

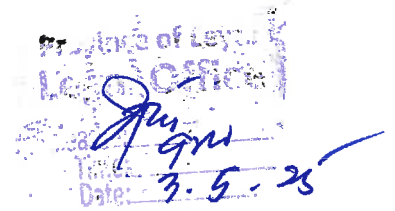
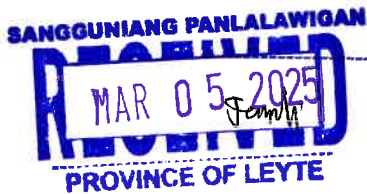
Item No.: 09
Date: 18 2025 MAR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-01 of the Sangguniang Bayan of Julita, Leyte.

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

- Ordinance No. 2025-01 entitled: "An Ordinance amending Chapter III, Article F, etc."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power for it is within the powers of the Local Council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution¹. 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 (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998


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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
14 February 2025

Office of the
Legal Officer
Date Recd: 14 Feb 2025
Time: 12:40 PM
Date: 14 Feb 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-01** of the **Municipality of Julita, Leyte**, entitled: **An Ordinance amending Chapter III, Article F, Section 54 of the 2020 Revenue Code of the Municipality of Julita, Leyte extending the period of the MTOP fee for tricycle from one (1) year to three (3) years.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



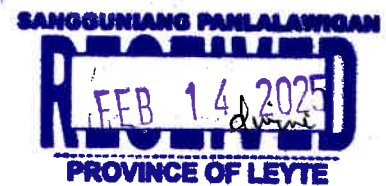
Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Julita
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

February 14, 2025

MS. FLORINDA JILL S. UYVICO
Sangguniang Panlalawigan Secretary
Province of Leyte
Tacloban City



Dear Ms. Uyvico,

Copy furnished are copies of **Municipal Ordinance Nos. 2024-18, 2025-01 and 2025-03** passed and approved by the **Sangguniang Bayan of Julita, Leyte** in its **Regular Sessions held on November 04, 2024, January 06, 2025 and January 13, 2025** at the Municipal Session Hall for your appropriate action.

Thank you.

Very truly yours,


FRANCIS RAAGAS-AVELINO
Sangguniang Bayan Secretary



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 2025-01

AN ORDINANCE AMENDING CHAPTER III, ARTICLE F, SECTION 54 OF THE 2020 REVENUE CODE OF THE MUNICIPALITY OF JULITA, LEYTE EXTENDING THE PERIOD OF THE MTOP FEE FOR TRICYCLE FROM ONE (1) YEAR TO THREE (3) YEARS.

Author(s):

Hon. Mark Joy E. Macaso

Sponsor(s):

Hon. Irvin R. Dy

Hon. Geraldine S. Daya

EXPLANATORY NOTE

WHEREAS, the 2006 Tax Code of the Municipality of Julita, Leyte includes an MTOP Fee of ₱ 1,000.00 per unit per year;

WHEREAS, the MTOP Fee of ₱ 1,000.00 was not fully implemented as the tricycle drivers and operators were subjected to an MTOP Fee of ₱ 150.00;

WHEREAS, no legal document can be found stating the decrease of the MTOP fee to ₱ 150.00;

WHEREAS, the Municipality of Julita, Leyte enacted Municipal Ordinance No. 2020-19 or the 2020 Revenue Code of the Municipality of Julita, Leyte;

WHEREAS, the MTOP Fee of ₱ 1,000 per unit per year was carried over to the 2020 Revenue Code of the Municipality of Julita, Leyte;

WHEREAS, the municipality started the full implementation of the 2020 Revenue Code of the Municipality of Julita, Leyte at the start of Fiscal Year 2024;

WHEREAS, on March 16, 2020, President Rodrigo Roa Duterte issues Proclamation No. 922 "Declaring a state of Calamity throughout the Philippines Due to Corona Virus Disease 2019";

WHEREAS, the COVID-19 pandemic has caused negative impact on the economy of the country in general, and the Municipality of Julita, Leyte in particular;

WHEREAS, the tricycle drivers and operators have been greatly affected by the pandemic and have only started recovering in the past year;

WHEREAS, due to the negative economic impact of the pandemic and the sharp increase of the MTOP fee, the tricycle driver and operators find it difficult to pay the new MTOP fee;

WHEREAS, there is an urgent need to provide assistance to tricycle drivers and operators in light of this situation;


