increase the level of awareness and commitment of the public for the conservation and cleanliness of the water bodies and watershed areas of the municipality.

In addition to the foregoing functions, the Municipal Bantay Kalikasan Task Force, shall maintain the quality of the water bodies at the optimal level relative to protection of the conservation areas as well as the natural productivity and the cleanliness of areas devoted for aquaculture development, (ex. in-land fish ponds), in coordination with the concerned offices and departments of the national government.

SECTION 6. PROHIBITED ACTS - Thus, the following shall be considered as prohibited acts:

- A. Discharging water pollutants and other hazardous substances to the water bodies of Jaro, Leyte.

- B. Disposing of potential infectious medical waste into water bodies like in rivers and creeks.

- C. Killing and destroying species and other living water resources by using prohibited chemicals, electrocution, and the like.

- D. Throwing of litters or scattering of solid waste in the water bodies within the municipality.
- E. Leaving of animal manure or improper waste disposal of the owner of the animal to any water bodies.
- F. Other activities in the grounds or waters which directly or indirectly result or likely to result in damage or destruction to the water bodies and its resources, or may have such deleterious effect that may harm the living and non-living water resources, or may cause hazard to human health.

SECTION 7. PENALTIES AND FINES - Any person or entity who has committed the prohibited acts enumerated in the preceding section shall be subject to the following penalties and fines:

- A. **First Offense** - A fine of One Thousand Five Hundred Pesos (P 1,500.00) and/or community service for a period of eight (8) hours.
- B. **Second Offense** - A fine of Two Thousand Pesos (P 2,000.00), or community service for a period of sixteen (16) hours.
- C. **Third and Subsequent Offenses** - A fine of Two Thousand Five Hundred Pesos (P 2,500.00), community service for 24 hours.

The fines imposed under this Ordinance shall be without prejudice to the penalties imposed under Section 28 of R.A. 9275, also known as "An Act Providing for a Comprehensive Water Quality Management and for other Purposes."

In addition to the foregoing, the violators shall be required to contain, remove and clean-up the pollutants at their own expense. In case of failure to do such requirement, the municipality shall undertake containment, removal and clean-up operations and the cost incurred in the operations shall be at the expense of the violators.

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Provided, That the municipality shall take appropriate legal action for damages under existing and applicable laws and ordinances, including the application for injunctive relief, in order to address the violation of this Ordinance.

Provided, further the collected fines shall be remitted to the Municipal Treasurer for appropriate financial recording and shall form part of the municipal funds. An incentive of twenty percent (20%) of all the fines collected shall be shared equitably among the persons involved in the apprehension of the violators.

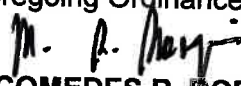
SECTION 8. MANDATORY REVIEW - The Sangguniang Bayan shall undertake to review mandatorily this Ordinance at least once every three (3) years or as often as it may deem necessary, to ensure that the policies and guidelines relative to the protection, management, conservation and/or development of the water bodies of the municipality and its water resources remain responsive to the changing circumstances of time.

SECTION 9. SEPARABILITY CLAUSE - The provisions of this Ordinance are hereby declared separable, and if any clause, sentence, provision or section is declared invalid, it shall not affect the other provisions or application of the ordinance.

SECTION 10. EFFECTIVITY - This ordinance shall take effect Fifteen (15) days after a copy hereof is posted in at least three (3) conspicuous places in the municipality in accordance with the provision of R.A. 7160.

ENACTED ON JULY 15, 2024.

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


NICOMEDES R. BORJA
Secretary to the Sanggunian
(Board Secretary V)

CONCURRED:

HON. JONELL MARTIN A. QUE
SB Member
Absent-On Leave


HON. LANDILINO T. KATANGKATANG
SB Member


HON. JULIAN L. EMNAS
SB Member


HON. FRANCISCO R. ALTRES
SB Member/Majority Floor Leader

HON. LEO ANGELO T. PORMIDA
SB Member
Absent-On Leave

HON. GUALBERTO V. ELISES
SB Member/Presiding Officer Pro Tempore
Absent-On Leave


HON. ALEXANDER N. SALGADO
SB Member


HON. REY P. AURE
SB Member


HON. PEDRO B. TAÑALA, JR.
SB Member/LIGA FED.-President


HON. VIANCA MAE N. FAMILAR
SB Member/SK FED.-President

ATTESTED:


HON. RODRIGO C. ARBAS
Municipal Vice-Mayor
SB Presiding Officer

APPROVED:


HON. JASSIE LOU TAÑALA
Municipal Mayor



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF JARO

TANGGAPAN NG SANGGUNIANG BAYAN

MINUTES OF THE 90th REGULAR SESSION OF THE SANGGUNIANG BAYAN
OF JARO, LEYTE HELD AT THE SB SESSION HALL LEGISLATIVE BUILDING
ON JULY 15, 2024.

PRESENT:

HON. RODRIGO C. ARBAS	-Municipal Vice-Mayor/Presiding Officer
HON. LANDILINO T. KATANGKATANG	-SB Member
HON. JULIAN L. EMNAS	-SB Member
HON. FRANCISCO R. ALTRES	-SB Member/Majority Floor Leader
HON. ALEXANDER N. SALGADO	-SB Member
HON. REY P. AURE	-SB Member
HON. PEDRO B. TAÑALA, JR.	-SB Member/LIGA Fed.-President
HON. VIANCA MAE N. FAMILAR	-SB Member/SK Fed.-President

ABSENT:

HON. JONELL MARTIN A. QUE	-On Leave
HON. LEO ANGELO T. PORMIDA	-On Leave
HON. GUALBERTO V. ELISES	-On Leave

**CALL TO ORDER, PRAYER, SINGING OF THE NATIONAL ANTHEM, ROLL CALL,
READING AND APPROVAL OF PREVIOUS MINUTES:**

CALL TO ORDER

Honorable Rodrigo C. Arbas, Vice-Mayor and SB Presiding Officer called to order the 90th Regular Session of the Sangguniang Bayan, at 10:07 in the morning and then request the SB members to stand for the prayer followed by the Pambansang Awit.

PRAYER

The Body offered the prayer, led by Michelle Metran.

PAMBANSANG AWIT

The Body sang the National Anthem.

