

Item No.: 16
Date: 03 2024 DEC

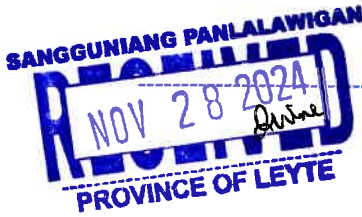


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Received: _____
Time: _____
Date: 11-26-24



2nd INDORSEMENT
November 15, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 24-19 of the Sangguniang Bayan of Burauen, Leyte.

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

- Ordinance No. 24-19 entitled: **“An Ordinance mandating all business operating within the territorial jurisdiction of the Municipality of Burauen, Leyte engaged in the manufacture, sale or distribution of PNP uniforms, etc.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)¹ of the Local Government Code of 1991 (R.A 7160) in relation to E.O. 297². Hence, we recommend 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 the 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 *[Signature]*

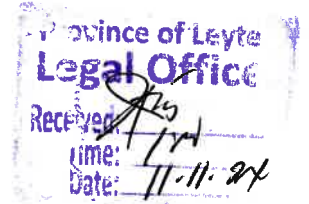
¹(a) *The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code,*

² **REGULATING THE MANUFACTURE, SALE, DISTRIBUTION AND USE OF PNP UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS**

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
11 November 2024

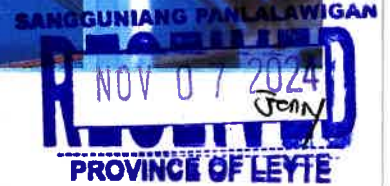


The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 24-19**, of the **Municipality of Burauen, Leyte**, entitled: An Ordinance mandating all businesses operating within the territorial jurisdiction of the Municipality of Burauen, Leyte engaged in the manufacture, sale or distribution of the PNP uniforms, insignias, and other accoutrements to secure PNP Certificate of Conformity and prescribing penalties for violations thereof.


ANDRE S. SANICO
Prov. Govt. Asst. Dept. Head



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF BURAUEN



OFFICE OF THE SANGGUNIANG BAYAN

November 6, 2024

THE HONORABLE MEMBERS
Sangguniang Panlalawigan
Province of Leyte

ATTENTION: FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Province of Leyte
Palo, Leyte

Ladies/Gentlemen:

We transmit herewith 15 copies of **Municipal Ordinance No. 24-19**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled "**An Ordinance Mandating All Businesses Operating Within the Territorial Jurisdiction of the Municipality of Burauen, Leyte Engaged in the Manufacture, Sale, or Distribution of PNP Uniforms, Insignias, and Other Accoutrements to Secure PNP Certificate of Conformity and Prescribing Penalties for Violations Thereof**", for review and approval of the body.

Attached are the following documents for your perusal:

1. Certificate of Public Hearing;
2. Minutes of the Public Hearing;
3. Attendance Sheet; and
4. Certificate of Posting.

Thank you and please acknowledge receipt hereof.

Respectfully yours,

CHARITY C. BARBOSA
Board Secretary II

Office of the Sangguniang Bayan, Executive & Legislative Building,
La Purisima St., District 7, Burauen, Leyte.

BURAUEN
NATURALLY COOL



Republic of the Philippines
 Province of Leyte
 Municipality of Burauen



OFFICE OF THE SANGGUNIANG BAYAN

**MUNICIPAL ORDINANCE NO. 24-19
 SERIES OF 2024**

AN ORDINANCE MANDATING ALL BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BURAUEN, LEYTE ENGAGED IN THE MANUFACTURE, SALE, OR DISTRIBUTION OF PNP UNIFORMS, INSIGNIAS, AND OTHER ACCOUTREMENTS TO SECURE PNP CERTIFICATE OF CONFORMITY AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

SPONSOR: HON. VINCENT G. ENERLAN

Chairman, Committee on Peace and Order, Human Rights, Public Safety, Crisis and Disaster Management

WHEREAS, Section 16 of the Local Government Code of 1991, or Republic Act No. 7160, also known as the General Welfare Clause provides in part that, *“every local government unit shall ensure and support the maintenance of peace and order within their respective territorial jurisdiction”*;

