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Item No.: 09

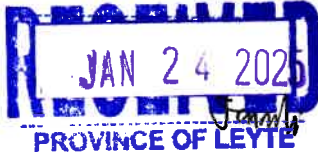
Date: 04 2025 FEB



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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SANGGUNIANG PANLALAWIGAN PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
January 9, 2025

Handwritten signature and date: Jan 10, 2025

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

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

- Ordinance No. 2024-27 entitled: **“An Ordinance institutionalizing the Official Seal of the Municipality of Tanauan, etc.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 22(a)(3)¹ and (b)² of the Local Government Code of 1991 (R.A 7160). 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
Provincial Legal Officer

¹ Section 22. Corporate Powers. -

(a) Every local government unit, as a corporation, shall have the following powers:
(3) To have and use a corporate seal;

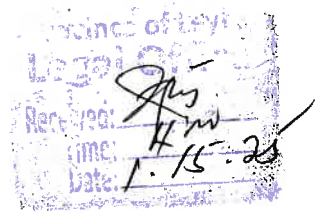
² (b) Local government units may continue using, modify, or change their existing corporate seals: Provided, That newly established local government units or those without corporate seals may create their own corporate seals which shall be registered with the Department of the Interior and Local Government: Provided, further, That any change of corporate seal shall also be registered as provided hereon.

Republic of the Philippines
PROVINCE OF LEYTE

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST ENDORSEMENT
14 January 2025



Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the
herein **ORDINANCE NO. 2024-27, institutionalizing the OFFICIAL SEAL of**
the MUNICIPALITY OF TANAUAN, for review and recommendations.


FLORINDA JILI S. UYVICO
Secretary to the Sanggunian

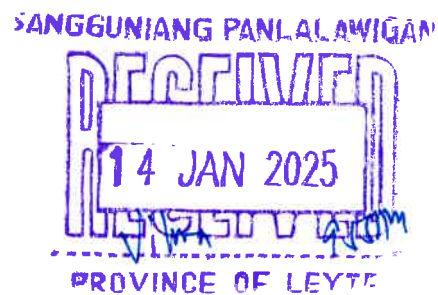


Republic of the Philippines
Province of Leyte
TANAUAN
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OFFICE OF THE SANGGUNIANG BAYAN

January 14, 2025

THE SECRETARY
Sangguniang Panlalawigan
Province of Leyte
Capitol Building
Tacloban City



Sir/Madam;

Respectfully submitting herewith 16th SB Ordinance No. 2024 - 27, " An Ordinance institutionalizing the Official Seal of the Municipality of Tanauan, Leyte, regulating its use and providing penalties for violations thereof", for your appropriate action.

*Author: Hon. Atty. Isagani S. Espada
Co-authors: Hon. Jasmin U. Borja
Whole members of the 16th SB*

Trusting that you will accord this matter with your kindest attention.

Thank you.

Truly yours,


ELEUTERIO T. LARIOS
Sangguniang Bayan Secretary

SP

Republic of the Philippines
Province of Leyte
TANAUAN
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SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN
RECEIVED
4 JAN 2025
SANGGUNIANG BAYAN
PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE 122nd REGULAR SESSION OF THE 16th SANGGUNIANG BAYAN OF TANAUAN, LEYTE, HELD ON DECEMBER 16, 2024, AT THE SB SESSION HALL, TANAUAN TOWN HALL, TANAUAN, LEYTE.

PRESENT :

HON. ARCHIE LAWRENCE R. KAPUNAN	Municipal Vice-Mayor/Presiding
HON. MAE JANE ANGELIE M. MORABE – BORAI	Sangguniang Bayan Member
HON. MARK EFREN E. MERILO	-do-
HON. PAUL EMMANUEL R. CINCO	-do-
HON. JOSIE M. CREER	-do-
HON. ATTY. ISAGANI S. ESPADA	-do-
HON. QUINTIN T. OCTA, JR.	-do-
HON. EFREN C. MERILO	-do-/Liga Fed. Pres.
HON. KYLE C. MESIAS	-do-/ SK Fed. Pres.

