

Item No.: 21

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  
11.26.24



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

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 23L.24-058 of the Sangguniang Bayan of Kananga, Leyte.

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

- Ordinance No. 23L.24-058 entitled: "An Ordinance adopting a Local Government Energy Code to promote energy efficiency and conservation, facilitate the implementation of energy projects ,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)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160) in relation to R.A. 11285<sup>2</sup>. 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 

<sup>1</sup> (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, and shall:

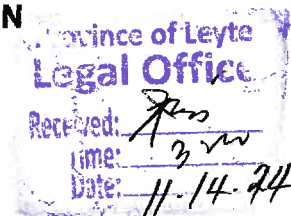
(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government,

<sup>2</sup> "Energy Efficiency and Conservation Act".

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

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



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 23L.24-058** of the **Municipality of Kananga, Leyte**, entitled: **An Ordinance adopting a Local Government Energy Code to promote energy efficiency and conservation, facilitate the implementation of energy projects, harmonize local and national policies on energy utilization, efficiency, safety, resilience and development, and for such other related purposes, and providing funds therefor.**

  
**FLORINDA JILL S. BYVICO**  
Secretary to the Sanggunian



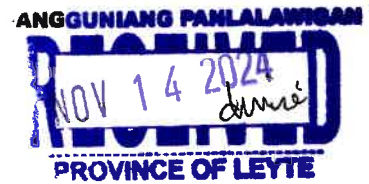
Republic of the Philippines  
Province of Leyte  
Municipality of Kananga  
0380

## Office of the Secretary to the Sangguniang Bayan

Telephone No. (053) 5539173  
Email Address: sbkananga6531@gmail.com

November 12, 2024

**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan of Leyte  
Legislative Building, Capitol Complex  
Tacloban City



Dear SP Sec. Uyvico:

Respectfully submitted to your good office the herewith 13 copies of the **Municipal Ordinance No. 23L.24-058**, series of 2024 entitled: **"AN ORDINANCE ADOPTING A LOCAL GOVERNMENT ENERGY CODE TO PROMOTE ENERGY EFFICIENCY AND CONSERVATION, FACILITATE THE IMPLEMENTATION OF ENERGY PROJECTS, HARMONIZE LOCAL AND NATIONAL POLICIES ON ENERGY UTILIZATION, EFFICIENCY, SAFETY, RESILIENCE AND DEVELOPMENT, AND FOR SUCH OTHER RELATED PURPOSES, AND PROVIDING FUNDS THEREFOR"**.

Enacted by the 23<sup>rd</sup> Sangguniang Bayan of Kananga, for review and approval of the Sangguniang Panlalawigan of Leyte.

Hoping for your consideration on this matter.

Thank you.

Very respectfully yours,

**ATTY. ALLAN R. CASTRO**  
Board Secretary V  
(Secretary to the Sangguniang Bayan)



Republic of the Philippines  
 Province of Leyte  
 Municipality of Kananga  
 -oOo-  
 Sangguniang Bayan of Kananga



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION 23<sup>RD</sup> SANGGUNIANG BAYAN NG KANANGA AT SB SESSION HALL KANANGA, LEYTE ON NOVEMBER 4, 2024.

Present: Honorable Miguel Jorge P. Tan	Vice-Mayor/Presiding Officer
Honorable Fernando M. Aseo	SB Member /Floor Leader
Honorable Resurreccion C. Capanas	SB Member
Honorable Brenzon C. Cabintoy	SB Member
Honorable Alma N. Orfano	SB Member
Honorable Minerva M. Bulawit	SB Member
Honorable Richie C. Cruz	SB Member
Honorable Allan C. Espinosa	SB Member
Honorable Victoriano L. Globa	SB Member
Honorable Mary Daniela L. Cubero	Liga Ng Mga Barangay President/Ex-officio Member
	Pambayang Pederasyon Ng SangguniangKabataan
	President/Ex-officio Member
	SB Member

Absent: Honorable Rudy B. Cogay

**ORDINANCE NO. 23L.24-058**  
 Series of 2024

**AN ORDINANCE ADOPTING A LOCAL GOVERNMENT ENERGY CODE TO PROMOTE ENERGY EFFICIENCY AND CONSERVATION, FACILITATE THE IMPLEMENTATION OF ENERGY PROJECTS, HARMONIZE LOCAL AND NATIONAL POLICIES ON ENERGY UTILIZATION, EFFICIENCY, SAFETY, RESILIENCE AND DEVELOPMENT, AND FOR SUCH OTHER RELATED PURPOSES, AND PROVIDING FUNDS THEREFOR.**

Author : Hon. FERNANDO M. ASEO

**PREFATORY STATEMENT**

**WHEREAS**, The National Economic and Development Authority (NEDA) launched AmBisyon Natin 2040 which envisions Filipinos to enjoy a strongly rooted comfortable and secure life in all aspects by 2040;

**WHEREAS**, The Philippine Development Plan (PDP) 2023-2028 intends to expand and upgrade all infrastructure development projects, including the energy sector;

**WHEREAS**, The Philippine Energy Plan (PEP) 2018-2040 seeks to unify with government partners and the private sector to meet the country's electricity and fuel requirements through improvements in the energy market, simplification of government procedures, promotion of resiliency in energy systems and infrastructures, and the enhancement of the consumers power of choice;

**WHEREAS**, The Philippine Power Development Plan 2017-2040 forecasts that the country will need 49,287 megawatts (MW) additional capacity by 2040. With an average annual growth rate of 5%, power demand will continue to move in an upward trend;

**WHEREAS**, the Congress of the Philippines passed Republic Act No. 11032, otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery (EODB) Act of 2018" and Republic Act 11234, otherwise known as the "Energy Virtual One-Stop Shop (EVOSS) Act" that seek to establish the inter-operability of government processes through an online system

that streamline the permitting processes of power generation, transmission, and distribution projects;

**WHEREAS**, the Congress of the Philippines passed Republic Act No. 11285, An Act Institutionalizing Energy Efficiency and Conservation, Enhancing the Efficient Use of Energy, and Granting Incentives to Energy Efficiency and Conservation Projects otherwise known as the “Energy Efficiency and Conservation Act” and its Implementing Rules and Regulations (IRR) mandating all LGUs to formulate, develop, and implement their own Local Energy Efficiency and Conservation Plan (LEECP) to ensure sufficiency and stability of energy supply in their jurisdiction in support of their local economic and social development goals;

