

Item No.: 19

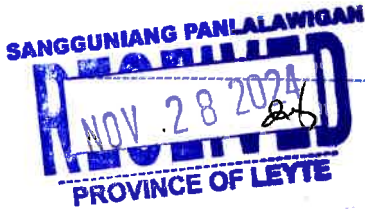
Date: 03 2024 DEC



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

-oOo-

Province of Leyte  
Legal Office  
11. 26. 24



**PROVINCIAL LEGAL OFFICE**

**2<sup>nd</sup> INDORSEMENT**  
November 15, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-24 of the Sangguniang Bayan of Calubian, Leyte.

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

- Ordinance No. 2024-24 entitled: “An Ordinance Amending Section 5A.07 of Municipal Ordinance No. 2023-01.”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is in need of further review considering that the proposed amendment establishes the penalties as Php 5,000, Php 8,000, and Php 10,000 for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> offense respectively, in contravention with Section 447(a)(iii)<sup>1</sup> of the Local Government Code. Hence, we recommend further review or revision of the proposed Ordinance.

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.

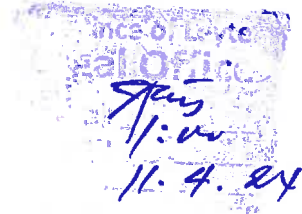
**ATTY. JOSE RAYMUND A. ACOL**  
Asst. Provincial Legal Officer

<sup>1</sup> (iii) Approve ordinances imposing a fine not exceeding Two thousand five hundred pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance;

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
04 November 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2024-24** of the **Municipality of Calubian, Leyte**, entitled: An Ordinance Amending Section 5A.07 of Municipal Ordinance No. 2023-01 entitled: An Ordinance Revising the Municipal Revenue Code of Calubian, Leyte.

  
**ANDRE S. SANICO**  
Provl Govt. Asst. Dept. Head

SP Copy



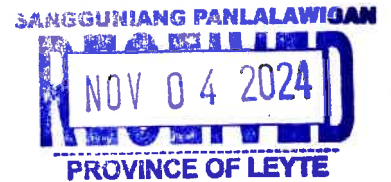
Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian



OFFICE OF THE SANGGUNIANG BAYAN

October 31, 2024

HON. LEONARDO M. JAVIER, JR.  
Provincial Vice Governor, Presiding Officer; and  
The Honorable Members of the Sangguniang Panlalawigan  
Province of Leyte  
New Leyte Provincial Capitol  
Palo, Leyte



THRU: **MS. FLORINDA JILL S. UYVICO**  
Provincial Government Department Head  
Secretary to the Sanggunian  
Province of Leyte

Dear Honorable Ladies/ Gentlemen:

Good day!

We are respectfully forwarding *fifteen (15) copies* of the following Municipal Ordinance No. 2024-24, entitled: "AN ORDINANCE AMENDING SECTION 5A.07 OF MUNICIPAL ORDINANCE NO. 2023-01 ENTITLED, "AN ORDINANCE REVISING THE MUNICIPAL REVENUE CODE OF CALUBIAN, LEYTE", and its supporting attachments for favorable review and approval of the Honorable Sangguniang Panlalawigan of Leyte

For your perusal. Please acknowledge receipt hereof.

Thank you.

Very truly yours,

  
**ATTY. KEISHA YNA VINEE V. RAMIREZ**  
MGDH I (Secretary to the Sanggunian)



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Municipality of Calubian  
 -OO-

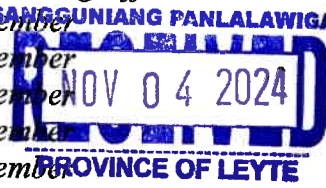


**OFFICE OF THE SANGGUNIANG BAYAN**

*EXCERPTS FROM THE MINUTES OF THE NINETY EIGHTH (98<sup>TH</sup>) REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON OCTOBER 14, 2024 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.*

