



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Item No.: 03
 Date: 1.1.2025

Province of Leyte
 Legal Office
[Signature]
 2.3.25

SANGGUNIANG PANLALAWIGAN

RECEIVED
 MAR 03 2025
[Signature]
PROVINCE OF LEYTE

2nd INDORSEMENT
 February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2 of 2025 of the Sangguniang Bayan of *ToLosa*, Leyte.

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

- Ordinance No. 2 of 2025 entitled: **“An Ordinance adopting RA 11361, 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)¹ 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 *[Signature]*

¹ (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,*

revised

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-000-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
20 February 2025

Legal Office
Received
Time: *12:45*
Date: *2-20-25*

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 02**, series of **2025** of the **Municipality of Tolosa, Leyte**, entitled: **An Ordinance adopting Republic Act 11361 or the "Anti-Obstruction of Power Lines Act", and further strengthening its implementation in the Municipality of Tolosa, Leyte.**


FLORINDA JIL S. DYVICO
Secretary to the Sanggunian

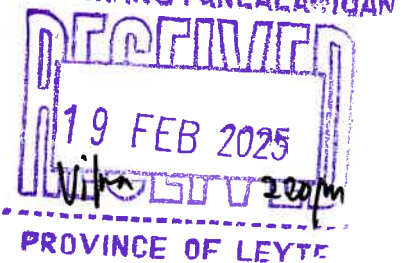


Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

1st Indorsement

February 18, 2025



Respectfully forwarded to the Sangguniang Panlalawigan, Province of Leyte, Municipality of Palo, the herein attached **RESOLUTION NO. 01-27-2025, Entitled: A RESOLUTION APPROVING ORDINANCE NO. 02, S. 2025. ENTITLED: AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF TOLOSA, LEYTE, Attendance of 129th Regular Session and Certification of Posting.**

For review and approval.

Issued this **18th** day of **February 2025** at Tolosa, Leyte, Philippines.

Please acknowledge receipt hereof.

DR. MANNY R. MARTINEZ, CPA., RN., MPRM

Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I



Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to **CERTIFY** that pursuant to paragraph (a) of Article 114 of RA 7160 Posting of **Ordinance No. 02, Series of 2025, Re: AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF TOLOSA, LEYTE,** was posted in three (3) conspicuous places.

The undersigned has complied the said provision last January 17, 2025.

This **Certification** is issued in compliance of Article 114 of RA 7160.

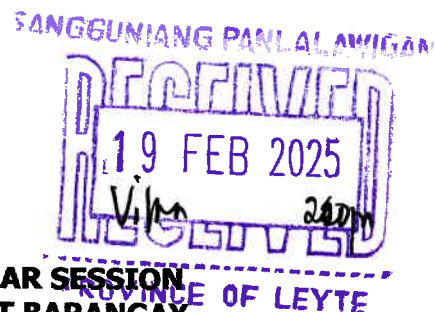
Given this **18th** day of **February 2025**.


DR. MANNY R. MARTINEZ, DPA., RN., MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I



Republic of the Philippines
Province of *Leyte*
Municipality of Tolosa

Office of the Sangguniang Bayan



**EXCERPT FROM THE MINUTES OF THE 129TH REGULAR SESSION
OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT BARANGAY
CANMOGSAY, SESSION HALL, ON JANUARY 27, 2025 AT 9:30 A.M.**

PRESENT:

- | | | | |
|--------------------------------|---|---|--|
| Hon. Menardo M. Mate | - | - | Municipal Vice-Mayor (Presiding Officer) |
| Hon. Felicito D. Beltran III | - | - | Sangguniang Bayan Member |
| Hon. Edilberto R. Zabala, Jr. | - | - | Sangguniang Bayan Member |
| Hon. Manuel B. Balledo | - | - | Sangguniang Bayan Member |
| Hon. Felipe V. Canonigo III | - | - | Sangguniang Bayan Member |
| Hon. Ireneo Rolando A. Lumbre- | - | - | Sangguniang Bayan Member |
| Hon. Rolly A. Cinco | - | - | Sangguniang Bayan Member |
| Hon. Melanie Felisa M. Vivero- | - | - | Ex-Officio Member/ABC President |
| Hon. Catherine R. Benjamin | - | - | Ex-Officio Member/SK Fed. President |

ABSENT:

- | | | |
|----------------------------------|---|--------------------------|
| Hon. Virman Jessie O. Pundavela- | - | Sangguniang Bayan Member |
|----------------------------------|---|--------------------------|

RESOLUTION NO. 01-27-2025

A RESOLUTION APPROVING ORDINANCE NO. 02, S. 2025. ENTITLED: AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF TOLOSA, LEYTE

WHEREAS, Republic Act No. 11361, also known as the "Anti-Obstruction of Power Lines Act," was enacted to ensure the continuous and uninterrupted supply of electricity by prohibiting the construction, planting, and installation of structures or obstructions along power line corridors;

WHEREAS, the law mandates Local Government Units to assist in its implementation by formulating ordinances or measures to prevent any form of power line obstruction within their respective jurisdictions;

WHEREAS, the Municipality of Tolosa recognizes the importance of safeguarding power lines to avoid disruptions in electricity supply, ensuring public safety, and supporting economic activities dependent on stable electricity;

WHEREAS, adopting and enforcing the provisions of R.A. 11361 at the local level will further enhance the Municipality's capacity to address violations, prevent hazards, and ensure compliance with national standards;

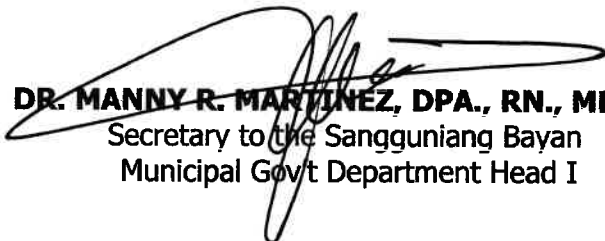
NOW, THEREFORE, on motion of **Hon. Melanie Felisa M. Vivero**, duly seconded unanimously, the Sangguniang Bayan recognizes the necessity of enacting an ordinance to adopt R.A. 11361 and strengthen its local implementation, be it;

RESOLVED, as it is hereby resolved, that the Sangguniang Bayan of Tolosa, Leyte, enacts Ordinance No. 02, S. 2025. *Entitled: An Ordinance Adopting Republic Act 11361 or the "Anti-Obstruction of Power Lines Act" and Further Strengthening its Implementation in the Municipality of Tolosa, Leyte;*

RESOLVED FURTHER, that copies of this resolution be furnished to the Office of the Municipal Mayor of Tolosa, Leyte; DORELCO Tolosa and other offices concerned for their information and appropriate action.