ROLL CALL

After the singing of the Pambansang Awit, the Chair request the SB Secretary to call the roll to determine if there is a quorum, as follows:

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PRESENT:

HON. RODRIGO C. ARBAS	-Vice-Mayor/SB Presiding Officer
HON. LANDILINO T. KATANGKATANG	-SB Member
HON. JULIAN L. EMNAS	-SB Member
HON. FRANCISCO R. ALTRES	-SB Member & Majority Floor Leader
HON. ALEXANDER N. SALGADO	-SB Member
HON. REY P. AURE	-SB Member
HON. PEDRO B. TAÑALA, JR.	-SB Member/LIGA Fed.-President
HON. VIANCA MAE N. FAMILAR	-SB Member/SK Fed.-President

ABSENT:

HON. JONELL MARTIN A. QUE	-On Leave
HON. LEO ANGELO T. PORMIDA	-On Leave
HON. GUALBERTO V. ELISES	-On Leave

After the roll call the Chair opines that with Eight (8) SB members present declared there is a quorum and the 90th SB Regular Session is open for the consideration of the new business for the day.

And then after the Chair request Hon. Francisco R. Altres to facilitate the order of business for the day.

READING AND CONSIDERATION ON THE MINUTES OF THE PREVIOUS SESSION

Hon. Altres took the floor and then request the reading on the minutes of the 89th SB Regular Session, held on July 8, 2024.

After reading the previous minutes, the Chair asks from the floor if there are corrections, inclusions and/or exclusions on the minutes.

And hearing none from the floor, declared that the minutes of the 89th SB Regular Session, held on July 8, 2024, is approved without corrections thereto, as read by the SB Secretary.

PRIVILEGE HOUR

No one signify.

J. Amador

F. Amador

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QUESTION HOUR

No one signify.

READING AND REFERRAL OF PROPOSED MEASURES

No referrals.

COMMITTEE REPORT

No committee reports.

CALENDAR OF BUSINESS

A. BUSINESS FOR THE DAY:

ITEM NO. 01: EXECUTIVE AGENDA:

PROPONENT: HON. ALEXANDER N. SALGADO

Chairman Committee on Peace and Order, Public Safety.

A PROPOSED RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR HONORABLE JASSIE LOU TAÑALA, TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT WITH THE TACLOBAN CITY PAROLE AND PROBATION OFFICE REPRESENTED BY ITS CHIEF PROBATION AND PAROLE OFFICER NELIDA M. PALCONITE FOR THE REHABILITATION AND REINTEGRATION OF PERSONS UNDER THE PAROLE AND PROBATION SYSTEM.

Hon. Salgado moves the above proposed resolution, seconded by Hon. Aure, Hon. Tañala, Hon. Katangkatang and Hon. Altres, and then after the Chair declared the discussion of the proposed resolution and give the floor to Hon. Salgado.

Hon. Salgado opines and discussed to the Body the salient features of the MOA, to be entered into by and between the LGU-JARO and the Tacloban City Parole and Probation Office, as follows:

- a. The Parole Probation Office, Tacloban City is mandated by the Department of Justice, to conserve and/ or redeem convicted offenders and prisoners who are under the Probation and Parole System;

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- b. One of its missions is to rehabilitate and integrate offender persons under probation law on community-based correction for peace and social justice;
- c. Offender persons under Probation Law are required to attend trainings on Therapeutic Community Ladderized Program as their rehabilitation;
- d. As part of their rehabilitation, they are required to render community service; and
- e. Offender persons under the Probation Law Program can serve the community and the municipality as disaster responders in times of calamities.

The Chair asks from the floor for any other inquiry to the proposed resolution and hearing none, request Hon. Salgado to offer the final motion, duly seconded en masse by the SB members present.

And then after, the Chair declared that Item No. 01, an executive agenda under the Business for the Day, has been moved, carried and approved en masse by the August Body.

ITEM NO. 02: PROPONENT: HON. REY P. AURE

Chairman Committee on Good Government, Public Ethics and Accountability

A PROPOSED RESOLUTION CONGRATULATING MISS SOPHIA ROSE PANAOGARRA OF THE NATIONAL CAPITAL REGION (NCR) FOR WINNING AS THE GOLD MEDALIST ON SWIMMING 100 METERS BACKSTROKE WITH A RECORD OF 1:08:05, ELEMENTARY DIVISION IN THE 2024 PALARONG PAMBANSA HELD IN CEBU, CITY.

Hon. Aure moves the above proposed resolution, seconded by Hon. Altres, Hon. Familiar, and Hon. Katangkatang.

The Chair gives the floor to Hon. Aure to proceed the plenary discussion and/or inquiries from the Body.

Familiar

Familiar

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Hon. Aure speaks out and informed the Body that Miss Sophia Rose Panao Garra, who is studying in Manila (NCR), is the daughter of Mr. and Mrs. Aerole Garra, from Jaro, Leyte and the granddaughter of the late Dr. Toti Garra.

Further, Hon. Aure apprises also the Body that Ms. Garra is a record breaker in swimming 100 meters backstroke in the Palarong Pambansa, which the previous record was 1:95 compared in 2024 of 1:08:05.

The Chair opines and asks from the floor for any other inquiries and hearing none from the floor, request Hon. Aure to offer the final motion, duly seconded en masse by the Body.

And then after, the Chair declared that Item No. 02, under the Business for the Day has been moved, carried and approved en masse by the Body.

**ITEM NO. 03: APPROVAL ON THIRD AND FINAL READING OF
ORDINANCE NO. 26, SERIES OF 2024
SPONSORED BY: HON. LANDILINO T. KATANGKATANG
Chairman Committee on Environmental Protection**

ORDINANCE NO. 26
SERIES OF 2024

AN ORDINANCE ENACTING THE WILDLIFE PROTECTION OF JARO,
LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF.

Honorable Landilino T. Katangkatang opines that the proposed Ordinance has been approved already in the previous session under the Second-Reading, and it is now subject for approval on Third-and-Final-Reading.

The Chair said that the passage of the proposed Ordinance is timely, for there is a recent case in Burauen, Leyte were two (2) Philippine Eagle which is an endanger species has been shot, and it is necessary on the need to protect the municipality's wildlife, in order to prevent the happening of such incidents in our municipality.

Samuel

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Hon. Salgado opines and said that there is a need to strictly implement Section 6, Prohibited Acts in order to protect the wildlife in the municipality, in relation to Section 11, par. A to C, penalties for violations of the ordinance, and the penalties provided under R.A. 9147.

The Chair opines and asks from the Body for any other recommendations, inquiry, and hearing none from the floor, request Hon. Katangkatang to offer the final motion.

Hon. Katangkatang took the floor and then moves for the approval of Ordinance No. 26, Series of 2024, and it was duly seconded en masse by the SB members present.