**PRESENT:**

- |  |                     |
|--|---------------------|
| <i>Vice Mayor Anna Love Veloso – Laurente</i>      | - Presiding Officer |
| <i>SB Member Noel G. Eamiguel</i>                  | - Member            |
| <i>SB Member Eugenio A. Ching, Jr.</i>             | - Member            |
| <i>SB Member Jullian Marc A. Batiancela</i>        | - Member            |
| <i>SB Member Ester P. Lubiano</i>                  | - Member            |
| <i>SB Member Benjamin A. Calbitaza</i>             | - Member            |
| <i>Liga ng mga Barangay Pres. Alfredo M. Casas</i> | - Member            |



**FORCED LEAVE:**

- |   |          |
|---|----------|
| <i>SB Member Julia E. Halichic</i>        | - Member |
| <i>SB Member Lucita A. Palconit</i>       | - Member |
| <i>SB Member Alyza F. Nierras</i>         | - Member |
| <i>SK Fed. Pres. Carl Ernest D. Ponce</i> | - Member |

**ORDINANCE NO. 2024 - 24**

**AN ORDINANCE AMENDING SECTION 5A.07 OF MUNICIPAL ORDINANCE NO. 2023-01 ENTITLED, "AN ORDINANCE REVISING THE MUNICIPAL REVENUE CODE OF CALUBIAN, LEYTE".**

*Sponsored by the Committee on Finance and Appropriations*

- Hon. Jullian Marc A. Batiancela.*  
*Hon. Noel G. Eamiguel*  
*Hon. Julia E. Halichic*  
*Hon. Ester P. Lubiano*

**WHEREAS**, the Honorable Mayor Marciano A. Batiancela, Jr. through his letter September 9, 2024 addressed to the Sangguniang Bayan requested the amendment of the Section 5A.07 of Municipal Ordinance No. 2023-01;

**NOW THEREFORE**, on motion of of the Members present, duly seconded by SB Member Jullian Marc A. Batiancela and concurred by all SB Members present;

**BE IT ORDAINED, AS IT IS HEREBY ORDAINED**, by the Sangguniang Bayan of Calubian, Leyte in session assembled, that:

**SECTION 1. AMENDMENTS.** Section 5A.07 of Municipal Ordinance No. 2023-01 is HEREBY AMENDED, to wit:

*Jullian Marc A. Batiancela*  
 SB Member  
*Noel G. Eamiguel*  
 SB Member

*Eugenio A. Ching, Jr.*  
 SB Member  
*Ester P. Lubiano*  
 SB Member

*Alfredo M. Casas*  
 Liga ng mga Barangay Pres.  
*Benjamin A. Calbitaza*  
 SB Member

**Section 5A.07. Privilege of Residents to Take Fish in Municipal Waters.** Any person who is not a grantee of a license or privilege to engage in commercial fishing is hereby allowed for domestic use in the Municipal Waters.

Any person who violates the Fishing Ordinance shall be charged a penalty of:

First Offense	Php 5, 000
Second Offense	Php 8, 000
Third Offense	Php 10,000

**SECTION 2. SEPARABILITY CLAUSE.** If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby, shall continue to be in full force & effect.

**SECTION 3. REPEALING CLAUSE.** All ordinances, rules and regulations or parts not consistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.

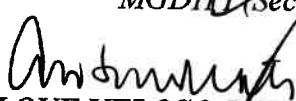
**SECTION 4. EFFECTIVITY.** This Ordinance shall take effect after fifteen (15) days following its posting or publication, whichever comes first, and shall remain in effect unless otherwise disapproved by the Sangguniang Panlalawigan.