WHEREAS, Executive Order No. 297, entitled *“Regulating the Manufacture, Sale, Distribution and Use of PNP Uniforms, Insignias and Accoutrements”* was signed on October 4, 2000 to control and manage the unauthorized manufacture, sale and distribution of PNP uniforms, insignias and other accoutrements;

WHEREAS, E.O. No. 297 imposes as penalties, the immediate closure of establishment; cancellation of business license or permit, condemnation, seizure and forfeiture of unauthorized items; and, imposition of reasonable fines for violators of the said order, all of which could be undertaken by the local government units concerned;

WHEREAS, in 03 September 2020, the Philippine National Police Directorate for Research and Development (PNP-DRD) has issued DRD Standard Operating Procedure No. 2020-001 prescribing the procedures and guidelines in handling of samples of PNP uniforms and accoutrements to ensure the integrity of the submitted samples as basis for issuance of Certificate of Conformity (COC).

WHEREAS, the unauthorized manufacture, sale, use and distribution of PNP uniforms, insignias and other accoutrements impose serious concerns since such symbolic PNP identifiers, instead of providing a comforting sense of security, could be used by lawless elements in the commission of crimes within the municipality.

WHEREAS, considering that Burauen, Leyte is geographically vast and the possibility of business establishments that could engage in the manufacture, sale, and distribution of PNP uniforms, insignias, and other accoutrement is more likely, there is a need to enact ordinance to mitigate, or even eradicate, the proliferation of the unauthorized use of PNP uniforms and commission of illegal activities within the municipality.

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Burauen, Leyte, in regular session assembled, that:

SECTION 1 – Title. This ordinance shall be known as, **“The PNP Certificate of Conformity Ordinance of Burauen, Leyte”**.

Municipal Ordinance No. 24-19, Series of 2024; August 19, 2024

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SECTION 2 – Scope and Application. All businesses operating within the territorial jurisdiction of Burauen, Leyte whether in physical, online or in digital platforms, engaged in the manufacture, sale and distribution of Philippine National Police uniforms, insignias, and other accoutrements. It includes enterprises dealing with raw materials for the production of aforementioned items.

SECTION 3 – Definition of Terms. For purposes of implementation of this Ordinance, the following definitions shall be binding and controlling:

- a. *PNP Uniforms, Insignias and Accoutrements* – these are authorized clothing, garment, distinguishing mark, emblem, merchandise, or decorations worn by bona fide members and officially acknowledged by the Philippine National Police.
- b. *PNP Certificate of Conformity (COC)* – a certification issued by the PNP, through the Directorate for Research and Development (DRD), that signifies authorization to manufacture, sell or distribute PNP uniforms, insignias and accoutrements.
- c. *Distributor* – an authorized agent of a supplier or manufacturer to supply or deliver PNP uniforms, insignias and accoutrements wherein the latter has a valid PNP Certificate of Conformity.
- d. *Manufacture* – act of producing or trading of fit-to-use, ready-to-wear, or ready-to-use PNP uniforms, insignias, and other accoutrements.

SECTION 4 – Requirements for PNP Certificate of Conformity. All businesses engaged and dealing with PNP uniforms, insignias and accoutrements must secure a PNP Certificate of Conformity which shall be post-permit compliance to all businesses after issuance of a business permit.

SECTION 5 – Coordination with the PNP. To ensure effective implementation of this Ordinance, the PNP shall be integrated into the Business Permit and Licensing Office (BPLO). This integration will ensure that all establishments applying for a business permit and engaged in the manufacturing, selling, or distribution of PNP uniforms, insignias, and other accoutrements are evaluated by a dedicated PNP personnel.

The PNP shall also provide the BPLO with a Negative List of registered covered establishments that have failed to secure the PNP Certificate of Conformity.

SECTION 6 – Authority to Inspect Establishments. The BPLO, in coordination with the PNP, shall periodically conduct joint inspections of covered business establishments to ensure they present their PNP Certificate of Conformity.

SECTION 7 – Implementing Offices. The BPLO shall be the primary office responsible for developing the Implementing Rules and Regulations (IRR) and for executing the provisions of this Ordinance. The BPLO shall coordinate with the Philippine National Police, specifically the Directorate for Research and Development, to ensure effective implementation.