APPROVED this 27th day of **January, 2025**, during the **129th Regular Session** of the 11th Sangguniang Bayan of Tolosa, Leyte.

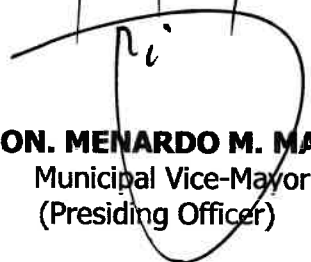
I HEREBY CERTIFY to the correctness of the foregoing resolution, duly approved by the 11th Sangguniang Bayan of Tolosa during its 129th Regular session held at Barangay Canmogsay Session Hall, on **January 27, 2025**.


DR. MANNY R. MARTINEZ, DPA., RN., MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

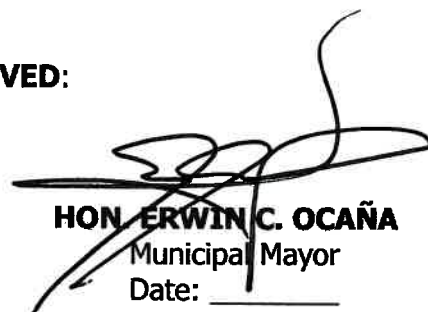
MOVANT:


HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member

ATTESTED:


HON. MENARDO M. MATE
Municipal Vice-Mayor
(Presiding Officer)

APPROVED:


HON. ERWIN C. OCAÑA
Municipal Mayor
Date: _____



Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 129TH REGULAR SESSION
OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT BARANGAY
CANMOGSAY, SESSION HALL, ON JANUARY 27, 2025 AT 9:30 A.M.

PRESENT:

- Hon. Menardo M. Mate - Municipal Vice-Mayor (Presiding Officer)
Hon. Felicito D. Beltran III - Sangguniang Bayan Member
Hon. Edilberto R. Zabala, Jr. - Sangguniang Bayan Member
Hon. Manuel B. Balledo - Sangguniang Bayan Member
Hon. Felipe V. Canonigo III - Sangguniang Bayan Member
Hon. Ireneo Rolando A. Lumbrera - Sangguniang Bayan Member
Hon. Rolly A. Cinco - Sangguniang Bayan Member
Hon. Melanie Felisa M. Vivero - Ex-Officio Member/ABC President
Hon. Catherine R. Benjamin - Ex-Officio Member/SK Fed. President

ABSENT:

- Hon. Virman Jessie O. Pundavela - Sangguniang Bayan Member

RESOLUTION NO. 01-27-2025

A RESOLUTION APPROVING ORDINANCE NO. 02, S. 2025. ENTITLED: AN
ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-
OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING
ITS IMPLEMENTATION IN THE MUNICIPALITY OF TOLOSA, LEYTE

WHEREAS, Republic Act No. 11361, also known as the "Anti-Obstruction of Power Lines
Act," was enacted to ensure the continuous and uninterrupted supply of electricity by prohibiting
the construction, planting, and installation of structures or obstructions along power line corridors;

WHEREAS, the law mandates Local Government Units to assist in its implementation by
formulating ordinances or measures to prevent any form of power line obstruction within their
respective jurisdictions;

WHEREAS, the Municipality of Tolosa recognizes the importance of safeguarding power
lines to avoid disruptions in electricity supply, ensuring public safety, and supporting economic
activities dependent on stable electricity;

WHEREAS, adopting and enforcing the provisions of R.A. 11361 at the local level will
further enhance the Municipality's capacity to address violations, prevent hazards, and ensure
compliance with national standards;

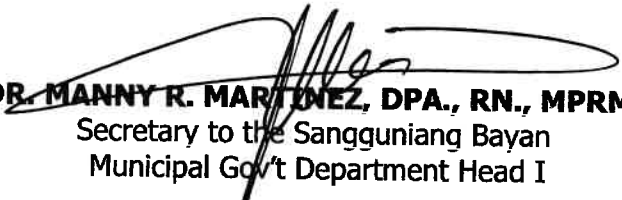
NOW, THEREFORE, on motion of Hon. Melanie Felisa M. Vivero, duly seconded
unanimously, the Sangguniang Bayan recognizes the necessity of enacting an ordinance to adopt
R.A. 11361 and strengthen its local implementation, be it;

RESOLVED, as it is hereby resolved, that the Sangguniang Bayan of Tolosa, Leyte, enacts
Ordinance No. 02, S. 2025. Entitled: An Ordinance Adopting Republic Act 11361 or the "Anti-
Obstruction of Power Lines Act" and Further Strengthening its Implementation in the Municipality
of Tolosa, Leyte;

RESOLVED FURTHER, that copies of this resolution be furnished to the Office of the Municipal Mayor of Tolosa, Leyte; DORELCO Tolosa and other offices concerned for their information and appropriate action.

APPROVED this 27th day of **January, 2025**, during the **129th Regular Session** of the 11th Sangguniang Bayan of Tolosa, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing resolution, duly approved by the 11th Sangguniang Bayan of Tolosa during its 129th Regular session held at Barangay Canmogsay Session Hall, on January 27, 2025.