ABSENT :

HON. JAN ELMER V. MAGDALAGA (on leave)	Sangguniang Bayan Member
HON. CHERRY ANNE T. FIEL (on leave)	-do-

ORDINANCE NO. 2024 – 27

AN ORDINANCE INSTITUTIONALIZING THE OFFICIAL SEAL OF THE MUNICIPALITY OF TANAUAN, LEYTE, REGULATING ITS USE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Authors: Hon. Atty. Isagani S. Espada
Hon. Jasmin U. Borja
Co – authors : Whole members of the 16th SB

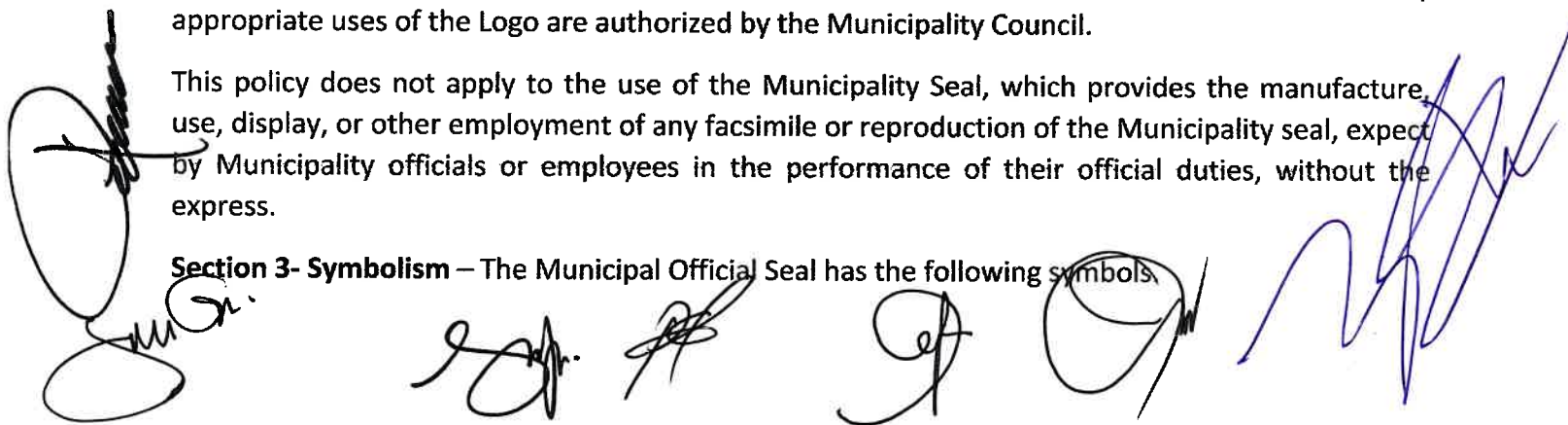
BE IT ENACTED BY THE SANGGUNIANG BAYAN OF TANAUAN, LEYTE IN REGULAR SESSION ASSEMBLED THAT:

Section 1- Short Title – This ordinance shall be known, as the OFFICIAL SEAL OF THE MUNICIPALITY OF TANAUAN, LEYTE.

Section 2- OBJECTIVES- To establish a policy and procedures regarding the use of the Municipality of Tanauan, Leyte official corporate logo (“Logo”). The Logo is a graphic symbol that identifies the Municipality of Tanauan as an organization and is often the primary means by which the public forms an image of the Municipality. The Logo is also considered and perceived by the public as a symbol of the authority and jurisdiction of the Municipality and, as such, is a valuable asset of the Municipality and its citizens. This policy is intended to provide a process under which only appropriate uses of the Logo are authorized by the Municipality Council.

This policy does not apply to the use of the Municipality Seal, which provides the manufacture, use, display, or other employment of any facsimile or reproduction of the Municipality seal, except by Municipality officials or employees in the performance of their official duties, without the express.

Section 3- Symbolism – The Municipal Official Seal has the following symbols:





The Official Seal of the Local Government Unit of Tanauan, Leyte displays the blue shield which shows the sea with a boat and fish on the upper left portion, the quill with parchment on the lower left, a building with a rice field on the upper right portion while the images of pots are shown on the lower right side. The shield has a yellow background with the Latin phrase, "SALUS POPULI SUPREMA EST LEX" on top and laurel leaves at the bottom.