**WHEREAS**, in adopting a whole-of-government approach for the needs of the energy sector, Executive Order No. 30 (EO 30) was issued to streamline regulatory procedures affecting Energy Projects of National Significance;

**WHEREAS**, Section 3 of Administrative Order No. 23 on Eliminating Overregulation to Promote Efficiency of Government Processes, for processes applicable to energy-related projects, the timelines provided by RA No. 11234 shall be complied with;

**WHEREAS**, under the operative principles of decentralization and as provided by Republic Act No. 7160, otherwise known as the “Local Government Code of 1991,” the LGU’s capabilities shall be employed to implement national programs and projects actively. Within their respective territorial jurisdiction, LGUs shall ensure support, among other things, the establishment of guidelines to facilitate the implementation of energy projects, energy policies and mechanisms for energy safety practices, energy efficiency and conservation, energy resiliency, energy planning, which includes energy access and resource development;

**WHEREAS**, The Department of Energy (DOE), in implementing the pertinent energy laws, sees that LGUs as indispensable stakeholders and reiterates the existing and potential benefits for host communities of energy projects, such as Energy Regulation 1-94 (ER 1-94), national wealth tax or government share, job creations, and other social and economic development programs;

**WHEREAS**, The DILG and the DOE issued a Joint Memorandum Circular No. 2020-01 providing for the Guidelines for LGUs to facilitate the Implementation of Energy Projects enjoining all LGUs to implement the directive of the President on the implementation of energy projects;

**NOW THEREFORE**, in order to establish, strengthen and integrate the energy policies and mechanisms, with respect to energy safety practices, energy efficiency and conservation, energy resiliency, energy planning which includes energy access and resource development, to harmonize and fast-track the implementation of the EODB Act, EVOSS Act and EO 30, to maximize benefits from energy projects to the host communities, and to implement the necessary energy programs and projects, upon motion of SB Member Fernando M. Aseo, duly seconded by All SB Members present, BE IT ENACTED BY THE 23<sup>RD</sup> SANGGUNIANG BAYAN ON A SESSION DULY ASSEMBLED ON THE 4<sup>TH</sup> DAY OF NOVEMBER 2024, TO WIT:

#### CHAPTER I. PRELIMINARY PROVISIONS

**Section 1. Title.** – This ordinance shall be known as the “Local Energy Code” of the Municipality of Kananga.

**Section 2. Declaration of Policy.** - It is the policy of the Municipality of Kananga to:

- Institutionalize energy efficiency and conservation as a way of life of its constituents to secure sufficiency, stability, and reliability of energy supply;
- Utilize available energy resource efficiency and decrease the wasteful utilization of energy through the use of energy efficiency measures and strategies;
- Promote and encourage the development and utilization of efficient renewable energy system and technologies and other alternative sources of energy;
- Realize economic growth and development through a sufficient and stable energy supply while ensuring the protection of health and the environment.

**Section 3. Definition of Terms.** – For the purposes of this ordinance, the following terms shall have the meanings below unless indicated otherwise:

- (a) **Designated Establishments**- refers to private or public entity in the commercial, industrial, transport, power, agriculture, public works, and other sectors identified by the Department of Energy (DOE) as energy intensive industries based on their annual energy consumption as indicated in R.A. No. 11285 and as adjusted by the LOE in the previous year or an equivalent annual index;
- (b) **Energy Audit** – refers to the evaluation of energy consumption and review of current energy cost to determine appropriate intervention measures and efficiency projects in which energy can be judiciously and efficiently used to achieve savings;
- (c) **Energy Conservation** – refers to the reduction of losses and wastage in various energy stages from energy production to energy consumption through the adoption of appropriate measures that are technologically feasible, economically sound, environmentally-friendly, and socially affordable;
- (d) **Energy Efficiency** – refers to the way of managing and restraining the growth in energy consumption resulting in the delivery of more services for the same energy input or the same services for less energy input;
- (e) **EVOSS Act** – refers to RA No. 11234, otherwise known as the “Energy Virtual One-Stop Shop Act”;
- (f) **Government Energy Management Program (GEMP)**- refers to the government-wide program to reduce the government’s monthly consumption of electricity and petroleum products through electricity efficiency and conservation, and efficiency and conservation in fuel use of government vehicles, among others;
- (g) **Green Energy Option**- refers to the mechanism to empower end-users to choose renewable energy in meeting their energy requirements;
- (h) **Local Energy Efficiency and Conservation Plan (LEECP)**- refers to a collaborative and multi-stakeholder comprehensive framework, governance structure, and programs prepared by the LGU for local energy efficiency and conservation with defined targets, feasible strategies, and regular monitoring and evaluation;
- (i) **National Energy Efficiency and Conservation Database (NEECD)**- refers to a centralized, comprehensive, and unified database on national energy consumption, the application and use of energy efficient and renewable energy technologies, and other critical and relevant information to be used for evaluation, analysis, and dissemination of data and information related to energy efficiency and conservation;
- (j) **Net-Metering**- refers to a system, appropriate for distributed generation, in which a distribution grid user has a two-way connection to the grid and is only charged for his net electricity consumption and is credited for any overall contribution to the electricity grid;
- (k) **Renewable Energy Resources**- refers to energy resources that do not have an upper limit on the total quantity to be used. Such resources are renewable on a regular basis, and whose renewal rate is relatively rapid to consider availability over an indefinite period of time. These include, among others, biomass, solar, wind, geothermal, ocean energy, and hydropower conforming with internationally accepted norms and standards on dams, and other emerging renewable energy technologies;
- (l) **Waste-to-Energy Technologies**- shall refer to systems which convert biodegradable materials such as, but not limited to, animal manure or agricultural waste, into useful energy through process such as anaerobic digestion, fermentation and gasification, among others, subject to the provisions and intent of Republic Act No. 8749 (Clean Air Act of 1999) and Republic Act No. 9003 (Ecological Solid Waste Management Act of 2000).