DR. MANNY R. MARTINEZ, DPA., RN., MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

MOVANT:


HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member

ATTESTED:


HON. MENARDO M. MATE
Municipal Vice-Mayor
(Presiding Officer)

APPROVED:


HON. ERWIN G. OCAÑA
Municipal Mayor
Date: _____



Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

**EXCERPT FROM THE MINUTES OF THE 129TH REGULAR SESSION
OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE
SESSION HALL OF BARANGAY CANMOGSAY
ON JANUARY 27, 2025 AT 9:30 A.M.**

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. EDIBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. ROLLY A. CINCO
Sangguniang Bayan Member

PRESENT:

- | | | | |
|---------------------------------|---|---|--|
| Hon. Menardo M. Mate | - | - | Municipal Vice-Mayor (Presiding Officer) |
| Hon. Felicito D. Beltran III | - | - | Sangguniang Bayan Member |
| Hon. Edilberto R. Zabala, Jr. | - | - | Sangguniang Bayan Member |
| Hon. Manuel B. Balledo | - | - | Sangguniang Bayan Member |
| Hon. Felipe V. Canonigo III | - | - | Sangguniang Bayan Member |
| Hon. Virman Jessie O. Pundavela | - | - | Sangguniang Bayan Member |
| Hon. Ireneo Rolando A. Lumbre | - | - | Sangguniang Bayan Member |
| Hon. Rolly A. Cinco | - | - | Sangguniang Bayan Member |
| Hon. Melanie Felisa M. Vivero | - | - | Ex-Officio Member/ABC President |
| Hon. Catherine R. Benjamin | - | - | Ex-Officio Member/SK Fed. President |

HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

**MUNICIPAL ORDINANCE NO. 02
Series of 2025**

AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF TOLOSA, LEYTE

Authored and Sponsored by:
HON. MELANIE FELISA M. VIVERO

Section 1. Purpose. To ensure the uninterrupted conveyance of electricity from DORELCO power substations to the end-users – the member-consumer owner and protect the integrity and reliability of the Electric Cooperative's distribution systems by keeping the land beneath, the air spaces surrounding and the area traversed by power lines clear of dangerous obstructions.

Section 2. Coverage. This Ordinance shall cover all power lines and other related facilities for the conveyance of electricity throughout the Municipality of Tolosa, Leyte.

Section 3. Definition of Terms. – For the purpose of this Ordinance, the following terms are defined as follows;

- a.) "Act" refers to Republic Act No. 11361, otherwise known as the "Anti-Obstruction of Power Lines Act".
- b.) "Associated facilities" refers to any or all of the equipment and other fixtures that are attached or connected with, and are integral to a power line, such as, but not limited to poles, guys, crossarms, insulators, and conductors.

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member

HON. CATHERINE R. BENJAMIN
Sangguniang Bayan Member
PPSK President

HON. MENARDO M. MATE
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA., RN., MPRM
Secretary to the Sangguniang Bayan

- c.) "Conveyance of electricity" refers to the delivery of electricity from the DORELCO Power Substation to the premises of the end user through power lines.
- d.) "Distribution lines" refer to the portion of the distribution system pertaining to the lines or wires.
- e.) "Distribution system" refers to the system of wires and associated facilities belonging to DORELCO extending between the delivery points from the EC power substation and the connection to the premises of the end user.
- f.) "Electric Cooperative" or "EC" refers to DORELCO, a duly organized and registered Electric Cooperative pursuant to Presidential Decree No. 269, as amended, otherwise known as the "National Electrification Administration Decree", holding the franchise to distribute electricity to thirteen (13) municipalities in Leyte, including Tolosa.
- g.) "End user" refers to any person or entity requiring the supply and delivery of electricity for its own use.
- h.) "Hazardous activities" refer to planting of plants and trees, burning of waste and other materials, excavation, quarrying, construction, and other activities of the same nature and character and regardless of purpose intended, which are performed partially/wholly inside the powerline corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity.
- i.) "Hazardous improvements" refer to plants, trees, structures, buildings and buildings of whatever kind, whether temporary or permanent in character, and regardless of purpose for which they are intended, which are located, partially or wholly inside the Power Line Corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity.
- j.) "Owner or Operator of Power Lines" or "Power Line Owner/Operator" of "PLO" refers to DORELCO having the ownership and/or responsibility for the operation and maintenance of the distribution power lines.
- k.) "Power lines" refer to transmission lines, sub-transmission lines, distribution lines, and other connection assets including the poles and towers used to support the lines, and other related facilities constructed or erected used for the purpose of conveyance of electricity.
- l.) "Power line obstruction" refers to any hazardous activity or hazardous improvement and other similar circumstances that threaten or endanger the continuous and uninterrupted conveyance of electricity.
- m.) "Tall growing plants" refer to plants, vines and other plant species, which grow or have the potential to grow more than three (3) meters in height from the ground.
- n.) "Power Line Corridor (PLC)" – refers to and is constituted as the land beneath, the air spaces surrounding, and the area traversed by power lines, which shall be kept clear and free from any power line obstructions, dangerous structures, hazardous activities and improvements and other similar circumstances in accordance with the provisions of the Act.

Section 4. Prevention and Removal of Power Line Obstruction on Public Property. – In cases where the power line corridor is wholly or partially located within public property, DORELCO shall have the right to enter the said property to prevent and remove any power line obstruction, and perform the following acts:

- (a) To conduct maintenance and inspection activities within the power line corridor.
- (b) To conduct repair or restoration activities within the power line corridor.

HON. MENARDO M. MATE
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA., RN., MPRM.
Secretary to the Sangguniang Bayan

Page 2 of 4

ORDINANCE NO. 02, S.2025
"AN ORDINANCE ADOPTING REPUBLIC ACT 11361
OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT"

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. ROMAN A. CINCO
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. CATHERINE R. BENJAMIN
Sangguniang Bayan Member
PPSK President

- (c) To conduct trimming, pruning, cutting, or clearing activities for tall growing plants within the power line corridor without the need of securing prior clearance or permit from the Local Government Unit of Tolosa.
- (d) To remove, dismantle, or demolish hazardous improvements in accordance with the National Building Code of the Philippines: Provided, that such acts may be carried out without prior clearances or permit from but with due notice to the Local Government Unit of Tolosa.
- (e) To stop, prevent, or prohibit the conduct of hazardous activities; and
- (f) Perform other analogous acts or activities, which will cause the prevention and removal of any power line obstruction.
- (g) Any damages that may be incurred during the cause of operation shall be the sole responsibility of DORELCO, which shall be liable for any and all resulting costs, repairs, or claims arising therefrom.