SHIELD – The shield symbolizes the duty of the Local Government of Tanauan to defend and protect the general welfare of all Tanauanans, through delivery of efficient and effective provision of the basic services.

THE FOUR DIVISIONS – Represent the Major Industries

BLUE COLOR OF SHIELD – symbolizes valor, courage and patriotism

SEA WITH BOAT AND FISH - symbolizes the fishery industry with fishing as a primary source of livelihood, the abundance of fish and being a coastal municipality of Tanauan.

QUILL WITH PARCHMENT - symbolizes education, knowledge and scholarly pursuits.

POTS - symbolizes the pottery industry and the pot as one of the major products of the municipality.

BUILDING WITH RICEFIELD -. symbolizes agriculture and manufacturing as major sources of livelihood of the people.

YELLOW BACKGROUND (CIRCLE) – symbolizes freedom, unity and democracy.

10 LAUREL LEAVES – Represent the 10 Elected Municipal Officials

54 STARS- Represent the 54 Barangays

LATIN PHRASE, "SALUS POPULI SUPREMA EST LEX" - Translated in English as, "The Welfare of the People is the Supreme Law".

TITLE II – REGULATORY PROVISIONS

Section 4 – Usage of the Official Seal – The Official Seal of the Municipality of Tanauan, Leyte is the property of the Municipality, Only the Local Government Unit of Tanauan, its officials and employees shall have the authority to use the official seal for the following purposes:

a. Used for official purposes only, or as authorized by a majority vote of the Municipal Council;

b. Used for the purpose of certifying or authenticating official records and to identify Municipal programs, initiatives, partnerships and sponsorships;

c. Used on Municipal buildings, elected officials' pins, Municipal business cards, Municipal letterhead, calendars, public notices, resolution, awards, and other formal places authorized by the Municipal Council;

d. Used in general connection with the official Municipality of Tanauan brochures, publications, insignias, postings, website, painting, pamphlets and Municipality of Tanauan

promotional materials. It may also be used on Municipal vehicles, equipment, and fixtures such as signages;

e. When used by an outside organization upon the approval or written consent of the Municipal Council, the Official Seal must remain in its entirety with no alterations;

f. All non-Municipal usage, including non-profit usage, requires written Municipal authorization before such usage is allowed;

g. On certain occasions, the Municipality will authorize the usage of the Official Seal for signature events or other promotional measures that benefits the community. Any such approval should be considered for the specific event, time and use so approved by the Municipality in writing. Prior approval of its use shall not constitute approval for any future or recurring use; and

h. Used as the official personality of the Local Government Unit of Tanauan, in all of its affairs whether internal or external affairs and within or outside of its territorial jurisdiction including social media platforms;

Section 5 – Custodian of the Original Lay-out of the Seal – The Secretary to the Sangguniang Bayan shall have the custody of the original lay-out of the official seal of the Municipality of Tanauan and shall also be responsible in the registration and filing of the Official Seal to the National Historical Commission of the Philippines or any appropriate agencies.

Section 6 – Prohibited Acts on the Usage of the Seal – It shall be prohibited to:

a. By any act or omission, mutilate, deface, defile, trample on, or cast contempt with the intention to dishonor or ridicule upon the Official Seal;

b. To display the Official Seal under any frame or picture of a person, group or organization or as profile picture in social media, such as Facebook, Viber, Messenger and the like, except for LGU government official representations;

c. To display the Official Seal in a platform or stage during programs or activities not directly or indirectly hosted by the Local Government Unit of Tanauan, unless upon the permission of the LGU;

d. To add any words, figure, mark picture, design, drawings, advertisement, or imprint of any nature which causes or likely to cause degradation on the Official Seal;

e. To print, paint or attach representation of the Official Seal whether full or partial on t-shirts, handkerchief, fan or other articles of merchandise, except upon for LGU government official representations;

f. To use or display the Official Seal as part of any advertisement or infomercial except when duly approved by the LGU or undertaken by the Local Government Unit of Tanauan, Leyte;

g. To use or display the Official Seal as part of seminar, conferences, research or any activity except when duly approved by the LGU or undertaken by the Local Government Unit of Tanauan, Leyte;

