

Item No.: 08
Date: 10 2024 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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Province of Leyte
Legal Office
Released: [Signature]
Time: [Signature]
Date: [Signature]

SANGGUNIANG PANLALAWIGAN
RECEIVED
AUG 30 2024
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 20, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 100-24 of the Sangguniang Bayan of Leyte, Leyte.

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

- Ordinance No. 100-24 entitled: **“An Ordinance Designating Every Sunday as Market Day Which Shall be Known as Tabo Sa Leyte.**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 447(1)(iii)¹ and 447(5)(ii)² of the Local Government Code of 1991(R.A 7160). Hence, recommending for the declaration of its validity.

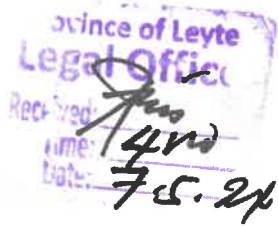
We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

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

¹ Section 447(1)(iii) Approve ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos(2,500.00)xxx
² Section 447(5)(ii) Establish markets, slaughterhouses or animal corrals and authorized the operation thereof xxx

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
05 July 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 100-24** of the **Municipality of LEYTE, LEYTE**, entitled: **An Ordinance Designating Every Sunday as Market Day which shall be known as Tabo Sa Leyte.**

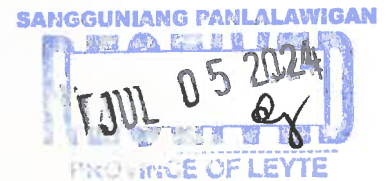

FLORINDA JILLS. YVICO
Secretary to the Sanggunian



Republic of the Philippines
MUNICIPALITY OF LEYTE
LEYTE
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Office of the Sangguniang Bayan

1st ENDORSEMENT
July 4, 2024



Respectfully forwarded to the Honorable Sangguniang Panlalawigan in session, through the Sangguniang Panlalawigan Secretary, Province of Leyte, Palo, Leyte, the herein **Municipal Ordinance No. 100-24 Entitled "AN ORDINANCE DESIGNATING EVERY SUNDAY AS MARKET DAY WHICH SHALL BE KNOWN AS TABO SA LEYTE.**

Attached herewith are the following :

1. Municipal Ordinance No.100-24
2. Certificate of Posting


VILMA D. COMBATE
SB Secretary



Republic of the Philippines
MUNICIPALITY OF LEYTE
L E Y T E
-oOo-

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION BY THE SANGGUNIANG BAYAN HELD ON JUNE 3, 2024 AT THE SB SESSION HALL, MUNICIPAL BUILDING, LEYTE, LEYTE

Present:

Hon. Armando M. Ysidoro, -----	Mun. Vice Mayor/Presiding Officer
Hon. Paquito D. Pelipel, Jr. -----	SB Member
Hon. Lileth I. Gatchalian, -----	-do-
Hon. Edward Jay A. Durante, -----	-do-
Hon. Rowil G. Batan, -----	-do-
Hon. Aida A. Delantar, -----	-do-
Hon. Alex A. Dagandan, -----	-do-
Hon. Eulogio E. Capacio, -----	-do-
Hon. Gualberto G. Meracap, -----	-do-
Hon. Jerry G. Apacible, -----	Liga ng Mga Barangay President
Hon. Nellie Grace D. Dandan, -----	SK Fed. President

SANGGUNIANG PANLALAWIGAN
JUL 05 2024
PROVINCE OF LEYTE

MUNICIPAL ORDINANCE NO. 100-24

AN ORDINANCE DESIGNATING EVERY SUNDAY AS MARKET DAY WHICH SHALL BE KNOWN AS TABO SA LEYTE.

Author: Hon. Rowil G. Batan

Be it enacted by the Sangguniang Bayan of Leyte Leyte in session assembled that;

SECTION 1 TITLE. This Ordinance shall be known as the Municipal of Leyte as Market Day Ordinance or "Tabo sa Leyte".

SECTION 2 COVERAGE This Ordinance shall cover only the designated area in the Leyte Public Market in the Municipality of Leyte to include the Leyte livestock Auction Center (TLAC) and the immediate environs of the Bagsakan Center. Any adjoining street or road within the new Leyte Public Market can be designated as long as traffic flow of the said premises shall not be hampered.

SECTION 3 DEFINITION OF TERMS, The following terms when used in this Ordinance shall mean:

1. FARMERS-FISHERFOLKS ASSOCIATION -refers to cooperatives/ association duly registered and accredited by the Sangguniang Bayan of the Municipal of Leyte.
2. TABO- the designated day or market day to buy or sell wholesale/retail of agri-aqua products.
3. AUCTION DAY- the designated "Tabo sa Leyte" will also means Auction Day.
4. TRANSIENT VENDOR- for purposes of this Ordinance transient vendors refers to a vendor or vendors who are not a member or members of any of the accredited cooperatives or association.

SECTION 4 MECHANICS

1. MANAGEMENT AND SUPERVISION- the control and supervision of the mechanics of the market day shall be the responsibility of the Municipal Agricultures Office.

(Handwritten signatures of officials)

(Vertical handwritten signatures and stamps on the right margin)

2. Farmers and Fisher folks association and its members shall be given priority in the use of the stalls.
3. Transient Vendor shall only be allowed to buy and sell their products only in the absence of the aforementioned associations and or its members or excess stalls.
4. Any person who wishes to sell any products during the "Tabo" must secure first a permission to sell from the Municipal Agriculture office upon payment of dues.
5. Stalls shall be determined by the size of area occupied by the retailer on selling his/her product, with a minimum of 1.15 x 1 square meter at a rate of fifteen Pesos (P 15.00) per square meter per day.
6. Product for sale must be classified by product lines whose area will be designated by the management of the market day.
7. Selling of poultry and livestock products must be at the Leyte Livestock Auction Center on the Market Day and must conform with the rules and regulations as stipulated in the Internal rules and regulation.
8. Tents, umbrella and other materials may be used as covers for the display provided that the putting up and the tearing down of all displays must be the responsibility of the retailer, making sure that the space assigned to him is clean and clear of debris as he vacates the place.
9. For reason of security, threat to public safety and health, the management has the right to turn down any request for permission or terminate any selling of product of Market Day.
10. The Market Day shall be every Sunday.