And then the Chair declared that it has been moved and duly seconded en masse by the August Body, Ordinance No. 26, Series of 2024 is carried and approved on third-and-final-reading.

**ITEM NO. 04: APPROVAL ON THIRD AND FINAL READING OF
ORDINANCE NO. 27, SERIES OF 2024**

SPONSORED BY: HON. LANDILINO T. KATANGKATANG

Chairman Committee on Environmental Protection

ORDINANCE NO. 27
SERIES OF 2024

AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF.

Hon. Katangkatang took the floor and said that the proposed ordinance is already subject for final approval, and if there are no more further inquiries from the floor, moves for the final approval of Ordinance No. 27, Series of 2024 and it was duly seconded en masse by the SB members present.

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And then the Chair declared that it has been moved and duly seconded en masse by the August Body, Ordinance No. 27, Series of 2024, is carried and approved on third-and-final-reading.

ITEM NO. 05: APPROVAL ON THIRD AND FINAL READING OF ORDINANCE NO. 28, SERIES OF 2024, SPONSORED BY: HONORABLE LEO ANGELO T. PORMIDA, MOVED BY: HON. FRANCISCO R. ALTRES
Member Committee on Health and Sanitation

ORDINANCE NO. 28
SERIES OF 2024

AN ORDINANCE PROVIDING AN ANNUAL LIFE AND ACCIDENT INSURANCE BENEFIT TO ALL BARANGAY HEALTH WORKERS OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE.

The Chair reiterates to the Body that during the 89th SB Regular Session held on July 8, 2024, Hon. Pormida had request Hon. Altres to offer the final motion for the approval of Ordinance No. 28, Series of 2024, for the original proponent is on leave for his foreign travel.

And considering on the necessity to approved the ordinance on third-and-final-Reading for the subject ordinance is a requirement of the DILG-SGLG evaluation, the proposed ordinance should be approved by the Sanggunian and then after give the floor to Hon. Altres to offer the final motion.

Hon. Altres took the floor and then manifest that as a committee member of the Committee on Health and Sanitation and upon the request of Hon. Pormida-the original proponent moves for the approval of Ordinance NO. 28, Series of 2024, and it was duly seconded en masse by the SB members present.

And then after, the Chair declared that it has been moved and duly seconded en masse by the August Body, Ordinance No. 28, Series of 2024, is carried and approved on third-and-final-reading.

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OTHER MATTERS:

1. The Chair informed the Body that the Sangguniang Bayan and the Municipal Social Welfare and Development Office are the host agencies of all the activities for the month of August 2024.

The Chair further said that the schedule of activities is at the SB Secretary's Office, and all the SB/LSS will be responsible on the preparation of the different activities with the MSWDO.

2. The Chair informed also the Body of the Communication from the Vice-Mayor's League of the Philippines, inviting the SB for a "Summit on SMART LGU's on August 13-15, 2024 at the Grand Xing Imperial Hotel, Iloilo City.

The communication/invitation letter could be obtained from the SB Secretary's Office, and those who are willing to attend is to process early their travel documents.

3. The Chair likewise, ask from the SB members who will be attending the PCL Seminar on July 30-August 1, 2024 at Bagac, Bataan.

Hon. Vianca Mae R. Familiar informed the Chair that she will be attending the said PCL Seminar. The Chair advise Hon. Familiar to process early her travel documents.

And with no more business to be transacted, on motion of Hon. Francisco R. Altres to adjourn the session, duly seconded en masse, the Chair declared the **90th SB Regular Session adjourned at 11:58 A.M.**

Francisco R. Altres SB/SEC_jam_jac_rbo_nrb 2024

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EXCERPT RESOLUTION/ORDINANCE:

ITEM NO 01, PROPONENT HON. ALEXANDER N. SALGADO
Chairman Committee on Peace and Order and Public Safety

RESOLUTION NO. 2024- 402

A RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR HONORABLE JASSIE LOU TAÑALA, TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT WITH THE TACLOBAN CITY PAROLE AND PROBATION OFFICE REPRESENTED BY ITS CHIEF PROBATION AND PAROLE OFFICER NELIDA M. PALCONITE FOR THE REHABILITATION AND REINTEGRATION OF PERSONS UNDER THE PAROLE AND PROBATION SYSTEM.

WHEREAS, presented to the Body for approval is an executive agenda to grant authority to the Local Chief Executive to enter into and sign a Memorandum of Agreement with the Parole and Probation Office, Tacloban City for the rehabilitation and reintegration to the community of those person under the parole and probation system;

WHEREAS, it is understood that the MOA is entered into by and between the LGU-JARO and the Parole and Probation Office for the mutual compliance on its roles and responsibilities, and other terms and conditions provided in the MOA;

WHEREAS, the MOA is entered into by and between the LGU and the Parole and Probation Office to signify that the parties can cooperate and coordinate in the effective and sustainable implementation of the aforementioned program, and is not a restriction to the involvement of the private individuals, agencies or organizations;

NOW, THEREFORE, on motion of **Honorable Alexander N. Salgado**, duly seconded en masse, this Sangguniang Bayan-

RESOLVED, AS IT IS HEREBY RESOLVED TO AUTHORIZED THE MUNICIPAL MAYOR HONORABLE JASSIE LOU TAÑALA, TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT WITH THE TACLOBAN CITY PAROLE AND PROBATION OFFICE REPRESENTED BY ITS CHIEF PROBATION AND PAROLE OFFICER NELIDA M. PALCONITE FOR THE REHABILITATION AND REINTEGRATION OF PERSONS UNDER THE PAROLE AND PROBATION SYSTEM;

RESOLVED FINALLY, to furnish a copy of this resolution to the Municipal Mayor, the Parole and Probation Office, Bulwagan ng Katarungan, R. Magsaysay Boulevard, Tacloban City and to other concerned for their information and guidance.

APPROVED: JULY 15, 2024.

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ITEM NO. 02. PROPONENT: HON. REY P. AURE
Chairman Committee on Good Government, Public Ethics and
Accountability

RESOLUTION NO. 2024- 469

A RESOLUTION CONGRATULATING MISS SOPHIA ROSE PANAOGARRA OF THE NATIONAL CAPITAL REGION (NCR) FOR WINNING AS THE GOLD MEDALIST IN SWIMMING 100 METERS BACKSTROKE WITH A RECORD BREAKER OF 1:08:05, ELEMENTARY DIVISION IN THE 2024 PALARONG PAMBANSA HELD IN CEBU, CITY.