h. To be used for commercial or business purposes, except upon the authority of the LGU;

i. To be used by any organization or association whether for legitimate purpose, except when approved by the Local Government Unit of Tanauan, Leyte;

j. To use the Officials Seal for unlawful purposes;

k. To use the Official Seal as personal seal of any government official; and

l. Use a symbol that imitates the Official Seal, or that may be mistaken therefore, that is designed, intended or likely to confuse, deceive or mislead the public, for private or commercial

purposes, or for any purpose other than for the official business of Municipality, without written authorization from the Municipality Council; and

m. Any other circumstances of a similar in nature and analogous to those above-mentioned.

Section 7 – Modification in the design of the Municipal Official Seal – The official seal, its symbols, including its colors shall not be modified, unless:

- a. By enactment of an ordinance modifying the same;
- b. Any modifications shall be made for in accordance with the vision of the Municipality and only once every ten (10) years.

Section 8 – The dry seal of the Local Government Unit of Tanauan, Leyte – There shall be an adopted official dry seal in authenticating or subscribing official and public documents or administrative and executive issuances.

The dry seal shall contain the official seal of the local government unit of Tanauan, Leyte.

Section 9 – Prohibited acts on the usage of the dry seal – It shall be prohibited to:

- a. Use by any offices other than the office of the mayor;
- b. Affix the dry seal on a paper not authentic, not official and not public documents;
- c. Affix the dry seal on a document for unlawful purposes;
- d. Affix the dry seal on a document done outside the office or office hours;
- e. To use the dry seal as personal dry seal of any official and
- f. Any other circumstances of a similar in nature and analogous to those above mentioned.

Section 10- Exception- BLGU may use the Municipal Logo on their official Barangay documents.

TITLE III – PENAL PROVISIONS

Section 11 – Penalty – Any person or persons who by acts or omission violates the provisions of this ordinance shall be penalized on the following:

- 1. First Offense-----Reprimand and fine of 500.00
- 2. Second Offense-----Php 1,000.00
- 3. Third Offense-----Php 2,500.00 or an imprisonment of not less than one (1) month nor more than six (6) months, or both at the discretion of the court.

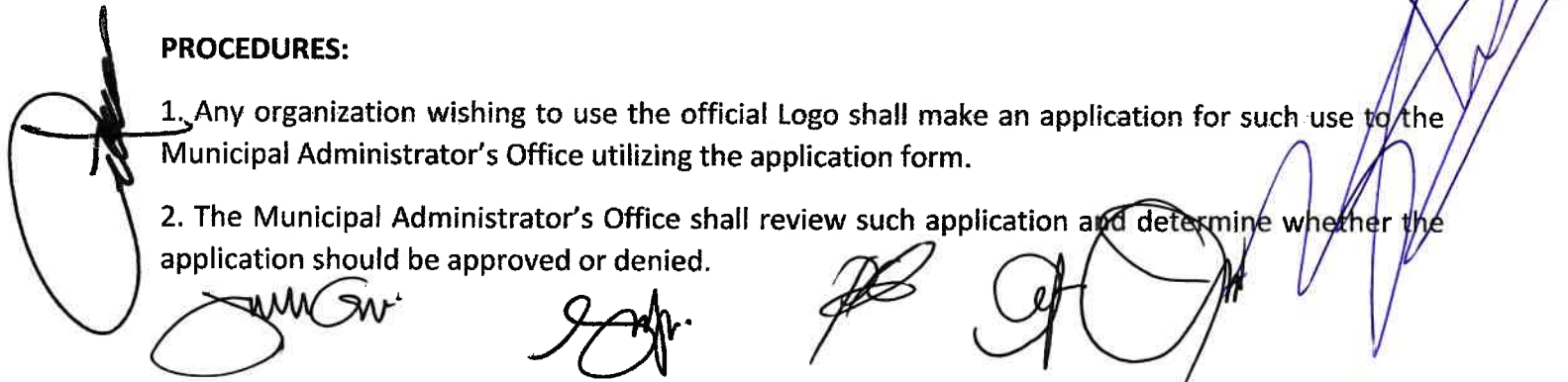
Furthermore, the penalty under this ordinance shall not prejudice the filling of a separate criminal, administrative or civil liability.