ALIANA MARIE R. TUBI
SB Member


GERALDINE S. DAYA
SB Member


IRVIN R. DY
SB Member

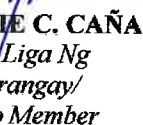

ALLAN T. NOVALES
SB Member



RIA S. DUMDUMA
SB Member


MARK JOY E. MACASO
SB Member

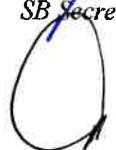

JUDE ANDREI M. ROMUALDEZ
SB Member


ROSILA L. ADVINCULA
SB Member


ENGR. NOLIE C. CAÑA
Pres. Ng Liga Ng
Mga Barangay/
Ex-Officio Member


HON. JOSE MIGUEL A. TINAYA
Pres. Ng Pambayang
Pederasyon Ng Mga
Sangguniang Kabataan/
Ex-Officio Member


FRANCIS R. AVELINO
SB Secretary


GERMAN J. MACASO
Municipal Vice Mayor



ALIANA MARIE R. TUBI
SB Member



GERALDINE S. DAYA
SB Member



IRVIN R. DY
SB Member



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Ex-Officio Member



HON. JOSE MIGUEL TINAYA
Pres. Ng Pamayanang
Pederasyon Ng Mga
Sangguniang Kabataan/
Ex-Officio Member



FRANCIS R. AVELINO
SB Secretary



GERMAN J. MACASO
Municipal Vice Mayor

NOW THEREFORE, on motion of the **Hon. Mark Joy E. Macaso**, duly seconded, by the **Hon. Allan T. Novales**, the **Hon. Jude Andrei M. Romualdez** and the **Hon. Jose Miguel A. Tinaya**;

BE IT ENACTED by the Sangguniang Bayan of Julita, Leyte, in session duly assembled, that:

SECTION 1. Title. This Municipal Ordinance shall be known as "AN ORDINANCE AMENDING CHAPTER III, ARTICLE F, SECTION 54 OF THE 2020 REVENUE CODE OF THE MUNICIPALITY OF JULITA, LEYTE EXTENDING THE PERIOD OF THE MTOP FEE FOR TRICYCLE FROM ONE (1) YEAR TO THREE (3) YEARS"

SECTION 2. Declaration of Policy. It is hereby amended Chapter III, Article F, Section 54 of the 2020 Revenue Code of the Municipality of Julita extending the period of the MTOP Fee from one (1) year to three (3) years as follows:

PARTICULAR	FROM	TO
MTOP Fee	₱ 1,000.00 / Unit / Year	₱ 1,000.00 / Unit / 3 Years

The extension shall be applied retroactively for MTOP fee payments made based on the 2020 Revenue Code.

SECTION 8. Separability Clause. If, for any reason or reasons, any part or provision of this Ordinance is held to be unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 9. Repealing Clause. All ordinances, rules and regulations, or parts thereof, in conflict with or inconsistent to the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 10. Effectivity. This Ordinance shall take effect immediately after its approval and after its posting in all barangays of the Municipality of Julita, Leyte.

Passed and enacted by the Sangguniang Bayan in session assembled on January 06, 2025 at the Municipality of Julita, Leyte, Philippines.

I HEREBY CERTIFY to the correctness of this foregoing Ordinance.


FRANCIS RAAGAS-AVELINO
Sangguniang Bayan Secretary

ATTESTED:


HON. GERMAN J. MACASO
Honorable Presiding Officer/Municipal Vice Mayor

CONCURRED:



HON. ALIANA MARIE R. TUBI
SB Member



HON. GERALDINE S. DAYA
SB Member



HON. IRVIN R. DY
SB Member



HON. ALLAN T. NOVALES
SB Member



HON. RIA S. DUMDUMA
SB Member



HON. MARK JOY E. MACASO
SB Member



HON. JUDE ANDREI M. ROMUALDEZ
SB Member



HON. ROSILA L. ADVINCULA
SB Member



ENGR. NOLIE C. CAÑA
Pres. Ng Liga Ng Mga Barangay
Ex-Officio Member



HON. JOSE MIGUEL A. TINAYA
Pres. Ng Pambayang Pederasyon
Ng Mga Sangguniang Kabataan
Ex-Officio Member

APPROVED:



ATTY. PERCIVAL S. CAÑA
Municipal Mayor