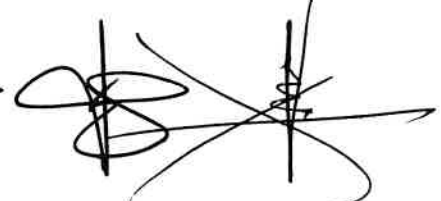
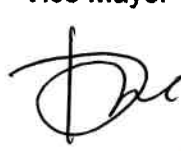
**CHAPTER II.  
ENERGY SECTOR COMMITTEE**

**Section 4. Energy Sector Committee.** – An Energy Sector Committee is hereby created to facilitate the implementation of energy projects, in accordance with the existing pertinent energy and other regulatory laws, and issuances.

The Energy Sector Committee shall be composed of the following:

Chairperson: Municipal Mayor

Vice Chair: Vice Mayor

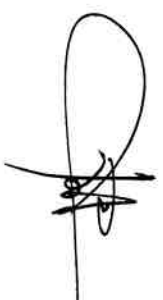


**Members:**

1. Heads of the following Departments and Offices:
  - (a) Planning and Development Office
  - (b) Engineering Office;
  - (c) Office of the Building Official;
  - (d) Business Permit Office;
  - (e) Environment and Natural Resources Office;
  - (f) Energy Efficiency and Conservation Office;
  - (g) General Services Office;
  - (h) Social Welfare and Development Office;
  - (i) Budget Office;
  - (j) Municipal Administrator's Office;
  - (k) Disaster Risk Reduction and Management Office;
  - (l) Public Information Office;
2. President of the Liga ng mga Barangay;
3. Representative of the Sangguniang Bayan, Chairman of the Committee on Energy
4. Representative of the Sangguniang Bayan, Chairperson of the Committee on Environment.
5. Representative of the Private Sector;
6. Representative of the Civil Society Organizations; Accredited of the Sangguniang Bayan.

**Section 5. Powers and Functions.** – The Energy Sector Committee shall have the following powers and functions:

- (a) Develop, formulate, evaluate, recommend approval, and oversee the implementation of energy policies, programs, and projects;
- (b) Develop and formulate policies, programs, and projects to promote, encourage, assist, and support the exploration and development of energy sources within the locality in support of the national government's aim of achieving an optimal energy mix from conventional, alternative, renewable, and other sources of energy.
- (c) Develop and formulate policies that would promote and mandate the development, generation, and utilization of renewable energy resources, efficient renewable energy system and technologies, and other alternative source of energy;
- (d) Develop and formulate policies, program, and projects that would promote and mandate energy efficiency and conservation in accordance with existing pertinent laws, policies, and issuances;
- (e) Provide strategic direction in the implementation of the Municipality of Kananga Government Energy Management Program (GEMP) by developing, formulating, and adopting energy efficiency policies, programs, projects, and measures designed to reduce the consumption of fuel, water, electricity, and other utilities;
- (f) Incorporate the energy policies, programs, and projects into the Municipality of Kananga Spatial Plan and Comprehensive Development Plan;
- (g) Develop and formulate a Local Energy Efficiency and Conservation Plan (LEECP) aligned with the Local Climate Change Action Plan (LCCAP) and other national directives;
- (h) Recommend the adoption of a concise and systematic procedure to streamline the process of issuing the necessary permits on energy-related projects in accordance with RA No. 11234, otherwise known as the EVOSS Act and the Joint Memorandum Circular No. 2020-01 issued by the DILG and DOE;
- (i) Represent the Municipality of Kananga in the prior and periodic consultations required by RA. No. 7160, otherwise known as the Local Government Code, before any renewable energy exploration activity is conducted within its jurisdiction;
- (j) Recommend the approval of financial arrangements for energy efficiency projects following the procedures laid down in pertinent laws, rules and regulations, policies and issuances;
- (k) Recommend to the Local Development Council the incorporation of energy programs and projects including energy efficiency and conservation programs to the Investment Priority Areas (IPA) and, when appropriate, recommend the granting of applicable incentives in the Local Investments Incentive Plan (LIIP) to establishments with energy efficiency projects upon prior compliance with the applicable rules and regulations;
- (l) Ensure the strict enforcement of the penalty provisions of existing energy laws, rules and regulations, and other issuances;



(m) Perform such other powers and functions necessary to attain the objectives of this code.

### CHAPTER III. ENERGY DEVELOPMENT

#### Article I. Exploration and Development of Energy Resources

**Section 6. Policy on Energy Development.** It shall be the policy of Municipality of Kananga to promote, encourage, assist, and support the exploration and development of energy sources within its locality in support of the national government's aim of achieving an optimal energy mix from conventional, alternative, renewable, and other sources of energy.

**Section 7. Energy Resource Assessment.** The Energy Sector Committee shall consider the conduct of a survey, assessment, review, and evaluation of potential energy resources in its jurisdiction once every three (3) years to determine the feasibility or viability of conducting exploration and development and submit the same to the Energy Sector Committee. This shall be done in partnership with the DOE.

**Section 8. Promotion and Development of Renewable and Alternative Energy.** In line with the national policy of reducing dependence on conventional sources of energy and minimizing greenhouse gas emissions, the Municipality of Kananga shall promote the development and utilization of indigenous renewable and alternative sources of energy in its jurisdiction. The Energy Sector Committee shall develop and formulate a policy that promote and requires, if feasible, the Municipality of Kananga, designated establishments, such other establishments to be determined by the committee, to:

- (a) Source such percentage of their energy requirement from renewable and alternative sources through the Green Energy Option Program;
- (b) Utilize net-metering; and
- (c) Adopt waste-to-energy technologies.

#### Article II. Incorporation of Energy Projects into the Municipality of Kananga Spatial Plan and Comprehensive Development Plan

**Section 9. Incorporation of Energy Projects.** The Energy Sector Committee shall incorporate the energy programs, policies, and projects into its spatial plan (Physical Framework Plan or Comprehensive Land use Plan, whichever is applicable) and the Comprehensive Development Plan.

