

Item No.: 11

Date: 11 2025 FEB



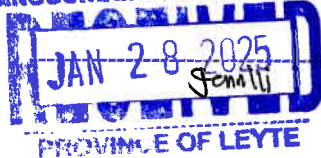
Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

Province of Leyte
Legal Office

Date: 11 28 25

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SANGGUNIANG PANLALAWIGAN



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

December 26, 2024

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

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

- Ordinance No. 2024-27 entitled: **“An Ordinance Closing Sections of La Purisima St. and Sto. Nino St. for Annual Fiesta Celebration and Yuletide Activities in Burauen, Leyte from October 25, 2024 to December 31, 2024.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 21(a)¹ and (c)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 

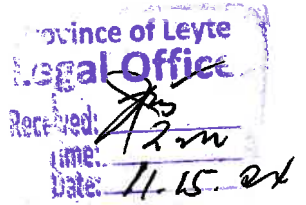
¹Section 21. Closure and Opening of Roads. -

(a) A local government unit may, pursuant to an ordinance, permanently or temporarily close or open any local road, alley, park, or square falling within its jurisdiction: Provided, however, That in case of permanent closure, such ordinance must be approved by at least two-thirds (2/3) of all the members of the sanggunian, and when necessary, an adequate substitute for the public facility that is subject to closure is provided.

² (c) Any national or local road, alley, park, or square may be temporarily closed during an actual emergency, or fiesta celebrations, public rallies, agricultural or industrial fairs, or an undertaking of public works and highways, telecommunications, and waterworks projects, the duration of which shall be specified by the local chief executive concerned in a written order: Provided, however, That no national or local road, alley, park, or square shall be temporarily closed for athletic, cultural, or civic activities not officially sponsored, recognized, or approved by the local government unit concerned.

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
14 November 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 24-27**, of the **Municipality of Burauen, Leyte**, entitled: An Ordinance closing sections of La Purisima St. and Sto. Niño St. for annual fiesta celebration and yuletide activities in Burauen, Leyte, from October 25, 2024 to December 31, 2024.


FLORINDA JILI S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF BURAUEN



OFFICE OF THE SANGGUNIANG BAYAN

November 14, 2024

THE HONORABLE MEMBERS
Sangguniang Panlalawigan
Province of Leyte



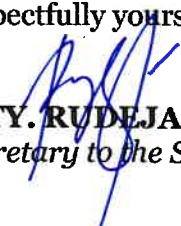
ATTENTION: FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Province of Leyte
Palo, Leyte

Ladies/Gentlemen:

We transmit herewith 15 copies of **Municipal Ordinance No. 24-27**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled "**An Ordinance Closing Sections of La Purisima St. and Sto. Niño St. for Annual Fiesta Celebration and Yuletide Activities in Burauen, Leyte, from October 25, 2024, to December 31, 2024**", for review and approval of the body.

Thank you and please acknowledge receipt hereof.

Respectfully yours,


ATTY. RUDEJANE S. TAN
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 24-27

AN ORDINANCE CLOSING SECTIONS OF LA PURISIMA ST. AND STO. NIÑO ST. FOR ANNUAL FIESTA CELEBRATION AND YULETIDE ACTIVITIES IN BURAUEN, LEYTE, FROM OCTOBER 25, 2024, TO DECEMBER 31, 2024

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

SECTION 1 – Authority to Close Roads. The Sangguniang Bayan is empowered to temporarily close roads or alleys, pursuant to Section 21 (a) (c), Chapter II, Book I, Title I of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 which states:

“Section 21. Closure and Opening of Roads. –

- (a) A local government unit may, pursuant to an ordinance, permanently or temporarily close or open any local road, alley, park, or square falling within its jurisdiction: Provided, however, that in case of permanent closure, such ordinance must be approved by at least two-thirds (2/3) of all the members of the sanggunian, and when necessary, an adequate substitute for the public facility that is subject to closure, is provided,
- (b) Any national or local road, alley, park or square may be temporarily closed during
..... or an undertaking of public works...”

SECTION 2 – Roads to be Temporarily Closed. From October 25, 2024, to December 31, 2024, La Purisima St. (between the corners of San Agustin St. and San Jose St.) and Sto. Niño St. (between the corners of La Purisima St. and Sta. Ana St.) shall be closed to facilitate the Annual Fiesta Celebration and Yuletide Season Activities of the Municipality of Burauen, Leyte.

SECTION 3 – Administrative Provision. The Office of the Municipal Mayor, in conjunction with the Engineering Department and Traffic Enforcement personnel, shall implement the necessary measures for the enforcement of this ordinance.

The Office of the Municipal Engineer shall be responsible for the installation of requisite traffic signage and the establishment of safety precautions to ensure the protection of the public and motorists.

SECTION 4. The Pertinent provision of the Municipal Comprehensive Traffic Code shall be invoked for any violation or traffic infraction committed in the implementation of this ordinance.

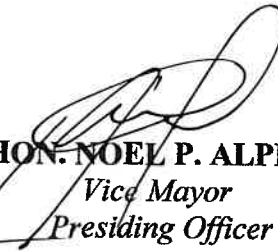
SECTION 5 – Effectivity. This ordinance shall take effect upon its approval.

ENACTED AND APPROVED this 21st day of October 2024, in regular session assembled.


CERTIFIED CORRECT:



ATTY. RUDEJANE S. TAN
Secretary to the Sanggunian

ATTESTED:


HON. NOEL P. ALPINO
*Vice Mayor
Presiding Officer*


HON. VINCENT G. ENERLAN
Sangguniang Bayan Member


HON. CIPRIANO R. RELATORRES, JR.
Sangguniang Bayan Member


HON. HERMENIA C. CAMASIN
Sangguniang Bayan Member


HON. BRYAN R. CINCO
Sangguniang Bayan Member

(absent)

(absent)


HON. DEXTER R. SENO
Sangguniang Bayan Member

HON. ROBERT G. DEL PILAR
Sangguniang Bayan Member


HON. EVAFE A. CORAL
Sangguniang Bayan Member


HON. OSCAR A. CAGARA
Sangguniang Bayan Member


HON. FE S. RENOMERON
LnB President/ Ex-Officio SB Member

(absent)
HON. JUSTINE MERP G. ANDRADE
SK Federation President/ Ex-Officio Member

APPROVED:


HON. JUANITO E. RENOMERON
Mayor



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. 24-27**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled, ***“An Ordinance Closing Sections of La Purisima St. and Sto. Niño St. for Annual Fiesta Celebration and Yuletide Activities in Burauen, Leyte, from October 25, 2024 to December 31, 2024”***, was enacted on October 21, 2024, approved on even date, and has been posted in two (2) conspicuous and publicly accessible places of the municipality from *October 23, 2024 to November 12, 2024*, in compliance with Section 59, paragraph (b) of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”.

Burauen, Leyte, November 13, 2024.


ATTY. RUDEJANE S. TAN
Secretary to the Sanggunain