

Item No.: 01
Date: 02 2025 APR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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Province of Leyte
Legal Office

Recd
9-11
3.14.25



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
March 7, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 489 of the Sangguniang Bayan of Babatngon, Leyte.

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

- Ordinance No. 489 entitled: **"An Ordinance imposing rental and fixing the rates on the use of Busay equipments, etc."**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 153¹ and 154² 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 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 ✍

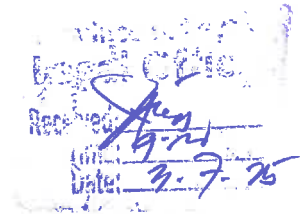
¹ Section 153. *Service Fees and Charges.* - Local government units may impose and collect such reasonable fees and charges for services rendered.

² Section 154. *Public Utility Charges.* - Local government units may fix the rates for the operation of public utilities owned, operated and maintained by them within their jurisdiction.

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
06 March 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein **Ordinance No. 489** of the **Municipality of Babatngon, Leyte**, entitled: **An Ordinance imposing rental and fixing the rates on the use of Busay equipments and amenities owned by the Municipality of Babatngon, Leyte.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

03 March 2025

Honorable Leonardo M. Javier, Jr,
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Province of Leyte
Legislative Bldg., Capitol Grounds
Tacloban City

Dear Honorable Ladies and Gentlemen,


Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Ordinance No. 489 of the Sangguniang Bayan of the Municipality of Babatngon, Leyte, entitled: "AN ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF BUSAY EQUIPMENTS AND AMENITIES OWNED BY THE MUNICIPALITY OF BABATNGON, LEYTE." Subject Ordinance is being forwarded to that Body for review in compliance with Section 56 (a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 489
2. Certification of Posting
3. Certification of Public Hearing

Please find them in order and praying for your favorable action thereof.

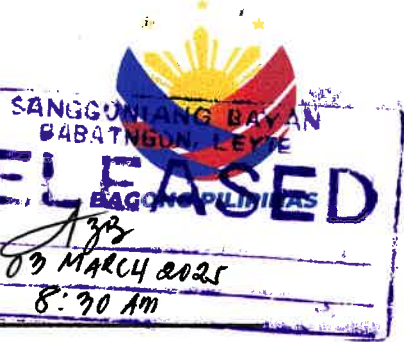
Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

Enclosed:

As Stated





OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 129th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 13th DAY OF FEBRUARY 2025 AT THE SB SESSIONS OFFICE LEGISLATIVE BUILDING, BABATNGON, LEYTE.

RECEIVED

BY: DAUO. M. OBABRA
DATE: 02-27-25
TIME: 09:56

ORDINANCE NO. 489

AN ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF BUSAY EQUIPMENTS AND AMENITIES OWNED BY THE MUNICIPALITY OF BABATNGON, LEYTE.

AUTHOR: HON. HILARION S. MENZON

Co-Authors: Hon. Alex Veloso Bello; Hon. Christian C. Lawsin

Hon. Kemuel Rue M. Corsiga; Hon. Ildefonso B. Odon; Hon. Federico P. Elizaga, Jr.

Hon. Jude Lemwel B. Vethimvas; Hon. Karl Jomar L. Embana

WHEREAS, the Local Government Unit of Babatngon, Leyte owns various Busay Equipments and amenities;

WHEREAS, Article 129 of Republic Act 7160 otherwise known as the Local Government Code of 1991 in relation to Article 10, Section 5 of the 1987 Philippine Constitution provides, "Each local government unit shall exercise its power to create its own sources of revenue and levy taxes, fees, and charges subject to the provisions herein, consistent with the basic policy autonomy. Such taxes, fees and charges shall accrue exclusively to the local governments".

WHEREAS, Article Five, Section 153 and Section 154 of Republic Act 7160 further provides that the local government units may impose and collect reasonable fees and charges for services rendered and may fix the rates for the operation of public utilities owned, operated and maintained by them;

WHEREAS, the Municipality of Babatngon intends to maximize the use of its sources and create additional source of income by renting out the equipment and amenities in order to keep and support the required budget for the maintenance of these said properties;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Babatngon in its Regular Session assembled that:

SECTION 1. Title of the Ordinance – This ordinance shall be known as **"AN ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF BUSAY EQUIPMENTS AND AMENITIES OWNED BY THE MUNICIPALITY OF BABATNGON, LEYTE."**

SECTION 2. Fees and Charges – There is hereby imposed the following rental rates for the use of equipments and amenities being rented out by the Municipal Government to private parties:

NO.	EQUIPMENTS/AMENITIES	RENTAL RATES
1.	SWIMMING POOL FOR ADULTS	PhP 20.00 each
2.	SWIMMING POOL FOR KIDS	15.00 each
3.	TABLES	20.00/piece
4.	CHAIRS	5.00/piece
5.	TENT	100.00/piece
6.	COTTAGE FIXED CONCRETE ONE TABLE	150.00/day
7.	COTTAGE FOLDABLE TABLE WITH 5 MONO BLOC CHAIRS WITH TENT	300.00
8.	3 - SMALL VILLA GOOD FOR 2 PAX	1,850.00 each villa
9.	1 - LARGE VILLA	1,950.00
10.	FUNCTION HALL FOR 6 HRS but will rent tables and chairs	6,000.00



Municipality of Babatngon

11.	ROOMS UNDER FUNCTION HALL (Overnight)	
	Room 1 (good for 5 pax)	2,160.00
	Room 2 (good for 6 pax)	2,210.00
	Room 3 (good for 4 pax)	2,110.00
	Room 4 (good for 4 pax)	2,110.00
	Room 5 (good for 4 pax)	2,200.00
	Room 6 (good for 4 pax)	2,200.00
12.	FOR EXTRA BED	500.00
	Check-in time: 2:00 PM Check-out: 12:00 NOON Excess time - the room rate will be divided per hour	
13.	EXCLUSIVE USE OF ALL COTTAGES WITH 30 PAX ➤ free Entrance ➤ excluded use of swimming pool ➤ in excess of 30 pax, each will pay regular entrance fee	6,300.00
14.	PACKAGE 1 - INCLUDES: ➤ tables and chairs; kiosks ➤ free entrance ➤ excluded use of swimming pool	6,800.00
15.	PACKAGE 2 - INCLUDES: ➤ tables and chairs, kiosk ➤ free entrance ➤ free use of swimming pool with 30 pax	8,000.00
16.	PACKAGE 3 - INCLUDES: ➤ rooms, function hall, kiosk, villa ➤ free entrance; ➤ free use of swimming pool; ➤ Full capacity of 350 pax	32,800.00
17.	CORKAGE FEE	2,000.00

SECTION 3. General provisions Governing the Rental and Use of Equipment and Amenities – The rental and use of equipment and amenities indicated under Section 2 shall be in accordance with the following conditions:

- The rental rates shall be exclusive for the use of the equipment and amenities.
- A rental agreement shall be executed between the Municipal Government and the renting party indicating therein, among others, all attendant terms and conditions governing said agreement.

SECTION 4. Separability Clause – If any provision of this ordinance or the application of such provision to any person or circumstances is declared invalid, the remainder of this Ordinance shall not be affected.

SECTION 5. Repealing Clause – All ordinances, rules and regulations, or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly

SECTION 6. Effectivity – This Ordinance shall take effect upon approval and the requisite posting and publication as provided under the Local Government Code.

ENACTED and APPROVED this 13th day of February 2025 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ALMA A. BALDOMAR
Secretary II

Secretary to the Sanggunian - designate

ATTESTED:

HON. ROSARY PEARL G. CATUDIO
Municipal Vice Mayor and
Presiding Officer

HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member

(Mandatory Leave)
HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member



OFFICE OF THE SANGGUNIANG BAYAN

(Sick Leave)

HON. KARL JOMAR L. EMBANA
Sangguniang Bayan Member

HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member

HON. ALEX V. BELLO
Sangguniang Bayan Member

HON. JUDE LEWEL B. VETHIMVAS
President
Pambayang Pederasyon ng
Sangguniang Kabataan

HON. ILDEFONSO B. ODON
Sangguniang Bayan Member

HON. HILARION S. MENZON
Sangguniang Bayan Member

HON. EDGARDO Y. MORDEN
President
Liga ng mga Barangay

APPROVED:

HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: 28 Feb. 2025



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM THIS MAY CONCERN:

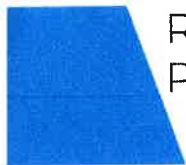
This is to certify that POSTING in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting 03 March 2025 and copies of said ordinance shall remain posted for three (3) consecutive weeks, pursuant to Sec. 59 (b) of Republic Act 7160, in relation to hereunder ordinance, to wit:

- 1. ORDINANCE NO. 489 – AN ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF BUSAY EQUIPMENTS AND AMENITIES OWNED BY THE MUNICIPALITY OF BABATNGON, LEYTE.**

Made this 3RD day of March 2025 at Babatngon, Leyte.

ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate





OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that Ordinance No. 489 entitled: " AN ORDINANCE IMPOSING RENTAL AND FIXING THE RATES ON THE USE OF BUSAY EQUIPMENTS AND AMENITIES OWNED BY THE MUNICIPALITY OF BABATNGON, LEYTE. " was presented to the public and concerned sectors in a public hearing held on 30 January 2025 at Brgy. District II, Babatngon, Leyte.

Made this 3rd day of March 2025 at Babatngon, Leyte.


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