**APPROVED** this 14<sup>th</sup> day of October, 2024 at Calubian, Leyte.

*I HEREBY CERTIFY to the correctness of the above-quoted Ordinance.*

**ATTY. KEISHAYNA VINEE V. RAMIREZ**  
MGDHL (Secretary to the Sanggunian)

**ATTESTED BY:**

  
**ANNA LOVE VELOSO-LAURENTE**  
Presiding Officer

  
**JULLIAN MARC A. BATIANCELA**  
SB Member

  
**EUGENIO A. CHING, JR.**  
SB Member

  
**ALFREDO M. CASAS**  
Liga ng mga Barangay Pres.

  
**NOEL G. EAMIGUEL**  
SB Member

  
**ESTER P. LUBIANO**  
SB Member

  
**BENJAMIN A. CALBITAZA**  
SB Member

**APPROVED:**

Date: 29 OCT 2024

  
**HON. MARCIANO A. BATIANCELA, JR**  
Municipal Mayor



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian

OFFICE OF THE SECRETARY  
TO THE SANGGUNIANG BAYAN  
sbsec0813.mgocalubian@gmail.com



## CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY THAT the Municipal Ordinance No. 2024-24, entitled: "AN ORDINANCE AMENDING SECTION 5A.07 OF MUNICIPAL ORDINANCE NO. 2023-01 ENTITLED, "AN ORDINANCE REVISING THE MUNICIPAL REVENUE CODE OF CALUBIAN, LEYTE", " was posted on the Bulletin Board of the Sangguniang Bayan on October 31, 2024 and other conspicuous places in the Municipality of Calubian, Leyte, and it will remain posted therein for three (3) consecutive weeks.

THIS CERTIFICATION is issued in compliance with ARTICLE 114 of the Implementing Rules and Regulations of Regulations of Republic Act No. 7160.

ISSUED the 31<sup>st</sup> day of October, 2024 at the Municipality of Calubian, Leyte.

Very truly yours,

  
ATTY. KEISHA YNA VINEE V. RAMIREZ  
MGDHI (Secretary to the Sanggunian)










Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Municipality of Calubian  
 -oOo-  
**OFFICE OF THE SANGGUNIANG BAYAN**



**ATTENDANCE SHEET OF PUBLIC HEARING**  
 OCTOBER 7, 2024

	<b>NAME OF BRGY. CAPTAINS</b>	<b>ADDRESS</b>	<b>SIGNATURES</b>	<b>CONTACT NO.</b>
1	EDILBERTO A. DUMASAPAL	ABANILLA		
2	IGNACIA S. PALAPAR	AGAS	<i>Palapar</i>	0952760871
3	JUAN A. CATOR, JR.	ANISLAGAN		
4	EDWIN O. ROSALEJOS	BUNACAN		
5	RENATO A. AVENIR, JR.	CABALHIN		09815485005
6	SHERIE MAE H. CASILAGAN	CABALQUINTO		09984860988
7	OFELIA L. VILLAFLORES	CABRADILLA		09275590134
8	EDUARDO C. CANEJA	CANEJA		09482046245
9	SIMEON M. QUEBEC	CANTONGHAO		
10	EUGENIO C. QUIMBO	CARUYUCAN		
11	EDGARDO S. PEDIDA	CASIONGAN		09007953290
12	ALFREDO M. CASAS	CRISTINA		
13	ESTERLINA C. BERDIDA	DALUMPINES	<i>Berdida</i>	09854187074
14	GERARDO D. PADOGA	DON LUIS		
15	JOSEPHINE H. CASINAY	DULAO		09703406642
16	MA. LUISA M. AGDA	EFE/UL-OG		09058349130
17	BEBILYN S. LOVIANO	ENAGE		09778829254
18	RYAN C. CHENG	ESPINOSA		09510337497
19	LIEF ADRIAN A. SARTHOU	F.E. MARCOS		
20	JULIUS M. PATES	GARGANERA		
21	MADEL E. DEQUIÑO	GARRIDO		09773134159
22	REYNALDO B. DALUT	GUADALUPE		
23	BEN LEO C. RUÑA	GUTOSAN		0920709029
24	RAMON C. MOLLEJON	IGANG		
25	GEMALYN R. JAVIER	INALAD		
26	ARVIN P. LUBIANO	JUBAY		09612919394
27	EDITO P. DABALOS	JUSON		
28	JUNREL B. LARISMA	KAWAYANAN		
29	GRAPES S. SINCERO	K. BUGTONG		
30	ALONA B. BAGALLON	K. ROMUALDEZ		
31	BELINDA R. COLITA	LABTIC		
32	ROBERLLY P. BALANGATAN	LARAY		092916645481
33	LEANDRO D. PATES	M. VELOSO		
34	ISMAEL M. RUIZ	MAHAIT		09097127501
35	DHASRIL S. ESTACAAN	MALOBAGO		09606529228
36	REYNALDO V. CABILLAN	MATAGOK		09069247596
37	JASSIE B. EFE	NIPA		
38	ELISEO C. BETACHE	OBISPO		
39	KEENIE J. ALBINO	PADOGA		09279590758
40	JOSEFINA C. POLANGCOS	PAGATPAT		09067828872
41	GARRY C. GIGANTO	PANGPANG		09092010405
42	JESSICA B. NODALO	PATAG		09773643436
43	ATILANO D. ABAJON	PATES		
44	SAYLITA M. SOLITE	PAULA		
45	ENRIQUE L. ABAJON, SR.	PETROLIO		