SECTION 8 – Penalties. Failure to secure a PNP Certificate of Conformity or present the same during inspection shall warrant the issuance of appropriate Notice of Violation. If the establishment is found to be continuously violating the relevant provisions of this Ordinance, the BPLO may take one or more of the following actions, depending on the nature of the violation: suspend business operations, revoke the business permit, or order the closure of the business establishment.

If violations are identified during the aforementioned inspections, such as the failure to present valid proof of authority to handle PNP uniforms, insignias, or other accoutrements, the items in question may be seized or confiscated and disposed of properly. This action is without

prejudice to the potential revocation of the business permit and the filing of any appropriate administrative, civil, or criminal cases.

Any violator of the aforementioned provisions shall be subject to a fine of ₱2,500.00 payable to the Municipal Treasury, and/or imprisonment for up to 30 days, at the court's discretion.

SECTION 9 – Repealing Clause. All ordinances, resolutions, executive orders and all other issuances inconsistent herewith are deemed to be repealed or modified accordingly.

SECTION 10 – Separability Clause. If any of the provisions of this ordinance is declared invalid and unconstitutional, other parts or provisions hereof shall continue to be in full force and effect.




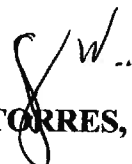



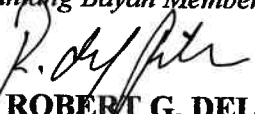



SECTION 11 – Effectivity. This ordinance shall take effect upon its approval.

CARRIED UNANIMOUSLY, this 19th day of August 2024, in regular session assembled.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

CHARITY C. BARBOSA
Board Secretary II
Acting Secretary to the Sanggunian

ATTESTED:

 HON. VINCENT G. ENERLAN <i>Sangguniang Bayan Member</i>	 HON. NOEL P. ALPINO <i>Vice-Mayor</i> <i>Presiding Officer</i>	
 HON. HERMENIA C. CAMASIN <i>Sangguniang Bayan Member</i>		 HON. CIPRIANO R. RELATORRES, JR. <i>Sangguniang Bayan Member</i>
 HON. DEXTER R. SENO <i>Sangguniang Bayan Member</i>		 HON. BRYAN R. CINCO <i>Sangguniang Bayan Member</i>
 HON. EVA FE A. CORAL <i>Sangguniang Bayan Member</i>		 HON. ROBERT G. DEL PILAR <i>Sangguniang Bayan Member</i>
 HON. FE S. RENOMERON <i>LnB President/ Ex-Officio SB Member</i>		 HON. OSCAR A. CAGARA <i>Sangguniang Bayan Member</i>
		 HON. JUSTINE MERP G. ANDRADE <i>SK Federation President/ Ex-Officio Member</i>

APPROVED:


HON. JUANITO E. RENOMERON
Mayor



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a Public Hearing for **Municipal Ordinance No. 24-19, Series of 2024** of the Sangguniang Bayan of Burauen, Leyte, entitled ***“An Ordinance Mandating All Businesses Operating Within the Territorial Jurisdiction of the Municipality of Burauen, Leyte Engaged in the Manufacture, Sale, or Distribution of PNP Uniforms, Insignias, and Other Accoutrements to Secure PNP Certificate of Conformity and Prescribing Penalties for Violations Thereof”***, was conducted on **August 13, 2024, 12:00 noon** at the Burauen Community Center, Burauen, Leyte.

Burauen, Leyte, August 19, 2024.

CHARITY C. BARBOSA
Board Secretary II
Acting Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Burauen



OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE PUBLIC HEARING ON AUGUST 13, 2024 OF THREE PROPOSED ORDINANCES:

- **JAIL GUARD-THE-GATE ORDINANCE OF 2024**
- **PNP CERTIFICATE OF CONFORMITY ORDINANCE OF BURAUEN, LEYTE**
- **SLAUGHTERHOUSE OPERATION AND MEAT FOR PUBLIC CONSUMPTION REGULATORY ORDINANCE OF THE MUNICIPALITY OF BURAUEN, LEYTE**

SB MEMBERS PRESENT:

1. Hon. Vincent G. Enerlan – SB Member, Chairman, Committee on Peace and Order and Public Safety
2. Hon. Cipriano R. Relatorres, Jr. – SB Member, Vice Chair, Committee on Peace and Order and Public Safety and Committee on Appropriations
3. Hon. Hermenia C. Camasin – SB Member, Chairman, Committee on Appropriations
4. Hon. Oscar A. Cagara – SB Member, Chairman, Committee on Agriculture and Slaughterhouse
5. Hon. Fe S. Renomeron – SB Member, Liga ng mga Barangay

TIME STARTED: 12:00 noon

- The public hearing was in conjunction with the Municipal Development Council 3rd quarterly meeting and was included in the agenda as “Other Matters”.
- After all the agenda were discussed in the council meeting, Municipal Mayor, Hon. Juanito E. Renomeron opened to the assembly that a public hearing will be conducted for the proposed ordinances, namely: Jail Guard-the-Gate Ordinance of 2024; PNP Certificate of Conformity Ordinance of Burauen, Leyte; and Slaughterhouse Operation and Meat for Public Consumption Regulatory Ordinance of the Municipality of Burauen, Leyte.
- Since it was already time for lunch, the municipal mayor announced that the food is ready and that it was a working lunch.
- He then gave the floor to SJO4 Abraham Antivo Jr. of the Burauen District Jail to discuss the salient provisions of the Jail Guard-the-Gate Ordinance of 2024, penalties and its importance to the Persons Deprived of Liberty (PDL), personnel, and visitors in the district jail. SJO4 Antivo asked the public if there are question to be raised. The public told the resource speaker that the ordinance was clear and they agreed to the penalties imposed.
- After the presentation of the 1st ordinance, the municipal mayor gave the floor to PMAJ Ariel J Salarda and discussed the salient provisions of the PNP Certificate of Conformity Ordinance of Burauen and the penalties imposed. The ordinance was also clear and the public didn't raise questions and agreed to the penalties provided.

- After the presentation of the 2nd ordinance, the municipal mayor gave the floor to Dr. Analou S. Detablan of the Municipal Agriculture Office to discuss the Slaughterhouse Operation and Meat for Public Consumption Regulatory Ordinance of the Municipality of Burauen. Dr. Detablan discussed the salient provisions of the ordinance and the corresponding penalties. Since the ordinance contains pork products and all related matters to public meat consumption, she additionally discussed important matters about the threat of ASF in the municipality. There being no further questions, the public all agreed to the penalties imposed of the 3 ordinances, the municipal mayor and the Sangguniang Bayan members present thanked the Municipal Development Council, SJO4 Antivo of Burauen District Jail, PMAJ Salarda of the Burauen MPS, and Dr. Detablan and Engr. Lemuel Trocino of Municipal Agriculture Office.
- The public hearing was adjourned at 12:45 in the afternoon.

Prepared by:

CHARITY C. BARBOSA
Board Secretary II
Acting Secretary to the Sanggunian



Republic of the Philippines
 PROVINCE OF LEYTE
 Municipality of Burauen

OFFICE OF THE SANGGUNIANG BAYAN

ATTENDANCE SHEET
 PUBLIC HEARING
 AUGUST 13, 2024

NO.	FULL NAME	BARANGAY/OFFICE	POSITION	SIGNATURE
1.	LEVY R. NODOLA	DINAAYA	P.B.	[Signature]
2.	EMILI B. CEMENTIZA	ROYAS	P.B.	[Signature]
3.	CARMEITA A. RENDMERON	ANOUANG	P.B.	[Signature]
4.	FLORAME C. IGDALINO	DAMULO - AN	P.B.	[Signature]
5.	ANGELITA B. GUMBON	ARADO	P.B.	[Signature]
6.	Emilda M. Oloron	MALAHAO	P.B.	[Signature]
7.	LEO H. RAGA	TOLOYAS	P.B.	[Signature]
8.	Humangdan Oloron	TAGUYON	FI	[Signature]
9.	Edmundo U. Maresca	PAJUA	P.B.	[Signature]
10.	Maryjo P. Maganto	Calasabang	P.B.	[Signature]
11.	NOEL B. LAGARID	ESPERANZA	P.B.	[Signature]
12.	CHRISTOPHER A. KUMOPEN	LOGSONGAN	PB	[Signature]
13.	Rodolfo B. Eaja	KAGBARA	PB	[Signature]
14.	RANILDO T. QUIMISON	V-PIATRA	PB	[Signature]
15.	Jimmy A. Cabus	VILLA ROSAS	PB	[Signature]
16.	NINA SARAY F. MATAZA	PAITAN	PB	[Signature]
17.	HILARIO A. RAGA	POB. DIST 2	P.B.	[Signature]
18.	RAFAEL A. PARADO	POB. DIST. 1	P/B	[Signature]
19.	Redy Onda	Calas	P/B	[Signature]
20.	Oni Ophel Palancas	VILLA ANTONIA	P/B	[Signature]
21.	ALBERTA R. VILGAL	POB. DIST. 06	P.B.	[Signature]
22.	DAMASO L. RAGA	POB. DIST. 7	P/B	[Signature]
23.	PAULO D. MENDOL	MARAGUINABOT	P.B.	[Signature]
24.	TERESA R. DUMAY	KUMON	P.B.	[Signature]
25.	MENILLO R. REFUERTE	BODON	P.B.	[Signature]
26.	YOLANDA D. SACKY	CALLI	PB	[Signature]
27.	ROLANDO M. REVERO	CRANISLAGAN	P.B.	[Signature]
28.	ALFONSO G. MORALES	MARABO	P.B.	[Signature]
29.	Isabel M. Mota	Emabul	P.B.	[Signature]
30.	JOSE ANTONIO T. ANTONIO	BUMP	JU	[Signature]
31.	Jose Victor C. KRAS	BUMP	CRS	[Signature]
32.	Arillo M. Mota	CRANISLAGAN	P.B.	[Signature]
33.	GEMMA P. ARALAR	HAPINAN	P.B.	[Signature]

34.	EDUARDO C. MUYMAN	TRECE SAN CRISTOBAL	P.B	
35.	MA. HAREY DELATORRES	HIBUNANAN	PB	
36.	ERWIN B. LOZANO	MOGONING	PB	
37.	MAX D. MORBOS	TAKIN	P.O	
38.	Fausto C. Palero	Portage	PB	
39.	ROSELINA C. PORTILLO	VILLA CORAYAN	P.B	
40.	ARNEL AVILA	BALORINAY	P.B	
41.	KIMBER C. YU	MAGHUBAS	P.B	
42.	MANNIE ROY R. BANTULA	CASAGIBACAN	GBM	
43.	PETERLIN L. ALERO	DIST 4	PB	
44.	DENNIS KRUSAS	DIST. VII	PB	
45.	ROSAS MAZA, TYNTE	PNP	FORM V	
46.	Mledo C. Banta	LAGOINACA	P.B.	
47.	Jerome D. Daut	Kaporason	P.B	
48.	ROSEUDO A. CASARA JR.	DUMALAG	P.B.	
49.	Herbert R. Echon	Gomay	PB	
50.	JOSE KONIE A. VIOLA	POB. OUTPOST N	MPOD	
51.	Juan Jose Verzosa	MPOD	MPO	
52.	FELIX WIGI I. SISTER	MPOD	J.O	
53.	Apolinara Abingde	P. B. Dumo	P.B	
54.	MILLIAM M. ANATIANO	MANTAO	PB	
55.	CHARITY C. BARBOSA	SBO	Board Secretary 4	
56.	DEAR DACLIM	TAMPUCO	P.B.	
57.	JAMIE PAZA	MARACNAO	BS	
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Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF BURAUEN



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **Municipal Ordinance No. 24-19**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled, ***“An Ordinance Mandating All Businesses Operating Within the Territorial Jurisdiction of the Municipality of Burauen, Leyte Engaged in the Manufacture, Sale, or Distribution of PNP Uniforms, Insignias, and Other Accoutrements to Secure PNP Certificate of Conformity and Prescribing Penalties for Violations Thereof”***, was enacted on August 19, 2024, approved on even date, and has been posted in two (2) conspicuous and publicly accessible places of the municipality from *August 21 to September 10, 2024*, in compliance with Section 59, paragraph (b) of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”.

Burauen, Leyte, September 16, 2024.


HON. NOEL P. ALPINO
Municipal Vice-Mayor