**Section 10. Spatial Plan.** The Spatial Plan shall incorporate and embody the following:

- (a) **Identifying Upstream and Downstream Energy Facilities.** The Energy Sector Committee, in consultation with concerned stakeholders, shall identify upstream conventional (coal, petroleum, or natural gas) and/or renewable energy (biomass, geothermal, solar, hydropower, ocean, and wind, energy resources within its area of jurisdiction which shall be posted on a conspicuous area within the Municipal Hall and in the official website of the LGU, if such a website is available;
- (b) **Plotting of Energy Facilities.** The Energy Sector Committee, in consultation with concerned stakeholders, shall plot existing upstream and downstream energy facilities with coordinates in accordance with the Philippine Reference System 1992 (PRS 92);
- (c) **Coordination with the private Sector.** The Energy Sector Committee shall coordinate with existing private sector stakeholders on the expansion plans of the existing upstream and downstream energy facilities;
- (d) **Submission of Data.** The Energy Sector Committee shall cause submission of the data required by this section to the Provincial Government for consolidation and submission to the DILG Regional Office, provided, that all such data shall likewise be submitted to the DILG – Bureau of Local Government Development and the DOE-Investment Promotion Office;
- (e) **Coordination with Public-Private Partnership (PPP) Center.** The Energy Sector Committee shall coordinate with the Public-Private Partnership (PPP) Center for energy investment opportunities and potential private-public partnerships.



**Section 11. Incorporation into the Comprehensive Development Plan (CDP) of the Benefits of Energy Projects.** The Energy Sector Committee, in cooperate and coordination with the relevant Barangay, shall monitor and collect the benefits of energy projects and incorporate these benefits in the Comprehensive Development Plan. The benefits to host communities from the energy projects include, but shall not be limited to, those provided under Energy Regulation 1-94 (ER 1-94) and the National Wealth Tax.

The Energy Sector Committee shall include all local energy policies, plans, and programs covering energy safety and best practices, energy efficiency and conservation, and energy resiliency in the Comprehensive Development Plan which shall be submitted to the Regional Development Council and integrated to the Regional Development Plan.

#### CHAPTER IV. POWER DISTRIBUTION DEVELOPMENT

**Section 12. Power Distribution.** – It shall be the policy of the Municipality of Kananga to achieve total electrification of all households and establishments in its jurisdiction and to ensure the delivery of reliable, secure, and affordable electrical service in its locality. Taking into account all the applications for building permits, the Energy Sector Committee shall inform or coordinate with the distribution utilities for the inclusion of the additional supply and demand of energy in the Distribution Development Plan (DDP).

**Section 13. Anti-Obstruction of Power Lines.** – The Municipality of Kananga shall ensure compliance with RA. No. 11361, otherwise known as the Anti-Obstruction of Power Lines Act. The Energy Sector Committee shall develop and formulate guidelines for the prohibition of hazardous activities and hazardous improvements, as defined in the said law, which threaten or endanger continuous and uninterrupted conveyance of electricity in its jurisdiction.

#### CHAPTER V. ENERGY PERMITS REGULATORY REFORMS

**Section 14. Implementation of the EVOSS Act.** It shall be the policy of the Municipality of Kananga to streamline the process in issuing the necessary permits on energy-related projects in accordance with RA. No. 11234, otherwise known as the EVOSS Act.

**Section 15. Duties of the Energy Sector Committee.** The Energy Sector Committee shall develop and formulate a unified, transparent, and streamline permitting process and procedure for all energy-related projects. The committee shall likewise provide a streamlined list of all documentary requirements as well as the corresponding fees for all energy-related project applications.

The said permitting process and procedure, together with the documentary requirements and the corresponding fees, shall be submitted to the EVOSS Steering Committee through the Secretariat, the DOE-Investment Promotion Office, and the DILG Regional Office.

**Section 16. Time Frame.** The Municipality of Kananga shall process permits within the prescribed time frame as provided for in the EVOSS Act to fast track the processing of necessary permits and expedite their issuance.

Upon the submission of the complete documentary requirements by the energy project applicant, the Energy Sector Committee shall resolve the application within fifteen (15) calendar days for the proposed energy project unless a shorter time frame for resolution of applications is imposed by the EVOSS Steering Committee should it see the expediency and feasibility of doing so.

The denial of applications shall only be on valid grounds which must be fully explained in writing to the applicant.

**Section 17. Deemed Approved.** Failure to act on applications duly submitted with complete supporting electronic documents within in the time frame shall be deemed an approval of such application without need of further action on the part of the energy project applicant. The duly received application form of the energy projects applicant shall serve as the relevant permit.

**Section 18. Designated Person.** The Local Chief Executive shall designate a focal person in charge of managing the Municipality of Kananga's EVOSS account to ensure proper monitoring and updating the electronic documents. The LGU's focal person shall likewise be responsible for the following:

- a.) Ensure the full and proper implementation of the EVOSS Act;
- b.) Cause the Citizen's Charter to be updated to conform with the EVOSS Act and to publish the same by posting information billboards at the main entrance of offices or at the most conspicuous place and in the Municipality of Kananga's website;
- c.) Implement the Zero-Contact Policy mandated by RA No. 11032, otherwise known as the Ease of doing Business and Efficient Government Service Delivery Act of 2018;
- d.) Formulate and implement a feedback mechanism by which the applicants or requesting parties may provide information on how the provision of the Citizens Charter and the provisions of the EVOSS Act are being followed.

## CHAPTER VI DOWNSTREAM OIL FACILITIES

**Section 19. Suspension of Operations by the LGU.** - The Municipality of Kananga, through the Business Permits and Licensing Office (BPLO) shall assist the DOE in stopping the actual operation of Liquefied Fuel (LF) Retail Outlets or Gasoline Stations, Household Liquefied Petroleum Gas (LPG) establishments (i.e., Refiller, Dealer, and /or Retailer), and Auto LPG Dispensing Stations which do not have the DOE Certificate of Compliance (COC) and Standards Compliance Certificate (SCC) through the suspension of their Mayor's/Business Permit.

**Section 20. Calibration of Instruments or Weights and Measures.** -The Municipality of Kananga shall enforce its mandate to calibrate instruments of weights and measures of dispensing, pump meters in LF Retail Outlets and weighing devices in LPG Establishments.

**Section 21. Implementation of Price Freeze.** - The Municipality of Kananga shall implement price freeze of household LPG and Kerosene upon the declaration of state of calamity in the locality. The price freeze will be implemented for a maximum period of fifteen (15) days, starting from the day of the official declaration base on Department of Energy existing guidelines, rules and regulations. Monitoring of LPG and kerosene prices that will serve as basis for the price freeze shall be regularly conducted.

## CHAPTER VII. ENERGY EFFICIENCY AND CONSERVATION

**Section 22. Compliance with the Energy Efficiency and Conservation Act.** The Municipality of Kananga shall comply with the provisions of RA No. 11285, otherwise known as the Energy Efficiency and Conservation Act.