46	NENITA G. BERMOY	RAILES		09704560901
47	MILAGROS G. ABILAR	TABLA		09054712979
48	DIOMEDES D. CARLOS	TAGHARIGUE		
49	ROGERO A. TALUA	T. POBLACION		09563901269
50	SILVESTRE C. ABAJON	TUBURAN		
51	GENESIS S. PONCE	VILLAHERMOSA		
52	EDERLINA C. EAMIGUEL	VILLALON		096890707ms
53	JOSE E. TAPAYA, JR.	VILLANUEVA		



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Municipality of Calubian  
 -oOo-  
**OFFICE OF THE SANGGUNIANG BAYAN**



**ATTENDANCE SHEET OF PUBLIC HEARING**  
**OCTOBER 7, 2024**

	<b>NAME OF BRGY. SECRETARIES</b>	<b>ADDRESS</b>	<b>SIGNATURES</b>	<b>CONTACT NO.</b>
1	REMEDIO C. CABALQUINTO	ABANILLA		09675049450
2	MARIAN T. SANDIGAN	AGAS		09067602655
3	NIEGEL J. CATOR	ANISLAGAN		097709811
4	BERNADETTE A. EVANGELISTA	BUNACAN		09154081
5	LIEZEL B. ARANAS	CABALHIN		
6	WENIFREDA M. FIEL	CABALQUINTO		09518173207
7	JINNY ROSE A. CABRADILLA	CABRADILLA		09537093379
8	BELLA N. CATOR	CANEJA		
9	HERBERT F. GACMAN	CANTONGHAO		09750192305
10	LORENZA R. AÑASCO	CARUYUCAN		
11	JERRY T. JAMIN	CASIONGAN		
12	GLORIA M. LUNZAGA	CRISTINA		
13	ROWENA LACDAYING	DALUMPINES		
14	GERALDINE OLIMPO	DON LUIS		091482857
15	CARLITO S. MALIPAY	DULAO		
16	TRINIDAD AYUBAN	EFE/UL-OG		
17	EVELYN A. ANSALE	ENAGE		09750740619
18	ROBERT C. LEE	ESPINOSA		09564978405
19	MOZELLE S. MENDOZA	F.E. MARCOS		
20	SHELLA M. BALTAR	GARGANERA		09354218852
21	JOCELYN B. SULIVA	GARRIDO		
22	SARAHJANE D. SALUT	GUADALUPE		0935384249
23	KYLA JANE GONZALES	GUTOSAN		
24	EDILYN D. UMPAD	IGANG		
25	ABEGAIL ELLE	INALAD		
26	LOURDES O. RIVERA	JUBAY		09273099124
27	MICHELLE C. RANES	JUSON		09618919594
28	MARY ROSE L. EBRADA	KAWAYANAN		09704560157
29	LENIZA D. SALUDAR	K. BUGTONG		09272407594
30	DONALD GENOQUIN	K. ROMUALDEZ		09059443435
31	SIRA MAE R. MAYONO	LABTIC		
32	GENELYN MARTIZO	LARAY		0912-047-5467
33	NILDA D. CATOY	M. VELOSO		09262324951
34	FE MARLENE C. MONTALBO	MAHAIT		09262861800
35	REZEL D. MADANGLOG	MALOBAGO		09091062488
36	JEANELYN REDOLOZA	MATAGOK		09631623607
37	REBECCA E. OLIVAR	NIPA		
38	ALLAN O. ABELLA	OBISPO		09066520426
39	EVANGELYN D. CASTILLO	PADOGA		09125916439
40	CRESILDA PONCE	PAGATPAT		09453322940
41	NERIE B. DELA PEÑA	PANGPANG		09473601630
42	DELIA CAHAYAGAN	PATAG		095341118845
43	ROWENA C. MOSCOSA	PATES		09676692964
44	IRISH A. COLITA	PAULA		09866192074
45	CECIL C. LABTIC	PETROLIO		09469569988