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

Section 5. Prevention and Removal of Power Line Obstruction on Private Property. – DORELCO shall have the primary duty and responsibility to remove power line obstructions. In cases where the power line corridor is wholly or partially located within a private property, the property owner shall coordinate and assist DORELCO by facilitating the necessary access in order to perform the acts enumerated in Section 4.

The property owner shall have the primary duty and responsibility to prevent power line obstructions and to inform DORELCO of their existence. In the performance of these acts, the property owner shall be entitled to necessary assistance such as, but not limited to education, information, technical and manpower support from DORELCO.

In the event that the property owner fails to perform any duty and responsibility under the preceding paragraphs, the owner or operator of the power lines shall have the right to access the power line corridor in order to undertake the acts enumerated under Section 4: Provided, however, that the NOTICE TO THE PROPERTY OWNER shall no longer be required to avert an imminent danger posed by a power line obstruction.

Any damages that may be incurred during the cause of operation shall be the sole responsibility of DORELCO

Section 6. Assistance from the Barangay. – In the performance of this acts under Sections 4 and 5, DORELCO shall coordinate and be assisted by the Barangay concerned where the clearing or removal of line obstructions are being conducted.

The Barangay is mandated to provide assistance by way of providing manpower to augment the clearing crew/personnel of DORELCO.

The Barangay is mandated to keep its residents updated and notified of the clearing schedules as provided by DORELCO.

Section 7. Disposal of Waste and Debris. – Waste and debris which resulted from the removal of obstructions and other activities under this Ordinance shall be disposed of by the Barangay where the clearing or removal of line obstructions are conducted in accordance with the relevant barangay and municipal ordinances.

Section 8. The DORELCO shall assist in the disposal of debris beyond the Barangay's capacity, such as large branches and other oversized waste, in compliance with environmental laws and municipal regulations

Section 9. Separability Clause. – Any portion or provision of this Ordinance, which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

Section 5. Prevention and Removal of Power Line Obstruction on Private Property.

HON. EDJIBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. ROY A. CINCO
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member

HON. CATHERINE K. BENJAMIN
Sangguniang Bayan Member
PPSK President

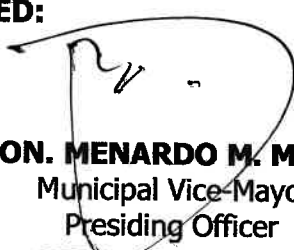
HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member

Section 10. Effectivity – This Ordinance shall take effect immediately upon approval.

DONE, in the Municipality of Tolosa, this **27th** day of **January 2025**.


DR. MANNY R. MARTINEZ, DPA, RN, MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

ATTESTED:


HON. MENARDO M. MATE
Municipal Vice-Mayor
Presiding Officer


HON. FELICITTO D. BELTRAN III
Sangguniang Bayan Member


HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member


HON. MANUEL B. BALLEDO
Sangguniang Bayan Member



HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member


HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member


HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member


HON. ROLLY A. CINCO
Sangguniang Bayan Member


HON. MELANIE FELISA M. VIVERO
Ex-Officio Member/ABC President


HON. CATHERINE R. BENJAMIN
Ex-Officio Member/SK Fed. President

APPROVED:


HON. ERWIN C. OCAÑA
Municipal Mayor
Date: _____



Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

MINUTES OF THE 129TH REGULAR SESSION OF THE SANGGUNIAN BAYAN OF TOLOSA, LEYTE, HELD AT BARANGAY CANMOGSAY, SESSION HALL, ON JANUARY 27, 2025 AT 9:30 A.M.

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member

PRESENT:

- | | | | |
|---------------------------------|---|---|--|
| Hon. Menardo M. Mate | - | - | Municipal Vice-Mayor (Presiding Officer) |
| Hon. Felicito D. Beltran III | - | - | Sangguniang Bayan Member |
| Hon. Edilberto R. Zabala, Jr. | - | - | Sangguniang Bayan Member |
| Hon. Manuel B. Balledo | - | - | Sangguniang Bayan Member |
| Hon. Felipe V. Canonigo III | - | - | Sangguniang Bayan Member |
| Hon. Virman Jessie O. Pundavela | - | - | Sangguniang Bayan Member |
| Hon. Ireneo Rolando A. Lumbre | - | - | Sangguniang Bayan Member |
| Hon. Rolly A. Cinco | - | - | Sangguniang Bayan Member |
| Hon. Melanie Felisa M. Vivero | - | - | Ex-Officio Member/ABC President |
| Hon. Catherine R. Benjamin | - | - | Ex-Officio Member/SK Fed. President |

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. ROLLY A. CINCO
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. CATHERINE R. BENJAMIN
Sangguniang Bayan Member
PPSK President

CALL TO ORDER. - The session was called to order at 9:30 a.m. by the Presiding Chair, Hon. Menardo M. Mate, marking the beginning of the 129th Regular Session of the 11th Sangguniang Bayan of Tolosa.

NATIONAL ANTHEM/INVOCATION. - The session began with the singing of the National Anthem, followed by an invocation conducted via computer generation, and the singing of the Hymno han Tolosa.

ROLL CALL. - During the session, the Secretary conducted a roll call to confirm the attendance of the members of the Sangguniang Bayan. Those present were:

- Hon. Menardo M. Mate (Vice Mayor)
- Hon. Felicito D. Beltran III
- Hon. Edilberto R. Zabala, Jr.
- Hon. Manuel B. Balledo
- Hon. Felipe V. Canonigo III
- Hon. Virman Jessie O. Pundavela
- Hon. Ireneo Rolando A. Lumbre
- Hon. Rolly A. Cinco
- Hon. Melanie Felisa M. Vivero
- Hon. Catherine R. Benjamin

APPROVAL OF THE MINUTES OF THE PREVIOUS SESSION. - The reading of the minutes was suspended upon motion by Hon. Rolly A. Cinco, as the minutes had been sent online 48 hours prior to the session. Hon. Rolly A. Cinco then moved for the approval of the minutes. The motion was seconded by all members. Hence, the minutes if the 128th Regular Session has been approved.