**Section 23. Local Energy Efficiency and Conservation Plan.** The Energy Sector Committee shall, in consultation and coordination with the DOE, DILG and relevant stakeholders, develop and formulate a Local Energy Efficiency and Conservation Plan (LEECP) aligned with the Local Climate Change Action Plan (LCCAP) and other national directives and submit the same for adoption by the Sanggunian.

The Local Energy Efficiency and Conservation Plan (LEECP) shall be incorporated in the comprehensive Development Plan.

**Section 24. Creation of the Energy Efficiency and Conservation Office (EECO).** There shall be established an Energy Efficiency and Conservation Office (EECO), which shall be under the supervision of the Energy Sector Committee.

The EECO shall be headed by an Energy Efficiency and Conservation Officer who shall be appointed by the Local Chief Executive and who possess all the qualifications and attributes provided under RA No. 11285.

**Section 25. Powers and Functions of the EECO.** The EECO shall have the following powers and functions:



- a.) Ensure compliance by the Municipality of Kananga with the provisions of RA no. 11285, otherwise known as the Energy Efficiency and Conservation Act;
- b.) Implement the LEECP and monitor compliance therewith;
- c.) Undertake energy audit through an accredited/registered energy audit team of all the Municipality of Kananga's facilities every three (3) years and prepare an energy audit report to be submitted to the Energy Sector Committee.
- d.) Implement the Municipality of Kananga's energy conservation program pursuant to the Government Energy Management Program (GEMP) and issue a report describing the status of the LGU's energy efficiency projects;
- e.) Assist the DOE in (i) monitoring compliance of designated establishments in accordance with Section 7 of RA No. 11285 for input in the National Energy Efficiency and Conservation Database (NEECD); and (ii) enforcing and ensuring compliance with prescribed ratings standards for energy performance in buildings and industries in accordance with building permit issuance pursuant to Section 18 of RA No. 11285. For these purposes, EECO shall have visitorial power and the power to conduct onsite inspections;
- f.) Require all designated establishments in the locality to submit an annual energy consumption report, annual energy conservation report, and an energy audit report upon completion of the energy audit once every three (3) years;
- g.) Assist in implementing compliance of new building construction and retrofit of buildings with the minimum requirements specified in the Guidelines on Energy Conserving Design on Buildings issued by the DOE in consultation with the DPWH, provided that, state-owned buildings and facilities shall comply with the Government Energy Management Program (GEMP) and other relevant guidelines, prior to the issuance of building permits;
- h.) Conduct information, education, communication campaign designed to capacitate the Municipality of Kananga's constituents on energy safety practices, energy planning, energy efficiency and conservation, and energy resiliency;
- i.) Administer and oversee the granting of awards and citations under this code;
- j.) Subject to the supervision of the Energy Sector Committee, perform such other powers and functions necessary to attain the objectives of this ordinance.

**Section 26. Energy Efficiency and Conservation Officer.** The EEC Officer, who shall head the EECO, must be at least a college graduate, possesses all the qualifications of an ECC Officer under R.A. No. 11285, and with relevant trainings and/or experience on energy efficiency, conservation, and utilization.

He may be designated by the Local Chief Executive from the existing personnel of the LGU or hired through external recruitment.

The EEC Officer shall be responsible for carrying out the duties, powers, and functions of the EECO.

**Section 27. Funding for the EECO and Remuneration of the EEC Officer.** Funding requirements for the remuneration of the EEC Officer's services shall be charged to the existing fund of the Municipality of Kananga.

**Section 28. Barangay EEC Focal Person-** Each Barangay shall have an Energy Efficiency and Conservation Focal Person, to be designated by the Barangay Chairman from the incumbent officials or existing personnel of the barangay. The Barangay EEC Focal Person shall be responsible for:

- a.) Promoting and mainstreaming energy efficiency and conservation measures and practices within the barangay;
- b.) Ensuring the barangay's compliance with the Government Energy Management Program (GEMP);
- c.) Conducting information, education, communication campaign on energy efficiency and conservation within the barangay;
- d.) Performing such other powers and functions necessary to attain the objectives of the Municipality of Kananga's energy efficiency and conservation policies and programs.

## CHAPTER VIII TRANSPORTATION

**Section 29. Adoption and Utilization of Alternative Fuels and Technologies.** – It shall be the policy of the Municipality of Kananga to promote greater adoption, utilization, commercialization of Alternative Fuels and Technologies, such as auto LPG, electric, LNG and CNG, in the transport sector to reduce reliance on conventional fuels and lessen carbon emission.

**Section 30. LGU Vehicle Re-fleeting.** – The Municipality of Kananga shall prioritize the acquisition of next generation vehicles that utilize Alternative Fuels and Technologies in its vehicle re-fleeting program.

In compliance with RA No. 11697, otherwise known as Electric Vehicle Industry Development Act, the Municipality of Kananga shall ensure that at least five percent (5%) of its fleet, whether owned or leased, shall be electric vehicles within the time frame indicated in the Comprehensive Roadmap for the Electric Vehicle Industry (CREVI). Provided, that the percentage above-mentioned shall be subject to gradual increase until the entire fleet will all be electric vehicles in compliance with the CREVI.

**Section 31. Infrastructure Support.** – The LGU shall support the commercialization of next generation vehicles that utilize Alternative Fuels and Technologies such as, but not limited, to:

- a.) Development of dedicated parking lots with installed charging stations in every public and private establishment;
- b.) Installation of public charging stations electric vehicles and refuelling stations for LNG and CNG fuelled vehicles;
- c.) Creation of green routes where bicycles, electric bikes, electric scooters will exclusively pass through;
- d.) Establishment of Motor shops that provide after sales service to next generation vehicles within its locality;
- e.) Offering free training to technicians on repair and maintenance of next generation vehicles;
- f.) Such other programs, projects, and facilities that promote the mainstreaming and commercialization of next generation vehicles.

**Section 32. Emerging Technologies.** – The Municipality of Kananga shall regularly conduct assessment of emerging energy technologies in the transport sector and develop and formulate policies for their adoption and utilization.

## CHAPTER IX. PRIVATE SECTOR PARTICIPATION

**Section 33. Local Investment Incentives Plan (LIIP).** In coordination with the PPP Center, the LGU Energy Sector Committee may explore energy development, efficiency and conservation, safety, and resiliency projects with the private sector.