46	JENELYN CAMARINES	RAILES		
47	ALVIN B. MONTIVES	TABLA	<i>[Signature]</i>	
48	IMELDA LUMAPAK	TAGHARIGUE	<i>[Signature]</i>	
49	ROSEMARIE B. JURILLA	T. POBLACION	<i>[Signature]</i>	09200370533
50	MARJHUN ABAJON	TUBURAN		
51	MARNELLE S. SABINAY	VILLAHERMOSA		
52	WILMA N. EYAO	VILLALON	<i>[Signature]</i>	09124857373
53	EDNA P. DASAS	VILLANUEVA	<i>[Signature]</i>	09512331725



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Municipality of Calubian  
 -oOo-  
**OFFICE OF THE SANGGUNIANG BAYAN**



**ATTENDANCE SHEET OF PUBLIC HEARING**  
**OCTOBER 7, 2024**

	<b>NAME</b>	<b>ADDRESS</b>	<b>SIGNATURES</b>
1	Perlita M. Villalob	Cantonghao	Villalob
2	Rosalinda D. Yuzon	Cantonghao	Yuzon
3	MERCARZEN B. MONTAÑEZ	SB	Montañez
4	ARTHUR V. CASO RADILO	SR	Radiolo
5	Sanyo Halichic	ABC HALL	Halichic
6	MARINO GATUBIRAN	ABC	Gatubiran
7	ALFREDO M. CASO	CRISTINA	Caso
8	JULIAN BATIANCELA	ESPINOZA	Batiancela
9	EUCENIO CHINO	-	Chino
10	ESTER P. LUBIANO	JURAY	Lubiano
11	NIERICH, ALYZA F.	GUADALUPE	Nierich
12	ANNA LOPE V. LAMIENTE	SB	Lamiente
13	KASHA INA VIVER V. RAMIREZ	SB	Ramirez
14	RISERLO X. RAMIREZ	SB	Ramirez
15	Margie Delgado	SB	Delgado
16	Mina S. Ombao	-	Ombao
17	PAUL P. OMBAO	-	Ombao
18	Lorely Lorraine Sillar	-	Sillar
19	Janine Ardale	-	Ardale
20	SUETAK V. GERONIMO	-	Geronimo
21	Lwita C. Sabenario	Villalob	Sabenario
22	Phelmy Dalut	-	Dalut
23	EMMAN R. MARSONIA	Awstagan	Marsonia
24	ROY L. PASOLUNA	-	Pasoluna
25	ROWENA B. NOTNAY	AGAS	Notnay
26	RIELM E. V. CUYOS	SM	Cuyos
27	Joan B. Mendoza	N. Veloso	Mendoza
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			