WHEREAS, Miss Sophia Rose Panao Garra, whose parents are from Jaro. Leyte, brings pride and honor to the Jaronians for winning the finals in Swimming 100 meters Backstroke as a Gold Medalist with a record breaker of 1:08:05 in the 2024 Palarong Pambansa held in Cebu City;

WHEREAS, it is noteworthy that Miss Sophia Rose Panao Garra proved for her hard work and dedication in the field of sports, which would serve as an inspiration among the young generations;

WHEREAS, this Sangguniang Bayan recognizes her strong determination to succeed on her chosen field of endeavor as evidenced by her remarkable achievement, and hope that this will encourage her fellow youth to follow her examples;

NOW, THEREFORE, on motion of **Honorable Rey P. Aure**, Chairman Committee on Good Government, Public Ethics and Accountability, duly seconded en masse by the Sangguniang Bayan Members present, be it-

RESOLVED, AS IT IS HEREBY RESOLVED TO CONGRATULATE MISS SOPHIA ROSE PANAOGARRA OF THE NATIONAL CAPITAL REGION (NCR) FOR WINNING AS THE GOLD MEDALIST IN SWIMMING 100 METERS BACKSTROKE WITH A RECORD BREAKER OF 1:08:05, ELEMENTARY DIVISION IN THE 2024 PALARONG PAMBANSA HELD IN CEBU CITY;

RESOLVED FINALLY, let copy of this resolution be furnished to the Municipal Mayor, Miss. Sophia Rose Panao Garra for their information.

APPROVED ON JULY 15, 2024.

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*ITEM NO. 03: APPROVAL ON THIRD AND FINAL READING OF
ORDINANCE NO. 26, SERIES OF 2024, SPONSORED BY: HON.
LANDILINO T. KATANGKATANG, Chairman Committee on
Environmental Protection*

EXPLANATORY NOTE

Section 2 of Republic Act 9147 also known as the "Wildlife Resources Conservation and Protection Act", states that, "it shall be the policy of the state to conserve the country's wildlife resources and their habitats for sustainability."

Section 16, Article II of the 1991 Philippine Constitution provides that "the state shall protect and advance the right of the people to a balance and healthful ecology in accord with the rhythm and harmony of nature."

Section 35 of RA 9147, provides that Local Government Unit shall initiate conservation measures for endemic species in their areas.

Based on records of the Department of Environment and Natural Resources (DENR), the Philippines is one of the top biodiversity hotspots endemic species of birds, and mammals which are considered threatened or endangered.

Hence, this proposal to enact the herein Ordinance.

HON. LANDILINO T. KATANGKATANG
Chairman Committee on Environmental Protection



INTRODUCED BY: HON. LANDILINO T. KATANGKATANG
Chairman Committee on Environmental Protection

ORDINANCE NO. 26
SERIES OF 2024

**AN ORDINANCE ENACTING THE WILDLIFE PROTECTION OF JARO,
LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF**

Be it ordained by the Sangguniang Bayan of Jaro, Leyte, that-

SECTION 1. TITLE – This ordinance shall be known as ***“The Wildlife Protection of Jaro, Leyte”***.

SECTION 2. DECLARATION OF POLICY - It shall be the policy of the Local Government Unit of Jaro to conserve the municipality’s wildlife resources and their habitats for sustainability. In the pursuit of this policy, this ordinance shall have the following objectives:

- A. To conserve and protect municipality’s wildlife species and their habitats to promote ecological balance and enhance biological diversity;
- B. To regulate the collection and trade of wildlife;
- C. To pursue, in consonance to the national interest on the commitment for the conversations, protection of wildlife and their habitats; and
- D. To initiate and support scientific studies on the conservation of biological diversity in the municipality.

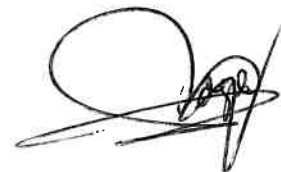


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SECTION 3. SCOPE – This ordinance is for the protection of all the municipality’s wildlife species and shall be enforceable within the territorial jurisdiction of Jaro, Leyte.

SECTION 4. DEFINITION OF TERMS – For the purpose of this ordinance, the following shall mean:

- A. Conservation** - means preservation and sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat;
- B. Critically Endangered Species** - refers to a species or subspecies that is facing extremely high risk of extinction in the wild in the immediate future, such as among of the others: Leyte Bleeding Heart Pigeon, Visayan Writhed Hornbill, Golden Crowned Flying Fox, Leyte Bared Backed Fruit Bat, Visayan Tarictic Hornbill, Visayan Spotted Dear, Palm Civet, Malay Civet) This is inclusive only of endangered species found in Leyte.
- C. Endemic Species** - means species or subspecies which is naturally occurring and found only within specific areas in the municipality;
- D. Exotic Species** - means species or subspecies which do not naturally occur in the municipality;
- E. Habitat** – means a place or environment where a species or subspecies naturally occur or has naturally established its population;
- F. Indigenous Wildlife** - means species or subspecies of wildlife naturally occurring or has naturally established population in the municipality;

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- G. **Wildlife** - means wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred or propagated;
- H. **By-Product or Derivatives** - means any part taken or substance extracted from wildlife, in raw or in processed form. This includes stuffed animals and herbarium specimens;
- I. **Collection or Collecting** - means the act of gathering or harvesting wildlife, its by-products or derivatives;
- J. **Wildlife Collectors Permit** - means a permit to take or collect from the wild certain species and quantities of wildlife for commercial purposes;
- K. **Wildlife farm/culture permit** - means a permit to develop, operate and maintain a wildlife and breeding farm for conservation, trade and /or scientific purposes.

SECTION 5. LOCAL TRANSPORT OF WILDLIFE, BY-PRODUCTS AND DERIVATIVES - Local transport of wildlife, by-products and derivatives collected or possessed through any other means shall be authorized unless the same is prejudicial to the wildlife and public health.

Transport of wildlife shall be accompanied by proper permit and documents from the Department of Environment and Natural Resources (DENR). The absence of permit shall be prima facie evidence that the wildlife is illegally obtained and transported. Further, the subject wildlife shall be immediately confiscated and transfer to the nearest Wildlife Rescue Center of the municipality.

Provided further, the conveyance/s used to transport wildlife, by-products and derivatives belonging to a third person/s who has not participated in or knowledge of the illegal acts, the same may be released to said owner/s only after presentation of authentic documents of ownership.