ARTICLE IV- FINAL PROVISIONS

Section 12 – Implementation- This Ordinance shall be self-executory. The Office of the Municipal Mayor shall be responsible for the implementation and enforcement of the provision and penalty of this ordinance.

PROCEDURES:

- 1. Any organization wishing to use the official Logo shall make an application for such use to the Municipal Administrator’s Office utilizing the application form.
- 2. The Municipal Administrator’s Office shall review such application and determine whether the application should be approved or denied.

The bottom of the page features several handwritten signatures and initials in black ink. On the left, there is a large, stylized signature. To its right are several smaller signatures and initials, including one that appears to be 'J. [unclear]' and another that looks like 'G. [unclear]'. On the far right, there is a large, complex signature in blue ink.

3. Denials

- In the case of a denial, an organization may make a written appeal of the Municipal Administrator's Office decision within fifteen (15) days to the Municipal Council, otherwise the Municipal Administrator's Office decision shall be deemed final. The written appeal shall state with specific the reason why the use of the Logo should be allowed, and the Municipal Administrator Office decision reversed. Appeals shall be filed with the Sangguniang Bayan Secretary.
- The appeal shall be placed on the next available Municipal Council agenda.
- The Municipal Council may affirm the Municipal Administrator Office decision or direct the Municipal Administrator Office to allow the usage of the logo. The decision of the Municipal Council shall be final.

RESPONSIBILITY FOR ENFORCEMENT

The Municipal Administrator Office or designee has responsibility for the enforcement of this policy.

Section 13 – Separability Clause - Unlawful acts which are not covered by this ordinance, but punishable under existing special laws, this ordinance shall be supplementary to such laws, unless the latter should specifically provide the contrary.

And if, for any reason, any provisions held to be invalid, the same shall not affect the other provisions hereof.

Section 14 – Repealing clause – All ordinance, rules and regulations or parts thereof inconsistent with or in conflict with the provision of this ordinance are hereby repealed or modified accordingly.

Section 15 – Effectivity clause – This Ordinance shall take effect ten (10) days after it has been posted in two (2) conspicuous places and publication in newspaper of general circulation.

ENACTED : 16 DECEMBER 2024.

ATTESTED:


HON. ARCHIE LAWRENCE R. KAPUNAN
Vice Mayor/Presiding


HON. MAE JANE ANGELIE M. MORABE – BORAIS
SB Member


HON. PAUL EMMANUEL R. CINCO
SB Member


HON. ATTY. ISAGANI S. ESPADA
SB Member

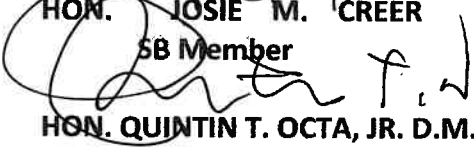

HON. EFREN M. MERILO
SB Member/Liga Fed. Pres.

CERTIFIED TRUE AND CORRECT:


ELEUTERIO T. LARIOS
SB Secretary


HON. MARK EFREN E. MERILO
SB Member


HON. JOSIE M. CREER
SB Member


HON. QUINTIN T. OCTA, JR. D.M.D.
SB Member


HON. KYLE M. MESIAS
SB Member/SK Fed. Pres.

APPROVED:


HON. MA GINA E. MERILO
Municipal Mayor

Date: JANUARY 10, 2025



Republic of the Philippines
Province of Leyte
TANAUAN
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OFFICE OF THE SANGGUNIAN BAYAN


CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **ORDINANCE NO. 2024-27, "AN ORDINANCE INSTITUTIONALIZING THE OFFICIAL SEAL OF THE MUNICIPALITY OF TANAUAN, LEYTE, REGULATING ITS USE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF"**, have been posted in the bulletin boards at the following: Entrance of the Municipal Hall, Office of the Sangguniang Bayan and Public Market beginning January 13, 2025 and shall remain posted for a minimum of three consecutive weeks.

This certification is issued in compliance with the pertinent provisions of R.A. 7160.

Issued: January 13, 2025


ELEUTERIO T. LERIOS
Sangguniang Bayan Secretary