REFERENCE OF BUSINESS:

- Letter request of the Local Chief Executive. Re:
 - Resolution Authoring Hon. Erwin C. Ocaña, Municipal Mayor, to enter into and sign the Memorandum of Agreement for Work Immersion Partnership with Tanauan School of Craftsmanship and Home Industries represented by School Head, Othniel M. Olino to undergo work immersion for the Senior High School of TSCHI in the Local Government Unit of Tolosa.

HON. MENARDO M. MATE
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA., RN., MPRM.
Secretary to the Sangguniang Bayan

This application was presented for deliberation by Hon. Edilberto R. Zabala, Jr. The plenary raised concerns regarding missing documentation. The agenda was deferred and set for the next session to address these inquiries.

THIRD READING:

- 1. An Ordinance Adopting Republic Act 11361 or the "Anti-Obstruction of Power Lines Act" and Further Strengthen its Implementation in the Municipality of Tolosa.

The Chair opened the floor for voting. The ordinance was approved unanimously after the motion by Hon. Melanie Felisa M. Vivero. The vote was conducted and passed with no objections.

RESOLUTION NO. 01-27-2025

A RESOLUTION APPROVING ORDINANCE NO. 02, S. 2025. ENTITLED: AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF TOLOSA, LEYTE

WHEREAS, Republic Act No. 11361, also known as the "Anti-Obstruction of Power Lines Act," was enacted to ensure the continuous and uninterrupted supply of electricity by prohibiting the construction, planting, and installation of structures or obstructions along power line corridors;

WHEREAS, the law mandates Local Government Units to assist in its implementation by formulating ordinances or measures to prevent any form of power line obstruction within their respective jurisdictions;

WHEREAS, the Municipality of Tolosa recognizes the importance of safeguarding power lines to avoid disruptions in electricity supply, ensuring public safety, and supporting economic activities dependent on stable electricity;

WHEREAS, adopting and enforcing the provisions of R.A. 11361 at the local level will further enhance the Municipality's capacity to address violations, prevent hazards, and ensure compliance with national standards;

NOW, THEREFORE, on motion of **Hon. Melanie Felisa M. Vivero**, duly seconded unanimously, the Sangguniang Bayan recognizes the necessity of enacting an ordinance to adopt R.A. 11361 and strengthen its local implementation, be it;

RESOLVED, as it is hereby resolved, that the Sangguniang Bayan of Tolosa, Leyte, enacts **Ordinance No. 02, S. 2025. Entitled: An Ordinance Adopting Republic Act 11361 or the "Anti-Obstruction of Power Lines Act" and Further Strengthening its Implementation in the Municipality of Tolosa, Leyte;**

RESOLVED FURTHER, that copies of this resolution be furnished to the Office of the Municipal Mayor of Tolosa, Leyte; DORELCO Tolosa and other offices concerned for their information and appropriate action.

APPROVED this 27th day of January, 2025, during the 129th Regular Session of the 11th Sangguniang Bayan of Tolosa, Leyte.

MUNICIPAL ORDINANCE NO. 02
Series of 2025

AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF TOLOSA, LEYTE

Authored and Sponsored by:
HON. MELANIE FELISA M. VIVERO

Section 1. Purpose. To ensure the uninterrupted conveyance of electricity from DORELCO power substations to the end-users – the member-consumer owner and protect the integrity and reliability of the Electric Cooperative's distribution systems by keeping the land

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Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. ROLY A. CINCO
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON. CATHERINE R. BENJAMIN
Sangguniang Bayan Member
PPSK President

beneath, the air spaces surrounding and the area traversed by power lines clear of dangerous obstructions.

Section 2. Coverage. This Ordinance shall cover all power lines and other related facilities for the conveyance of electricity throughout the Municipality of Tolosa, Leyte.

Section 3. Definition of Terms. – For the purpose of this Ordinance, the following terms are defined as follows;

- a.) "Act" refers to Republic Act No. 11361, otherwise known as the "Anti-Obstruction of Power Lines Act".
- b.) "Associated facilities" refers to any or all of the equipment and other fixtures that are attached or connected with, and are integral to a power line, such as, but not limited to poles, guys, crossarms, insulators, and conductors.
- c.) "Conveyance of electricity" refers to the delivery of electricity from the DORELCO Power Substation to the premises of the end user through power lines.
- d.) "Distribution lines" refer to the portion of the distribution system pertaining to the lines or wires.
- e.) "Distribution system" refers to the system of wires and associated facilities belonging to DORELCO extending between the delivery points from the EC power substation and the connection to the premises of the end user.
- f.) "Electric Cooperative" or "EC" refers to DORELCO, a duly organized and registered Electric Cooperative pursuant to Presidential Decree No. 269, as amended, otherwise known as the "National Electrification Administration Decree", holding the franchise to distribute electricity to thirteen (13) municipalities in Leyte, including Tolosa.
- g.) "End user" refers to any person or entity requiring the supply and delivery of electricity for its own use.
- h.) "Hazardous activities" refer to planting of plants and trees, burning of waste and other materials, excavation, quarrying, construction, and other activities of the same nature and character and regardless of purpose intended, which are performed partially/wholly inside the powerline corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity.
- i.) "Hazardous improvements" refer to plants, trees, structures, buildings and buildings of whatever kind, whether temporary or permanent in character, and regardless of purpose for which they are intended, which are located, partially or wholly inside the Power Line Corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity.
- j.) "Owner or Operator of Power Lines" or "Power Line Owner/Operator" of "PLO" refers to DORELCO having the ownership and/or responsibility for the operation and maintenance of the distribution power lines.
- k.) "Power lines" refer to transmission lines, sub-transmission lines, distribution lines, and other connection assets including the poles and towers used to support the lines, and other related facilities constructed or erected used for the purpose of conveyance of electricity.
- l.) "Power line obstruction" refers to any hazardous activity or hazardous improvement and other similar circumstances that threaten or endanger the continuous and uninterrupted conveyance of electricity.
- m.) "Tall growing plants" refer to plants, vines and other plant species, which grow or have the potential to grow more than three (3) meters in height from the ground.
- n.) "Power Line Corridor (PLC)" – refers to and is constituted as the land beneath, the air spaces surrounding, and the area traversed by power lines, which shall be kept clear and free from any power line obstructions, dangerous structures, hazardous activities and improvements and other similar circumstances in accordance with the provisions of the Act.