SECTION 6. PROHIBITED ACTS - Unless otherwise allowed in accordance with R.A. 9147, it shall be unlawful for any person to willfully and knowingly exploit wildlife resources and their habitats, or undertake the following acts:

- A. Killing and destroying wildlife species except in the following instances:
1. When the wildlife is afflicted with an incurable disease;
 2. When it is deemed necessary to put an end to the misery suffered by the wildlife;
 3. When it is done to prevent an imminent danger to the life or limb of a human being; and
 4. When the wildlife is killed or destroyed after it has been used in an authorized research or experiments.
- B. Trading of wildlife;
- C. Gathering or destroying of active nest's, nest trees, host plants and the like;
- D. Transporting of wildlife, by-products and derivatives; and
- E. Collecting, hunting, or possessing wildlife, their by-products and derivatives.

SECTION 7. WILDLIFE TRAFFIC MONITORING UNIT - There must be created a Municipal Wildlife Traffic Monitoring Unit assigned in the Municipal Veterinary's Office, who must have proper training in identifying the wildlife. Such unit, must also disseminate information on what acts are prohibited and banned species in every barangay.

The Municipal Wildlife Traffic Monitoring Unit shall regularly monitor all Pet Shop Stores, situated in our town of Jaro to ensure that no wildlife is illegally traded.



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SECTION 8. COMPOSITION OF THE LOCAL MUNICIPAL WILDLIFE ENFORCEMENT OFFICERS – The Municipal Wildlife Enforcement Officers shall be composed of the following:

- Chairman** : Municipal Mayor
- Vice-Chairman:** Chairman Committee on Environmental Protection
- Members** : Representative from the Municipal Veterinary's Office
- : Representative from the Municipal Department of Agriculture
- : Representative from the Municipal Environment Resources Office (MENRO)
- : Representative from the Town's Legal Sector
- : Representative from the Department of Environment and Natural Resources (DENR), or duly authorized Representative
- : Representative from the JARO-PNP

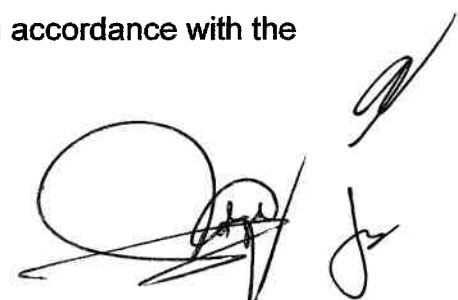


SECTION 9. DEPUTATION OF WILDLIFE ENFORCEMENT OFFICERS -

The Wildlife Enforcement Officers shall have the full authority to seize illegally traded wildlife and to arrest violators subject to existing laws, rules and regulations on arrest and detention.

SECTION 10. WILDLIFE RESCUE CENTER – The Municipal Mayor's Office thru the Municipal Veterinary and/or Agriculture Office shall establish a wildlife rescue center that will temporarily detain all confiscated, abandoned and/or donated wildlife to ensure their welfare and well-being.

All confiscated wildlife species shall be properly turned over to the Department of Environment and Natural Resources (DENR) in accordance with the guidelines set forth under RA 9147.



SECTION 11. PENALTIES FOR VIOLATION OF THIS ORDINANCE –

For any person who undertakes illegal acts enumerated in Section 6, the following penalties and or fines shall be imposed:

- A. First Offense** - A fine of One Thousand Five Hundred Pesos (P 1,500.00)
- B. Second Offense** - A fine of Two Thousand Pesos (P 2,000.00)
- C. Third Offense** - A fine of Two Thousand Five Hundred Pesos (P 2,500.00)

Provided, that the fines imposed under this Ordinance shall be without prejudice to the penalties imposed under Section 28 of R.A. 9147, also known as “The Wildlife Resources Conservation and Protection Act”.

SECTION 12. THE LOCAL WILDLIFE ENFORCEMENT OFFICERS - Shall formulate guidelines and Implementing Rules and Regulations (IRR) for the effective implementation of this ordinance subject to the approval of the Sangguniang Bayan.

SECTION 13. BUDGET - The Municipality shall allocate an annual budget of **FIVE HUNDRED THOUSAND PESOS (P 500,000.00)** from the General Appropriation Fund for the purpose of this ordinance.

SECTION 14. SEPARABILITY CLAUSE - The provisions of this Ordinance are hereby declared separable and if any clause, sentence, provision or section is declared invalid it shall not affect the other provisions or the application of the ordinance.

SECTION 15. REPEALING CLAUSE - All Ordinances and resolutions or any part thereof inconsistent with any of the provisions of this ordinance are hereby repealed and/or modified accordingly.

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SECTION 16. EFFECTIVITY CLAUSE - This ordinance shall take effect Fifteen (15) days after a copy hereof is posted in at least three (3) conspicuous places in the municipality in accordance with the provision of R.A. 7160.

ENACTED ON JULY 15, 2024.

*ITEM NO. 04: APPROVAL ON THIRD AND FINAL READING OF **ORDINANCE NO. 27, SERIES OF 2024**, SPONSORED BY: HON. LANDILINO T. KATANGKATANG, Chairman Committee on Environmental Protection.*

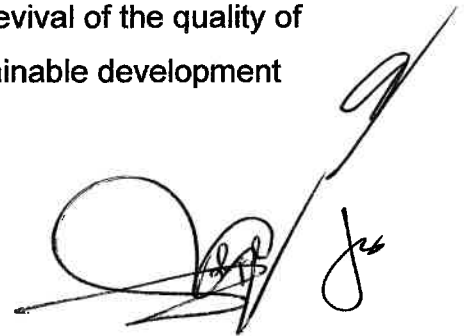
EXPLANATORY NOTE

Section 16, Article II of the 1987 Philippine Constitution expressly declares 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.

Section 447 (a) (5) (i) of RA 7160, or otherwise known as the Local Government Code of 1991, states that the Sangguniang Bayan shall provide for the establishment, maintenance, protection, and conservation of communal forests *and watersheds*, tree parks, greenbelts, and other similar forest development projects.

Relative thereto, every municipality is mandated to exert efforts to establish, develop and maintain a permanent forest, tree parks or watershed areas within public lands owned by the municipality with an aggregate size equivalent to at least two percent of its entire area, Provided, that forest, park, or watershed areas may be located in one or more places within the municipality.