Pursuant to Section 109 of RA 7160 and in the interest of promoting energy efficiency in the local setting, the Municipality of Kananga, through the Local Development Councils, shall include all energy projects including efficiency and conservation projects in the Investment Priority Areas (IPA).

Furthermore, the Municipality of Kananga shall encourage the participation of the private sector on opportunities provided by the pertinent prevailing upstream and downstream laws.

## CHAPTER X. ENVIRONMENTAL MANAGEMENT

**Section 34. Compliance with Environmental Regulations.** – The Municipality of Kananga shall ensure that all energy projects and facilities in its jurisdiction strictly implement environmental impact mitigation and enhancement measures. Compliance of all energy projects and facilities

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with other pertinent existing, environmental rules and regulations shall be strictly enforced and monitored.

**Section 35. Monitoring and Compliance.** – The Municipal Environment and Natural Resources Office (MENRO), shall assist the DOE in conducting regular environmental compliance monitoring of energy projects and facilities to ensure that all environmental quality standards are observed.

The MENRO shall ensure that all energy projects and facilities strictly comply with their (1) Environmental Management Plan or Environmental Management Monitoring Plan, which should cover air quality, water quality, biodiversity, and waste management; (2) Environmental Compliance Certificates (ECC) conditionalities, and (3) other pertinent existing regulations.

The MENRO shall designate from the department's existing personnel representatives to Multi-Partite Monitoring Team (MMT) to projects and undertakings required to organized such MMT.

**Section 36. Waste Management Collection, Recycling, and Disposal.** – The MENRO shall ensure that the pertinent existing laws, guidelines, and rules and regulations on waste management collection, recycling, and disposal of wastes arising from energy consuming devices, equipment, fixtures and other relevant items, including end-of-life vehicles and their component parts.

The guidelines on appropriate containment features and management measures for hazardous wastes consistent with RA No. 6969, otherwise known as the "Toxic Substance and Hazardous and Nuclear Wastes Control Act of 1990", shall be strictly enforced and monitored by the MENRO.

## CHAPTER XI. RESILIENCY

**Section 37. Policy on Resiliency.** – It is the policy of the Municipality of Kananga to require all energy projects and facilities within its jurisdiction to develop, formulate, and adopt mitigation and adaptation measures against the adverse impacts of climate change, destructive environmental conditions, human-induced calamities, interruptions, and other system disturbance to ensure that the energy system shall be resilient from all types of risks and vulnerabilities.

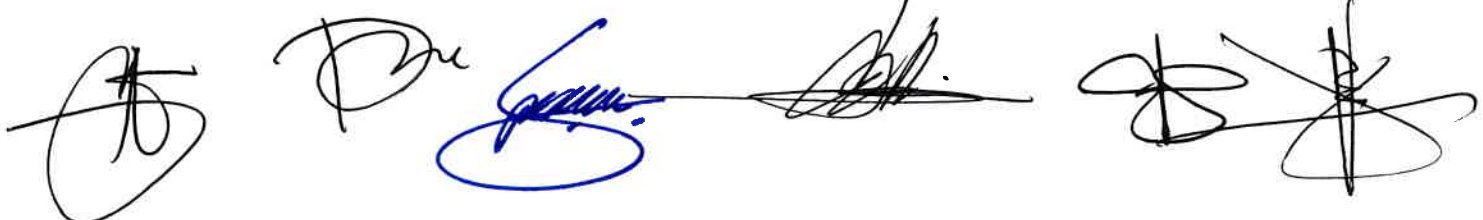
**Section 38. Assessment of Energy Infrastructure and System Vulnerability.**- The Energy Sector Committee shall annually conduct an assessment of energy infrastructure and system vulnerability and provide recommendations to improve the resiliency of energy projects and facilities.

**Section 39. Structural Adaptations.** – The Energy Sector Committee shall develop and formulate guidelines for the integration of structural adaptation into the structural designs of energy infrastructure and implementation of infrastructure reinforcement measures on existing energy infrastructures.

**Section 40. Local Energy Contingency Plan.**- The Energy Sector Committee shall develop and formulate a Local Energy Contingency Plan that lays down the processes and procedures that shall govern in the event of disasters and emergencies. The plan should ensure that necessary electricity service and fuel supply would be uninterrupted or restored to vital public service and critical and strategic activities during and after the occurrence of a disaster or emergency.

**Section 41. Business and Service Continuity Plan.** – All business establishments, public facilities, and government offices providing essential goods and services shall annually submit a Business Continuity Plan or Public Service Continuity Plan, as the case may be, that lays down the processes and procedures to be adopted in order to maintain business functions or the delivery of public service in the event of power and fuel delivery interruption, whether or not caused by a disaster or emergency.

## CHAPTER XII INFORMATION, EDUCATION, AND COMMUNICATION CAMPAIGN



**Section 42. Information, Education, and Communication Campaign.** – The Municipality of Kananga, through the EECO, in coordination with the DILG and the DOE, shall disseminate and capacitate its concerned stakeholders and constituents on energy safety practices, energy efficiency and conservation, energy resiliency, energy planning which include energy access and resource development, energy programs, policies and projects.

**Section 43. Promotion and Integration of Energy Efficiency and Conservation in school curricula.** – The EECO shall coordinate with the Department of Education and the Commission on Higher Education for the integration of energy efficiency and conservation practices in school curricula.

### CHAPTER XIII. AWARDS AND CITATIONS

**Section 44. Awards and Citations.** – The Municipality of Kananga shall grant appropriate recognitions, awards, and citations, including cash and non-cash rewards, to individuals, juridical entities, business establishments, organizations, offices, and households that shall exhibit best practices in energy efficiency and conservation.

Awards and citations shall likewise be given for innovation in energy development and energy efficiency and conservation best practices.

Special awards shall be given to women, children, youth and other sectors for innovations in energy development and energy efficiency and conservation best practices.

### CHAPTER XIV. FINAL PROVISIONS

**Section 45. Funding Support.** The Municipality of Kananga shall allocate appropriate funds for the full implementations of the said Ordinance.

**Section 46. Separability Clause.** If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 47. Repealing Clause.** All previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed or modified accordingly.