Section 4. Prevention and Removal of Power Line Obstruction on Public Property. – In cases where the power line corridor is wholly or partially located within public property, DORELCO shall have the right to enter the said property to prevent and remove any power line obstruction, and perform the following acts:

- (a) To conduct maintenance and inspection activities within the power line corridor.

HON. MENARDO M. MATE
Municipal Vice Mayor

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Sangguniang Bayan Member

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Sangguniang Bayan Member
ABC President

HON. CATHERINE R. BENJAMIN
Sangguniang Bayan Member
PPSK President

- (b) To conduct repair or restoration activities within the power line corridor.
- (c) To conduct trimming, pruning, cutting, or clearing activities for tall growing plants within the power line corridor without the need of securing prior clearance or permit from the Local Government Unit of Tolosa.
- (d) To remove, dismantle, or demolish hazardous improvements in accordance with the National Building Code of the Philippines: Provided, that such acts may be carried out without prior clearances or permit from but with due notice to the Local Government Unit of Tolosa.
- (e) To stop, prevent, or prohibit the conduct of hazardous activities; and
- (f) Perform other analogous acts or activities, which will cause the prevention and removal of any power line obstruction.
- (g) Any damages that may be incurred during the cause of operation shall be the sole responsibility of DORELCO, which shall be liable for any and all resulting costs, repairs, or claims arising therefrom.

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member

HON. VIRMAR JESSIE O. PUNDAVELA
Sangguniang Bayan Member

Section 5. Prevention and Removal of Power Line Obstruction on Private Property. – DORELCO shall have the primary duty and responsibility to remove power line obstructions. In cases where the power line corridor is wholly or partially located within a private property, the property owner shall coordinate and assist DORELCO by facilitating the necessary access in order to perform the acts enumerated in Section 4.

The property owner shall have the primary duty and responsibility to prevent power line obstructions and to inform DORELCO of their existence. In the performance of these acts, the property owner shall be entitled to necessary assistance such as, but not limited to education, information, technical and manpower support from DORELCO.

In the event that the property owner fails to perform any duty and responsibility under the preceding paragraphs, the owner or operator of the power lines shall have the right to access the power line corridor in order to undertake the acts enumerated under Section 4: Provided, however, that the NOTICE TO THE PROPERTY OWNER shall no longer be required to avert an imminent danger posed by a power line obstruction.

Any damages that may be incurred during the cause of operation shall be the sole responsibility of DORELCO

Section 6. Assistance from the Barangay. – In the performance of this acts under Sections 4 and 5, DORELCO shall coordinate and be assisted by the Barangay concerned where the clearing or removal of line obstructions are being conducted.

The Barangay is mandated to provide assistance by way of providing manpower to augment the clearing crew/personnel of DORELCO.

The Barangay is mandated to keep its residents updated and notified of the clearing schedules as provided by DORELCO.

Section 7. Disposal of Waste and Debris. – Waste and debris which resulted from the removal of obstructions and other activities under this Ordinance shall be disposed of by the Barangay where the clearing or removal of line obstructions are conducted in accordance with the relevant barangay and municipal ordinances.

Section 8. The DORELCO shall assist in the disposal of debris beyond the Barangay's capacity, such as large branches and other oversized waste, in compliance with environmental laws and municipal regulations

Section 9. Separability Clause. – Any portion or provision of this Ordinance, which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

Section 10. Effectivity – This Ordinance shall take effect immediately upon approval.

DONE, in the Municipality of Tolosa, this 27th day of January 2025

HON. MENARDO M. MATE
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, CPA, RN, MPRM.
Secretary to the Sangguniang Bayan

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. ROLANDO A. CINCO
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
AEC President

HON. CATHERINE R. BENJAMIN
Sangguniang Bayan Member
PPSK President

WHEREAS, the proposed Farm-to-Market Road Project aims to address the critical need for infrastructure that will improve accessibility, reduce transportation costs, and facilitate the delivery of agricultural products in a timely and efficient manner;

WHEREAS, such infrastructure development is essential for achieving sustainable growth in rural areas and aligns with the national government's thrust towards inclusive and equitable development;

WHEREAS, the Department of Budget and Management (DBM) has the mandate and capability to provide financial assistance for such vital infrastructure projects under the General Appropriations Act and other funding mechanisms;

NOW, THEREFORE, on the motion of Hon. Melanie Felisa M. Vivero, seconded unanimously by all members present;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to respectfully request the Department of Budget and Management through Secretary Amenah F. Pangandaman to allocate funding for the proposed Farm-to-Market Road Project along Provincial, Municipal, and Barangay roads in the Municipality of Tolosa, Leyte;

RESOLVED FURTHER, that a copy of this Resolution be furnished to the Department of Budget and Management, through Secretary Amenah F. Pangandaman, and other concerned offices for their information and favorable action.

APPROVED this 27th day of January, 2025, during the 129th Regular Session of the 11th Sangguniang Bayan of Tolosa, Leyte


Vice Mayor Menardo M. Mate, the Presiding Chair, asked the plenary if there were any other matters to discuss. There being none, the Presiding Chair opened the floor and recognized the Barangay Council led by Hon. Manny I. Rellona to raise their inquiries or concerns.