Section 2 of Republic Act No. 9275, or otherwise known as Philippine Clean Water Act of 2004, provides that the state shall pursue a policy of economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh waters. To achieve this end, the framework for sustainable development shall be pursued. As such, it shall be the policy of the State:




- a. To streamline processes and procedures in the prevention, control and abatement of pollution of the country's water resources;
- b. To promote environmental strategies, use of appropriate economic instruments and of control mechanisms for the protection of water resources;
- c. To formulate a holistic national program of water quality management that recognizes that water quality management issues cannot be separated from concerns about water sources and ecological protection, water supply, public health and quality of life;
- d. To formulate an integrated water quality management framework through proper delegation and effective coordination of functions and activities;
- e. To promote commercial and industrial processes and products that are environment friendly and energy efficient;
- f. *To encourage cooperation and self-regulation among citizens and industries through the application of incentives and market-based instruments and to promote the role of private industrial enterprises in shaping its regulatory profile within the acceptable boundaries of public health and environment;*
- g. To provide for a comprehensive management program for water pollution focusing on pollution prevention;
- h. To promote public information and education and to encourage the participation of an informed and active public in water quality management and monitoring;

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- i. To formulate and enforce a system of accountability for short and long-term adverse environmental impact of a project, program or activity; and
- j. To encourage civil society and other sectors, particularly labor, the academe and business undertaking environment-related activities in their efforts to organize, educate and motivate the people in addressing pertinent environmental issues and problems at the local and national levels.

Likewise, RA No. 9275, mandates that Local Government Units shall share the responsibility in the management and improvement of water quality within their territorial jurisdictions. 

It provides further, that every concerned agency, association and individuals shall extend efforts in order to conserve, protect, restore and enhance the water bodies within the local government unit, consistent with the rules and regulations authorized or promulgated by the Secretary for Agriculture and Natural Resources. 

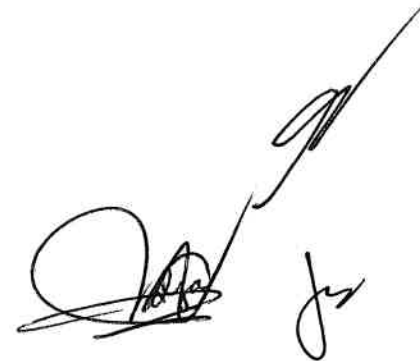
The Municipality of Jaro, Leyte recognizes on the need to conserve and protect the municipal waters and its resources within its territorial jurisdictions, and is committed to ensure the sustainable management, development and its conservation; henceforth, this proposed ordinance for the enactment of the Sangguniang Bayan.

HON. LANDILINO T. KATANGKATANG
Chairman Committee on Environmental Protection



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INTRODUCED BY: HON. LANDILINO T. KATANGKATANG
Chairman Committee on Environmental Protection

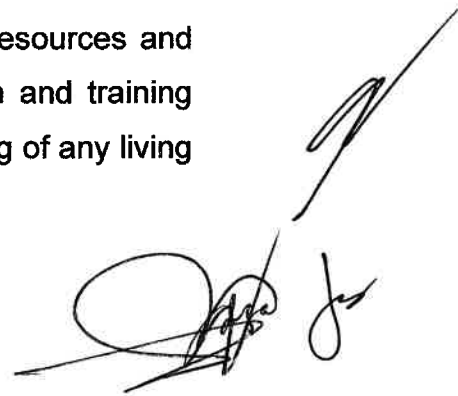
ORDINANCE NO. 27
SERIES OF 2024

AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF.

SECTION 1. TITLE - This Ordinance shall be known as the ***"An Ordinance for the Purpose of Protection and Preservation of Rivers Owned Within the Jurisdiction of Jaro, Leyte and Imposing Penalty for Violations Thereof"***.

SECTION 2. DECLARATION OF POLICY - It is hereby the declared policy of the municipality to:

- A.** Promote conservation and ensure sustainable and equitable management of its water bodies, especially the different watershed areas in Jaro, in conformity with local laws and regulations and other applicable special laws of the Philippines;
- B.** Ensure, for the benefit and enjoyment of the people of Jaro, the judicious and wise utilization, protection, conservation and sustainable management of its water bodies and its resources to maintain biodiversity and sound ecological balance, protect the surroundings in order to preserve the existing panoramic view of the environment;
- C.** Allow people's full and active participation in the conservation and management of the water bodies of Jaro and its resources and promote awareness through appropriate education and training including the proper taking out, catching or collecting of any living or non-living thing from or within the water bodies;



- D. Provide full support for sustainable protection and conservation of the municipal waters through appropriate technology and research, adequate financing, production and marketing assistance and other services;
- E. Allow the private sector to develop and utilize resources under the basic concepts that the grantee, licensee or permittee thereof, shall not only be a privileged beneficiary of the municipality, but also an active participant and partner of the municipal government in the management, development, conservation and protection of the water bodies and the resources of the municipality; and
- F. Promote and adhere to the precautionary principle of conservation, management and exploitation of living water resources in order to assure the sustainable development of its surrounding environment. The absence of adequate scientific and technical information should not be used as a reason for postponing or failing to take conservation and management measures.

SECTION 3. OBJECTIVE - The objective of this Ordinance is to protect and manage the water bodies, in all rivers owned within the jurisdiction of the municipality to ensure the sustainable use thereof, for better enjoyment and benefit of the people, and to establish the means and methods to enforce, control and regulate the activities of visitors, tourists, swimmers, and other resource users of the municipal rivers of Jaro.

SECTION 4. APPLICABILITY AND ENFORCEMENT OF THE ORDINANCE - The provisions of this Ordinance shall be applied and enforced in:

- A. All the municipal waters/rivers in Jaro, which includes creeks and watersheds areas;

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- B. All activities or businesses relating to the use, development, conservation and management of the municipal waters and its resources; and
- C. All people, entities or corporations that use or intend to use the resources in the water bodies of Jaro.

SECTION 5. CREATION OF MUNICIPAL BANTAY KALIKASAN TASK FORCE AND ITS FUNCTIONS - A Municipal Bantay Kalikasan Task Force shall be created by the Municipality of Jaro, Leyte and composed of the following:

- Chairman : Municipal Environment and Natural Resources Officer
- Vice Chairman : Chairman Committee on Environmental Protection
- Members : Municipal Administrator
 - : Municipal Health Officer
 - : Municipal Planning and Development Coordinator
 - : Municipal Engineering Officer
 - : Municipal Building Official
 - : Municipal Local Government Operations Officer
 - : Philippine National Police - Jaro Police Station Officer
 - : Bureau of Fire Protection - Jaro Sub-Station
 - : Municipal Disaster Risk Reduction Management Officer
 - : All Members of the Municipal Sand and Gravel Task Force

The Municipal Bantay Kalikasan Task Force shall perform the following functions and duties in the implementation of this Ordinance:

- A. **Inspection** - Request the Municipal Environment and Natural Resources Office to designate field inspectors who will check if water pollutants and other hazardous substances are present in the water bodies and watershed areas of the municipality.