**Section 48. Effectivity Clause.** This Ordinance shall take effect fifteen (15) days after its approval and posting at the bulletin board at the entrance of the municipal hall and two(2) other conspicuous places within the local government.

ENACTED BY THE SANGGUNIANG BAYAN AT ITS REGULAR SESSION HELD ON NOVEMBER 4, 2024.

CARRIED UNANIMOUSLY.

ENACTED AND APPROVED BY THE 23<sup>rd</sup> SANGGUNIANG BAYAN OF KANANGA, LEYTE DURING ITS REGULAR SESSION HELD ON NOVEMBER 4, 2024 AT THE SB SESSION HALL, KANANGA, LEYTE

AYES: (09)  
NAYS: (0)

  
**HON. FERNANDO M. ASEO**  
Sangguniang Bayan Member/ Floor Leader

  
**HON. BRENZON C. CABINTOY**  
Sangguniang Bayan Member

  
**HON. RESURRECCION C. GAPANAS**  
Sangguniang Bayan Member/Asst. Floor Leader

  
**HON. ALMA N. ORFANO**  
Sangguniang Bayan Member



*(Absent)*

**HON. RUDY B. COGAY**  
Sangguniang Bayan Member

**HON. RICHIE C. CRUZ**  
Sangguniang Bayan Member

**HON. VICTORIANO L. GLOBALA**  
Liga Ng Mga Barangay President/  
*Ex-officio Member*

**HON. MINERVA M. BULAWIT**  
Sangguniang Bayan Member

**HON. ALLAN C. ESPINOSA**  
Sangguniang Bayan Member

**HON. MARY DANIELA L. CUBERO**  
Pambayang Pederasyon Ng Sangguniang  
Kabataan President/*Ex-officio Member*

I HEREBY CERTIFY to the correctness of the afore-quoted ordinance.

ATTESTED:

**HON. MIGUEL JORGE P. TAN**  
Vice-Mayor/Presiding Officer

**ATTY. ALLAN R. CASTRO**  
(Board Secretary)  
Secretary to the Sangguniang Bayan

APPROVED:

**HON. MANUEL VICENTE M. TORRES**  
Municipal Mayor

NOVEMBER 10, 2024  
(Date)



Republic of the Philippines  
Province of Leyte  
Municipality of Kananga  
0380

## Office of the Sangguniang Bayan

Telephone No. (053) 5539173  
Email Address: sbkananga6531@gmail.com

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November 12, 2024

### CERTIFICATE OF POSTING

#### TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that for the period November 11 to November 20, 2024 the copies of the **MUNICIPAL ORDINANCE NO. 23L.24-058 series of 2024, entitled: "AN ORDINANCE ADOPTING A LOCAL GOVERNMENT ENERGY CODE TO PROMOTE ENERGY EFFICIENCY AND CONSERVATION, FACILITATE THE IMPLEMENTATION OF ENERGY PROJECTS, HARMONIZE LOCAL AND NATIONAL POLICIES ON ENERGY UTILIZATION, EFFICIENCY, SAFETY, RESILIENCE AND DEVELOPMENT, AND FOR SUCH OTHER RELATED PURPOSES, AND PROVIDING FUNDS THEREFOR."** :

1. Bulletin Board at the entrance of Municipal Hall, Kananga, Leyte
2. Post at the Kananga Public Market Rotonda, Kananga, Leyte and
3. Entrance to the Session Hall, Kananga, Leyte

Issued this 12<sup>th</sup> day of November, 2024 in Kananga, Leyte

  
**SAM JUNE NAVIA**  
Administrative Aide I





Office of the Secretary to the Sangguniang Bayan

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## **NOTICE OF PUBLIC HEARING**

**(Scheduled on October 12, 2023 at ABC Hall Building)**


The public is hereby notified that a Public Hearing on the

1. **Ordinance No. 23L.23-043**– An Ordinance Amending Sections of Ordinance No. 19L.12-47, Series of 2012, otherwise known as creating the Municipal Housing Board of the Local Government Unit of Kananga pursuant to Executive Order No. 11, Series of 2023.
2. **Ordinance No. 23L.23-044**- An Ordinance adopting a Local Government Energy Code to promote energy efficiency and conservation, facilitate the implementation of energy projects, harmonize local and national policies on energy utilization, efficiency, safety, resilience and development, and for such other related purposes, and providing funds thereof.

will be conducted by the 23<sup>rd</sup> Sangguniang Bayan of Kananga on the **12<sup>th</sup> day of October 2023, Thursday, from 9:00 in the morning at the ABC Hall Building, Kananga, Leyte.**

All interested parties / individuals are invited to attend the Public Hearing.

2 October 2023

  
**ATTY. ALLAN R. CASTRO**  
(Board Secretary V)  
Secretary to the Sangguniang Bayan



Republic of the Philippines  
Province of Leyte  
Municipality of Kananga

-oOo-

*Office of the Secretary to the Sangguniang Bayan*

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MINUTES OF PUBLIC HEARING HELD BY THE SANGGUNIANG BAYAN ON OCTOBER 12, 2023 AT THE SB SESSION HALL, KANANGA, LEYTE FOR THE MUNICIPAL ORDINANCE NO. 23L.23-044, SERIES OF 2023

1. **Ordinance No. 23L.24-044 renumbered as Ordinance No. 23L.24-058-** AN ORDINANCE ADOPTING A LOCAL GOVERNMENT ENERGY CODE TO PROMOTE ENERGY EFFICIENCY AND CONSERVATION, FACILITATE THE IMPLEMENTATION OF ENERGY PROJECTS, HARMONIZE LOCAL AND NATIONAL POLICIES ON ENERGY UTILIZATION, EFFICIENCY, SAFETY, RESILIENCE AND DEVELOPMENT, AND FOR SUCH OTHER RELATED PURPOSES, AND PROVIDING FUNDS THEREFOR.

(Attendance hereto attached)


The Public Hearing was conducted by the Office of the Sangguniang Bayan spearheaded by the Office of the Vice Mayor thru Facebook Page and Posting in the public places. The Public Hearing was attended by the Sangguniang Bayan Members, Barangay Chairmen and Representative from the 23 Barangays, Engr. Jave O. Lucero and Ms. Frenzy M. Fuentes Council from the MENRO Office. The said public hearing open at 9:45 in the morning with a prayer led by Barangay Chairman of Brgy. Lonoy Hon. Sabiniano Ablen. The SB Secretary Atty. Allan R. Castro acted as the master of the ceremony.