Chairman Rellona raised a concern regarding their Day Care Center, explaining that the grant for the center had been transferred to another Barangay due to the recent launch of the "Pag-abot" program in the Municipality. He sought guidance from the 11th Sangguniang Bayan on the appropriate measures to address this issue. Hon. Melanie Felisa M. Vivero, as the district Councilor, moved for the passage of a new resolution addressed to the Governor of the Province of Leyte. The motion was seconded unanimously.

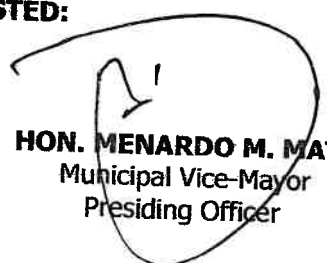
Before the session concluded, Hon. Rolly A. Cinco informed the plenary about an upcoming bloodletting activity in Barangay Opong, Tolosa, Leyte, organized by the Sirak Waraynon Eagles Club. He encouraged all members to attend and support the event.

ADJOURNMENT. - After all matters were addressed, the Presiding Chair, Vice Mayor Menardo M. Mate, formally declared the session adjourned at 11:45 A.M., with no further business to discuss.

Prepared by:


DR. MANNY R. MARTINEZ, DPA, RN., MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

ATTESTED:

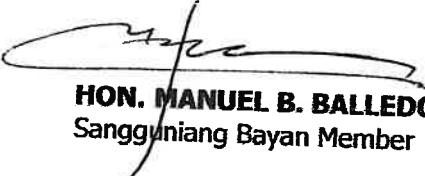

HON. MENARDO M. MATE
Municipal Vice-Mayor
Presiding Officer




HON. FELICITAS D. BELTRAN III
Sangguniang Bayan Member




HON. EDILBERTO R. ZABALA, JR.
Sangguniang Bayan Member



HON. MANUEL B. BALLEDO
Sangguniang Bayan Member



HON. FELIPE V. CANONIGO III
Sangguniang Bayan Member



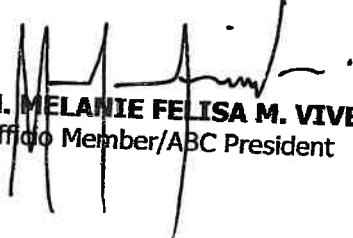
HON. VIRMAN JESSIE O. PUNDAVELA
Sangguniang Bayan Member



HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member



HON. RODLY A. CINCO
Sangguniang Bayan Member



HON. MELANIE FELISA M. VIVERO
Ex-Officio Member/ABC President



HON. CATHERINE R. BENJAMIN
Ex-Officio Member/SK Fed. President



Republic of the Philippines
Province of Leyte
 Municipality of Tolosa

Office of the Sangguniang Bayan

ATTENDANCE SHEET

129TH Regular Session
 of the Sangguniang Bayan

SB Session Hall
 Venue

January 27, 2025
 Date

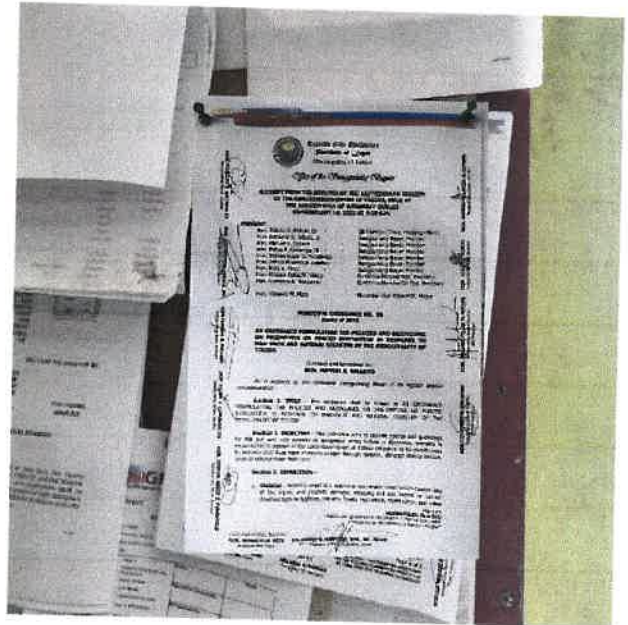
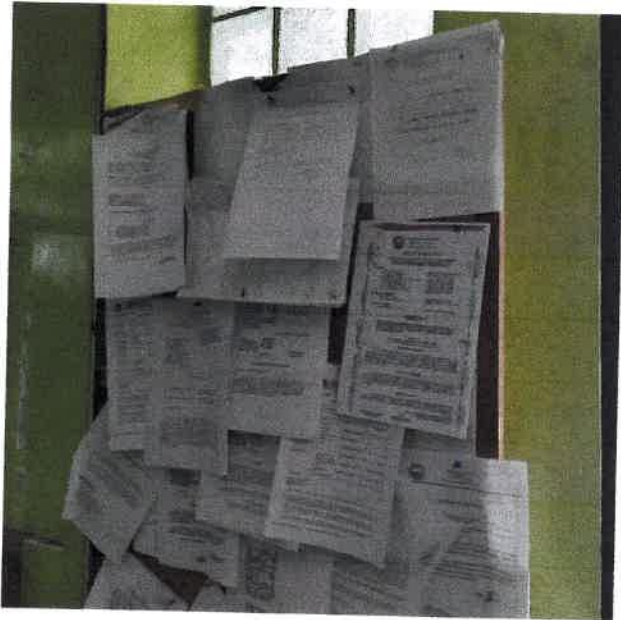
No.	Name	Designation	Signature
1	Hon. Menardo M. Mate	Municipal Vice-Mayor	
2	Hon. Felicito D. Beltran III	Municipal Councilor	
3	Hon. Edilberto R. Zabala, Jr.	Municipal Councilor	
4	Hon. Manuel B. Balleo	Municipal Councilor	
5	Hon. Felipe V. Canonigo III	Municipal Councilor	
6	Hon. Virman Jessie O. Pundavela	Municipal Councilor	
7	Hon. Ireneo Rolando A. Lumbre	Municipal Councilor	
8	Hon. Rolly A. Cinco	Municipal Councilor	
9	Hon. Melanie Felisa M. Vivero	ABC President, Ex-Officio	
10	Hon. Catherine R. Benjamin	SK Fed. President, Ex-Officio	