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- B. Apprehension** - Coordinate with the Philippine National Police-Jaro and Department of Natural and Environment Resources, if necessary for the apprehension of any person, natural or juridical, found to be violating any of the prohibited acts of this Ordinance.
- C. Information, Education, Communication (IEC)** - Coordinate with the Business Permit and Licensing Office/Local Economic and Investment Promotions Office for the conduct of massive IEC activities in collaboration with appropriate government or private agencies on proper wastewater management to increase the level of awareness and commitment of the public to the conservation and cleanliness of the water bodies and watershed areas of the municipality.

In addition to the foregoing functions, the Municipal Bantay Kalikasan Task Force, shall maintain the quality of the water bodies at the optimal level relative to protection of the conservation areas as well as the natural productivity and the cleanliness of areas devoted for aquaculture development, (ex. in-land fish ponds), in coordination with the concerned offices and departments of the national government.

SECTION 6. PROHIBITED ACTS - Thus, the following shall be considered as prohibited acts:

- A.** Discharging water pollutants and other hazardous substances to the water bodies of Jaro, Leyte.
- B.** Disposing of potential infectious medical waste into water bodies like in rivers and creeks.
- C.** Killing and destroying species and other living water resources by using prohibited chemicals, electrocution, and the like.

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- D. Throwing of litters or scattering of solid waste in the water bodies within the municipality.
- E. Leaving of animal manure or improper waste disposal of the owner of the animal to any water bodies.
- F. Other activities in the grounds or waters which directly or indirectly result or likely to result in damage or destruction to the water bodies and its resources, or may have such deleterious effect that may harm the living and non-living water resources, or may cause hazard to human health.

SECTION 7. PENALTIES AND FINES - Any person or entity who has committed the prohibited acts enumerated in the preceding section shall be subject to the following penalties and fines:

- A. **First Offense** - A fine of One Thousand Five Hundred Pesos (P 1,500.00) and/or community service for a period of eight (8) hours.
- B. **Second Offense** - A fine of Two Thousand Pesos (P 2,000.00), or community service for a period of sixteen (16) hours.
- C. **Third and Subsequent Offenses** - A fine of Two Thousand Five Hundred Pesos (P 2,500.00), community service for 24 hours.

The fines imposed under this Ordinance shall be without prejudice to the penalties imposed under Section 28 of R.A. 9275, also known as "An Act Providing for a Comprehensive Water Quality Management and for other Purposes."

In addition to the foregoing, the violators shall be required to contain, remove and clean-up the pollutants at their own expense. In case of failure to do such requirement, the municipality shall undertake containment, removal and clean-up operations and the cost incurred in the operations shall be at the expense of the violators.

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Provided, That the municipality shall take appropriate legal action for damages under existing and applicable laws and ordinances, including the application for injunctive relief, in order to address the violation of this Ordinance.

Provided, further the collected fines shall be remitted to the Municipal Treasurer for appropriate financial recording and shall form part of the municipal funds. An incentive of twenty percent (20%) of all the fines collected shall be shared equitably among the persons involved in the apprehension of the violators.

SECTION 8. MANDATORY REVIEW - The Sangguniang Bayan shall undertake to review mandatorily this Ordinance at least once every three (3) years or as often as it may deem necessary, to ensure that the policies and guidelines relative to the protection, management, conservation and/or development of the water bodies of the municipality and its water resources remain responsive to the changing circumstances of time.

SECTION 9. SEPARABILITY CLAUSE - The provisions of this Ordinance are hereby declared separable, and if any clause, sentence, provision or section is declared invalid, it shall not affect the other provisions or application of the ordinance.

SECTION 10. EFFECTIVITY - This ordinance shall take effect Fifteen (15) days after a copy hereof is posted in at least three (3) conspicuous places in the municipality in accordance with the provision of R.A. 7160.

ENACTED ON JULY 15, 2024.



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*ITEM NO. 05: APPROVAL ON THIRD AND FINAL READING OF
ORDINANCE NO. 28, SERIES OF 2024, SPONSORED BY:
HONORABLE LEO ANGELO T. PORMIDA, MOVED BY: HON.
FRANCISCO R. ALTRES, Member Committee on Health and Sanitation.*

EXPLANATORY NOTE

Article XIII Section 11 of the 1987 Philippine Constitution provides that "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost."

The Barangay Health Workers are frontliners in the facilitation and delivery of primary health care services in the barangays and play a vital role in uplifting and maintaining a good barangay health standard.

Republic Act 7883 defined a Barangay Health Worker as a person who has undergone training programs under any accredited government and non-government organization and who voluntarily renders primary health care services in the community after having been accredited to function as such by the local health board in accordance with the guidelines promulgated by the Department of Health (DOH).

Section 6 of Republic Act N0. 7883, otherwise known as, "An Act Granting Benefits and Incentives to Accredited Barangay Health Workers and for other Purposes", enumerated incentives for the accredited BHWs who are actively and regularly performing their duties shall be entitled to the following benefits and incentives:

1. Subsistence Allowance
2. Hazard Allowance
3. Training, education and career enrichment programs
4. One-child scholarship allowance
5. Civil Service Eligibility
6. Free Legal Assistance
7. Preferential access to loans and loan facilities of government lending institutions

Pormida SB/SEC_jam_jac_rbo_nrb 2024

Karab

Altres

Life insurance is a contract between an insurance company and a policy owner in which the insurer guarantees to pay a sum of money to one or more named beneficiaries when the insured person dies in exchange for premiums the policyholder pays during their lifetime.

A form of insurance policy that offers payout when people experience injury or death due to an accident.

An annualized premium refers to the total amount of money a policyholder is required to pay in premiums over the course of a year

This ordinance shall provide and additional incentive to BHWs whom in recognition of their selfless contribution to the social and health welfare of the barangays they are serving.

HON. LEO ANGELO T. PORMIDA
Chairman Committee on Health and Sanitation

INTRODUCED BY: HON. LEO ANGELO T. PORMIDA
Chairman Committee on Health and Sanitation

ORDINANCE NO. 28
SERIES OF 2024

AN ORDINANCE PROVIDING AN ANNUAL LIFE AND ACCIDENT INSURANCE BENEFIT TO ALL BARANGAY HEALTH WORKERS OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE.