Atty. Castro said that the said ordinance was sponsored by Hon. Fernando M. Aseo, the Chairman of the Committee on Energy. He said that the ordinance is pursuant the issuances from DOE, DILG, EO and Republic Act No. 11285 passed by the Congress of the Philippines, which an Act Institutionalizing Energy Efficiency and Conservation, Enhancing the Efficient Use of Energy, and Granting Incentives to Energy Efficiency and Conservation Projects otherwise known as the "Energy Efficiency and Conservation Act" and its Implementing Rules and Regulations (IRR) mandating all LGUs to formulate, develop, and implement their own Local Energy Efficiency and Conservation Plan (LEECP) to ensure sufficiency and stability of energy supply in their jurisdiction in support of their local economic and social development goals" and DILG and the DOE issuances thru a Joint Memorandum Circular No. 2020-01 providing for the Guidelines for LGUs to facilitate the Implementation of Energy Projects enjoining all LGUs to implement the directive of the President on the implementation of energy projects.

Hon. Fernando M. Aseo(Chairman of the Committee on Energy) said that this code introduced by Engr. Lucero our MENRO Officer to harmonize and fast-track the implementation of the EODB Act, EVOSS Act and EO 30, to maximize benefits from energy projects to the host communities, and to implement the necessary energy programs and projects. We know that we have host communities barangays of energy projects in this municipality. He said that we create the Energy Sector Committee and their functions to facilitate the implementation of energy projects, in accordance with the existing pertinent energy and other regulatory laws, and issuances. This ordinance provided all necessary provisions for the implementation of this act.

The public hearing formally ended at 10:40 AM.

Prepared by:

  
MARISEL B. DIZON  
Local Legislative Staff Assistant

**Republic of the Philippines**  
**Province of Leyte**  
**Municipality of Kananga**  
**SANGGUNIANG BAYAN OF KANANGA**

**PUBLIC HEARING**

**ORDINANCE NO. 23L.23-043**  
*(series of 2023)*



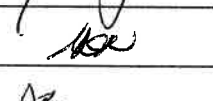
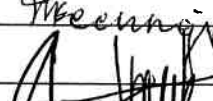





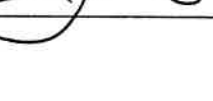

**AN ORDINANCE AMENDING SECTIONS OF ORDINANCE NO. 19L.12-47, SERIES OF 2012, OTHERWISE KNOWN AS CREATING THE MUNICIPAL HOUSING BOARD OF THE LOCAL GOVERNMENT UNIT OF KANANGA PURSUANT TO EXECUTIVE ORDER NO. 11, SERIES OF 2023.**



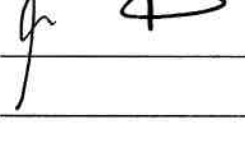
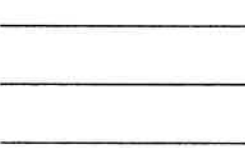
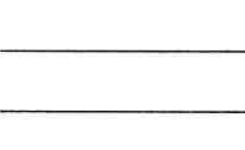
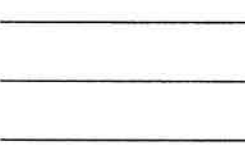
**ORDINANCE NO. 23L.23-044 (Remember 23L.24-018)**  
*(series of 2023)*

**AN ORDINANCE ADOPTING A LOCAL GOVERNMENT ENERGY CODE TO PROMOTE ENERGY EFFICIENCY AND CONSERVATION, FACILITATE THE IMPLEMENTATION OF ENERGY PROJECTS, HARMONIZE LOCAL AND NATIONAL POLICIES AND ENERGY UTILIZATION, EFFICIENCY, SAFETY, RESILIENCE AND DEVELOPMENT, AND FOR SUCH OTHER RELATED PURPOSES, AND PROVIDING FUNDS THEREOF.**

**SB SESSION HALL, Kananga, Leyte**  
**October 12, 2023**  
**9:00 A.M.**

**Attendance Sheet**

NAME	OFFICE / ADDRESS	SIGNATURE
1. <u>Jaine O. Pedoy</u>	<u>Montealegre</u>	
2. <u>Terlisa B. Babka</u>	<u>Sfo. Dumayo</u>	
3. <u>Cezic K. Dea</u>	<u>Libertad</u>	
4. <u>Sabeni A. L. Alam</u>	<u>Liberty</u>	
5. <u>Marina B. Domingo</u>	<u>San Isidro</u>	
6. <u>MANILLO G. ANGELO</u>	<u>AGUINON</u>	
7. <u>JANE D. WEND</u>	<u>MENTO</u>	
<u>ANNE J. JOYANTAN</u>	<u>INDO</u>	
9. <u>JEFF BOK</u>	<u>SK PRES</u>	
10. <u>ANGELITO P. NARVAZ</u>	<u>TONGONAN</u>	
11. <u>BENJAMIN CANTON</u>	<u>SB MEMBER</u>	
12. <u>Xylene Caringal</u>	<u>San Ignacio</u>	
13. <u>VICTORIANO L. GORDON</u>	<u>PIZAL</u>	
14. <u>ANGULO A. - PATA</u>	<u>MASARAYO</u>	
15. <u>FERNANDO T.</u>	<u>LEY MANSUR BAYAN</u>	

	NAME	OFFICE/ADDRESS	SIGNATURE
53.	GINA B. SAUNDERS	SB Sec. Office	
54.	Susan Lopez	LCR	
55.	LORENA FERRER	LCR	
56.	MILCA A. CANTUO	SB Sec. Office	
57.	ALAN K. CASTRO	SB Secretary	
58.	WANDA WINT	SB Sec. Staff	
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Republic of the Philippines  
Province of Leyte  
Municipality of Kananga  
☪☪☪

## Office of the Sangguniang Bayan

Telephone No. (053) 5539173  
Email Address: sbkananga6531@gmail.com

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November 12, 2024

### CERTIFICATE OF POSTING

#### TO WHOM THIS MAY CONCERN:

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Issued this 12<sup>th</sup> day of November, 2024 in Kananga, Leyte

  
**SAM JUNE NAVIA**  
Administrative Aide I