Section 5 IMPLEMENTATION for the successful implementation of his Ordinance, the (30) Barangay Councils of Leyte Leyte through their respective Barangay Captains are enjoined to disseminate the information to their constituents to avail the benefits of TABO SA LEYTE, LEYTE or MARKET DAY. The Leyte Agriculture Office. Tourism office as well as the Department of Trade and Industry and other government agencies and instrumentalities shall likewise be requested to promote the TABO SA LEYTE LEYTE or MARKET DAY to local farmers and small & medium entrepreneurs.

SECTION 6 PENALTY. Any violations of any provision of his ordinance nor its implementing rules set by the management shall be fined as follows:

1st Offense – P 500.00 and admonition

2nd Offense – P 1,000.00 plus warning

3rd Offense – P 1,000.00 plus prohibition from continued selling

SECTION 7 MODE OF COLLECTION – All stall fees shall be collected by the Treasurer's Office collection agents and shall be used solely for the benefit and improvement of the Leyte Agri-Aqua cooperative in association.

SECTION 8 SEPARABILITY CLAUSE, for any reason/ reasons any part of the provision of this Ordinance shall be held unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 9 REPEALING CLAUSE, all resolutions, regulations or ordinance or parts thereof inconsistent herewith re hereby repealed or modified accordingly.

SECTION 10 EFFECTIVELY, this Ordinance shall take effect immediately upon approval.

ENACTED this 3rd day of June 2024, at Leyte, Leyte, Philippines.

PAQUITO D. PELIPEL, JR.
SB Member

LILETH I. GATCHALIAN
SB Member

EDWARD JAY A. DURANTE
SB Member

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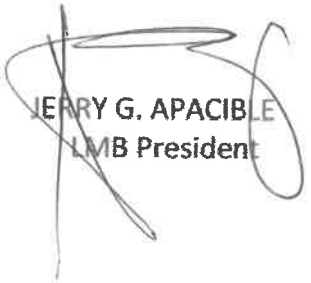

ROWIL G. BATAN
SB Member

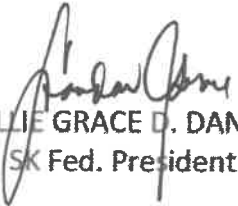

AIDA A. DELANTAR
SB Member


ALEX A. DAGANDAN
SB Member


EULOGIO E. CAPACIO
SB Member


GUALBERTO S. MERACAP
SB Member


JERRY G. APACIBLE
LMB President


NELLIE GRACE D. DANDAN
SK Fed. President

Attested:


ARMANDO M. YSIDORO
Municipal Vice Mayor
Presiding Officer

Certified Correct:


VILMA D. COMBATE
SB Secretary

Approved:


ARNOLD JAMES M. YSIDORO
Municipal Mayor



Republic of the Philippines
MUNICIPALITY OF LEYTE
L E Y T E
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Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Municipal Ordinance No. 100-24: " AN ORDINANCE DESIGNATING EVERY SUNDAY AS MARKET DAY WHICH SHALL BE KNOWN AS TABO SA LEYTE, has been posted in three (3) conspicuous places in this Municipality.

This certification is issued this 2nd day of July, 2024 at Leyte, Leyte, Philippines.


VILMA D. COMBATE
SB Secretary

MUN. ORD. - LEYTE,
LEYTE



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REPUBLIC OF THE PHILIPPINES)
City of Tacloban) S.S.

AFFIDAVIT OF PUBLICATION

THAT I, DALMACIO C. GRAFIL of legal age, married and resident of Tacloban City, Philippines after being duly sworn to in accordance with the provisions of law, depose and say:

THAT- I am the PUBLISHER of the LEYTE SAMAR DAILY EXPRESS, INC a newspaper edited and printed in the City of Tacloban and regularly circulated in the provinces of Leyte, Southern Leyte, Biliran, Samar, Northern Samar, Eastern Samar and the cities of Tacloban, Ormoc, Baybay, Maasin, Calbayog, Catbalogan and Borongan.

THAT: Republic of the Philippines Province of Leyte MUNICIPALITY OF LEYTE OFFICE OF THE SANGGUNIANG BAYAN MUNICIPAL ORDINANCE NO. 100-24 "AN ORDINANCE DESIGNATING EVERY SUNDAY AS MARKET DAY WHICH SHALL BE KNOWN AS TABO SA LEYTE".


A printed copy of which is attached was published in the said newspaper on July 6, 2024.

IN WITNESS WHEREOF, I hereunto affix my signature this 8th day of July 2024, at Tacloban City, Philippines.


DALMACIO C. GRAFIL
Affiant

SUBSCRIBED AND SWORN to before me this 8th day of July 2024, at Tacloban City. Affiant exhibited to me his Passport No. P8922824A, date of issue 27 September 2018, valid until 26 September 2028, issuing authority DFA, Tacloban.

Doc. No. 373
Page No. 75
Book No. 142
Series of 2024


ATTY. EDWIN Y. CHUA
Notary Public
Until Dec. 31, 2024
Appointment No. NC-2023-01-75
PTR No. 1440307
Roll No. 35352
IBP Lifetime No. 436783