BE IT ORDAINED by the Sangguniang Bayan in regular session assembled:

SECTION 1. TITLE – This Ordinance shall be known as ***“An Ordinance Providing an Annual Life and Accident Insurance Benefit to All Barangay Health Workers of the Municipality of Jaro, Province of Leyte”***.

SECTION 2. COVERAGE - This Ordinance shall include all Accredited Barangay Health Workers (BHWs) of all barangays within the Municipality of Jaro, Province of Leyte.

SB/SEC_jam_jac_rbo_nrb 2024

Bamela

Jaro

[Handwritten signatures]

SECTION 3. BUDGETARY ALLOCATION - All Barangays must provide on their annual budget under the MOOE classification a budgetary allocation to fund the annual premium to cover the life and accident insurance of BHWs. The annualized premium per Barangay Health Worker shall range from a minimum of Php 500.00 up to a maximum of Php 1,000.00.

SECTION 4. LOCAL BHW ORGANIZATION – The Municipality of Jaro BHW organization shall coordinate and source insurance companies who can provide to them life and accident insurance. After getting quotes from at least three insurance companies, they shall forward such quotes to the Liga Ng Mga Barangay.

SECTION 5. INSURANCE COMPANY PROVIDER - With the annualized premium stipulated from the preceding section, the Liga ng mga Barangay shall determine and choose the Insurance Company who can give the best insurance coverage based on the quotations provided by the Local BHW organization.

SECTION 6. PENALTIES - For failure to comply the provisions of this ordinance, the persons responsible shall be meted with administrative liability.

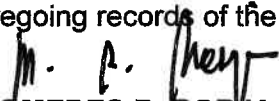
SECTION 7. SEPARABILITY CLAUSE - If any provision of this Ordinance is declared invalid or unconstitutional, the other provisions not affected thereby shall continue to be in full force and effect.

SECTION 8. REPEALING CLAUSE - Municipal Ordinances, Resolutions, Local Executive Orders or other administrative issuances found to be inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY CLAUSE - This ordinance shall take effect after Fifteen (15) days of its posting in at least Three (3) conspicuous places in the Municipality of Jaro, Leyte, in compliance to RA 7160.

ENACTED ON JULY 15, 2024.


I HEREBY CERTIFY, to the correctness of the foregoing records of the proceedings.


NICOMEDES R. BORJA
Secretary to the Sanggunian
(Board Secretary V)

SB/SEC_jam_jac_rbo_nrb 2024









CONCURRED:

HON. JONELL MARTIN A. QUE
SB Member
Absent: On leave

HON. LANDILINO T. KATANGKATANG
SB Member

HON. JULIAN L. EMNAS
SB Member

HON. FRANCISCO R. ALTRES
SB Member/Majority Floor Leader

HON. LEO ANGELO T. PORMIDA
SB Member
Absent: On Leave

HON. GUALBERTO V. ELISES
SB Member/Presiding Officer Pro-Tempore
Absent: On Leave

HON. ALEXANDER N. SALGADO
SB Member

HON. REY P. AURE
SB Member

HON. PEDRO B. TAÑALA, JR.
SB Member/LIGA FED.-President

HON. VIANCA MAE N. FAMILAR
SB Member/SK FED.-President

ATTESTED:

HON. RODRIGO C. ARBAS
Municipal Vice-Mayor
SB Presiding Officer

APPROVED:

HON. JASSIE LOU TAÑALA
Municipal Mayor



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
Office of the Sangguniang Bayan
Legislative Building
Corner Del Carmen and Real Streets

August 28, 2024


CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 27**, series of 2024, otherwise known as, **"AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF"** have been posted last August 12, 2024 to date in conspicuous place in the Municipality of Jaro, Leyte.

ISSUED this 28th day of August 2024 at Jaro, Leyte.

CERTIFIED CORRECT:


NICOMEDES R. BORJA
Secretary to the Sanggunian
(Board secretary V)

APPROVED:


HON. RODRIGO C. ARBAS
Municipal Vice-Mayor

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay I

August 28, 2024

CERTIFICATION

TO WHOM THIS MAY CONCERN:

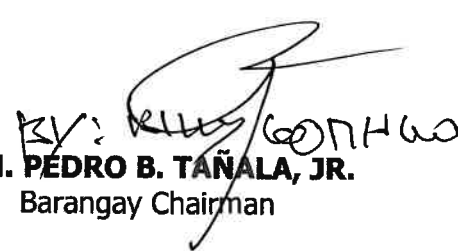
THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 27**, series of 2024, otherwise known as, **"AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF"** have been posted last August 12, 2024 to date in conspicuous place in our Barangay.

ISSUED this 28th day of August 2024 at Barangay District I, Jaro, Leyte.

CERTIFIED CORRECT:

IVY M. SOLAR
Barangay Secretary

APPROVED:


HON. PEDRO B. TAÑALA, JR.
Barangay Chairman

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay II

August 28, 2024

CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 27**, series of 2024, otherwise known as, **"AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF"** have been posted last August 12, 2024 to date in conspicuous place in our Barangay.

ISSUED this 28th day of August 2024 at Barangay District II, Jaro, Leyte.

CERTIFIED CORRECT:

JENNIFER D. BACALANDO
Barangay Secretary

APPROVED:

for: 
HON. RONALD C. SUPERABLE
Barangay Chairman

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay III

August 28, 2024

CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 27**, series of 2024, otherwise known as, **"AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF"** have been posted last August 12, 2024 to date in conspicuous place in our Barangay.

ISSUED this 28th day of August 2024 at Barangay District III, Jaro, Leyte.

CERTIFIED CORRECT:


JAINA O. BATUCAN
Barangay Secretary

APPROVED:


HON. ADRIANO DIOLA
Barangay Chairman

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay IV

August 28, 2024

CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 27**, series of 2024, otherwise known as, **"AN ORDINANCE FOR THE PURPOSE OF PROTECTION AND PRESERVATION OF RIVERS OWNED WITHIN THE JURISDICTION OF JARO, LEYTE AND IMPOSING PENALTY FOR VIOLATIONS THEREOF"** have been posted last August 12, 2024 to date in conspicuous place in our Barangay.

ISSUED this 28th day of August 2024 at Barangay District IV, Jaro, Leyte.

CERTIFIED CORRECT:


EDILYN P. CARDANTE
Barangay Secretary

APPROVED:

Fon.

HON. JEFFREY CAESAR A. EMNAS
Barangay Chairman