CERTIFICATION

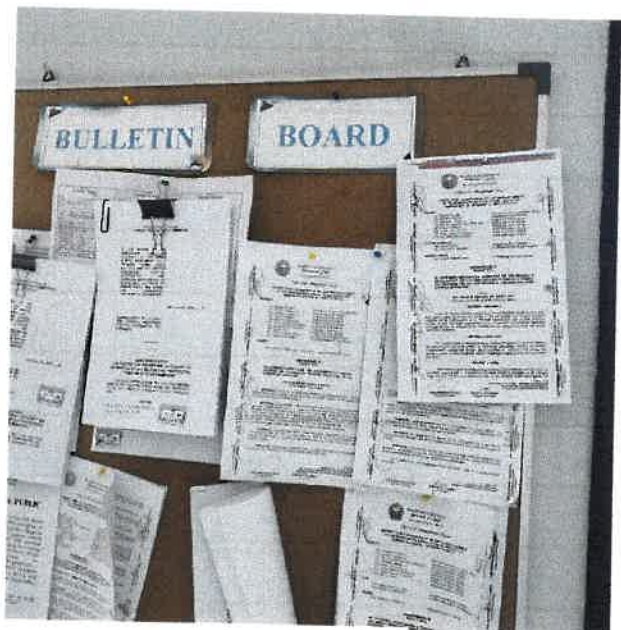
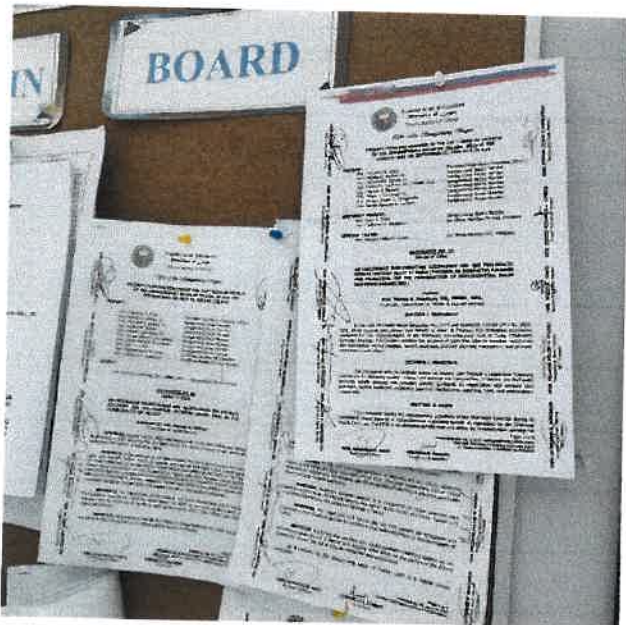
I hereby **CERTIFY** that those who have signatures above, have actually attended the **129th Regular Session** of the Sangguniang Bayan of Tolosa, Leyte, held at the Sangguniang Barangay Session Hall of Barangay Canmogsay, on January 27, 2025.

DR. MANNY R. MARTINEZ, DPA., RN., MPRM.
 Secretary to the Sangguniang Bayan
 Municipal Gov't Department Head I

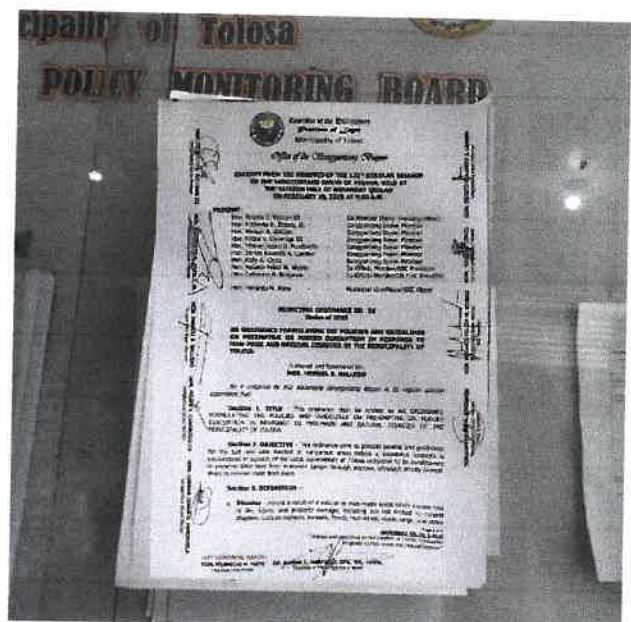
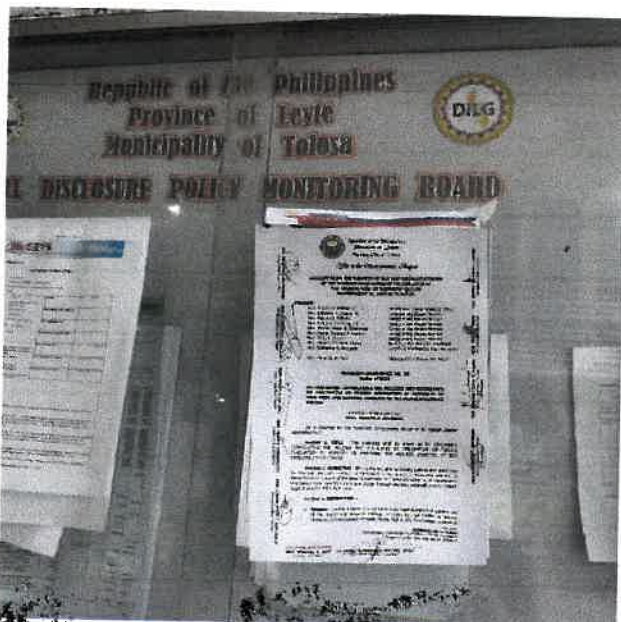
POSTING OF ORDINANCE



AT MUNICIPAL BUILDING



AT TOLOSA PUBLIC TERMINAL



AT TOLOSA PUBLIC MARKET