

Item No.: 13
Date: 25 2025 MAR.



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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Province of Leyte
Legal Office
Time: Agm
Date: 24.25

SANGGUNIAN PANLALAWIGAN
RECEIVED
MAR 11 2025
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 31, series of 2024 of the Sangguniang Bayan of Pastrana, Leyte.

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

- Ordinance No. 31, series of 2024 entitled: **“An Ordinance providing rules and regulations governing vehicular traffic, 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)(5)(vi)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.

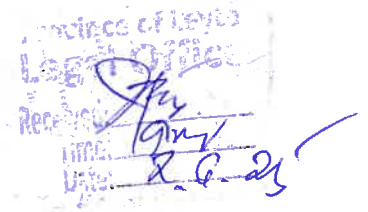
ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (vi) Regulate traffic on all streets and bridges, prohibit the putting up of encroachments or obstacles thereon, and, when necessary in the interest of public welfare, authorize the removal of encroachments and illegal constructions in public places;

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

1ST INDORSEMENT
05 February 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 31**, series of **2024** of the **Municipality of Pastrana, Leyte**, entitled: **An Ordinance providing rules and regulations governing vehicular traffic in the Municipality of Pastrana and corresponding penalties for violations thereof.**


FLORINDA J. UYVICO
Secretary to the Sanggunian

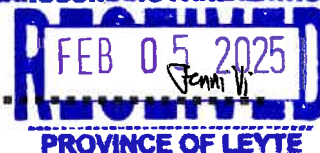


Republic of The Philippines
PROVINCE OF LEYTE
Municipality of Pastrana



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The Sangguniang Bayan



TRANSMITTAL

04 FEBRUARY 2025

HONORABLE BOARD MEMBERS

Provincial Capitol
6501, Palo, Leyte

Thru: **LEONARDO "SANDY" MORALES JAVIER, JR.**

Vice - Governor
Province of Leyte

Dear Vice-Governor Javier, Jr.

This Legislative Body of Pastrana, Province of Leyte is respectfully endorsing to your good office NINETEEN (19) folders bearing original copies of **Municipal Ordinance No. 31 "AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING VEHECULAR TRAFFIC IN THE MUNICIPALITY OF PASTRANA AND CORRESPONDING PENALTIES FOR VIOLATIONS THEREOF"** along with its supporting Sangguniang Bayan Resolution, and other supporting documents required for submission, and approval of your good office.

Your positive response is greatly appreciated. Thank you, more power and mabuhay!

Sincerely yours,

CHITO C. CAYACO

*Municipal Vice-Mayor/
Presiding Officer*

Sangguniang Bayan



The Sangguniang Bayan

Excerpts from the Minutes of the 98th Regular Session of the Sangguniang Bayan of Pastrana, Province of Leyte, held last September 02, 2024 at the Municipal Sangguniang Bayan Session Hall, this Municipality.

MUNICIPAL ORDINANCE NO. 31
Series of 2024

Author: HON. GERARDO S. CARIAN

AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING VEHICULAR TRAFFIC IN THE MUNICIPALITY OF PASTRANA AND CORRESPONDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, there are areas in the Municipality of Pastrana that experienced severe strain in its transport capacity;

WHEREAS, the Local Government Code of 1991 mandates the local government unit to ensure the safety, the maintenance of peace and order and the preservation of the comfort and convenience of its inhabitants

WHEREAS, the Sangguniang Bayan recognized that the private sector can contribute significantly in the planning and implementation of traffic, transportation and communication management plans and programs in the Municipality of Pastrana.

NOW THEREFORE, the Sangguniang Bayan of Pastrana, Leyte in session duly assembled

DO HEREBY ORDAIN that

ARTICLE I – TRAFFIC VIOLATIONS

SECTION 1. The following acts omissions in the operation of any motor vehicle and the use of thoroughfares and declared traffic violations:

VIOLETIONS

IMPROPER/UNAUTHORIZED USE OF MOTOR VEHICLE:

1. Driving without license
1st Offense P250.00,
2nd Offense P500.00,
3rd Offense P 700.00
and 4th and consecutive offense Impounding of Motor Vehicle
2. No/expired Certificate of Registration
and Official Receipt/not carried.

CHITO C. CAYACO
Municipal Vice-Mayor/
Presiding Officer

RODEL M. TOBILLA
Sangguniang Bayan Member

ANGELINA C. DIOLA
Sangguniang Bayan Member

~~GERARDO S. CARIAN~~
~~Anggung Bayan Member~~

FEDRICOM. TAN
Sangguhiang Bayan Member

~~ALVIN N. OPINIANO JR.~~
~~Sangguniang Bayan Member~~

ELVIRA A. BOHOL
Sangguniang Bayan Member

NAIHAN
G. LEIKODO
Sanguniang Bayan Member

LIDA B. VILLALBA
Sanguniang Bayan Member

ABC President

FRANCIS CHARLES I. ALVAREZ
SK Federation President

1st Offense P250.00,
2nd Offense P500.00,
3rd Offense P 700.00
and 4th and consecutive offense Impounding of Motor Vehicle

3. Public Disturbance

- a. Motorcycle Exhaust Muffler
- b. Overuse of Motorcycle Horn

1st Offense P250.00,
2nd Offense P500.00,
3rd Offense P 700.00
and 4th and consecutive offense Impounding of Motor vehicle

SECTION 2. TRAFFIC CITATION TICKETS-

(a) Any person apprehended for violating any provision (s) of this Ordinance shall be issued a Traffic Citation Ticket in the form prescribed for the purpose and to be issued by the apprehending officer of the Philippine National Police and/or any duly authorized personnel.

(b) The provisions of the Traffic Citation Ticket shall be complied by the offender within the number of days prescribed therein.

SECTION 3. PENALTIES-

All penalties for the first and second offenses as herein prescribed shall be paid to the Municipal Treasurers Office not later than seven (7) days upon receipt of the citation ticket after apprehension. For the third offense, payment shall be within Thirty (30) days after apprehension. Non-compliance of the violation he/she will be subject to court trial.

The impounded motor vehicle shall be released and restored to the owner/operator immediately after payment of the fines.

SECTION 4. Traffic Citation Tickets shall be issued to the motor vehicle driver violators, thus for minors, the guardian/whoever authorized the minor apprehended will be issued of the citation ticket.

ARTICLE II – ADMINISTRATIVE PROVISIONS

SECTION 1. Traffic law enforcers, pollution control officers, transportation officers from the National Government who have certain duties relating to traffic, emission control of motor vehicles and licensing of motor vehicles and drivers shall to consult the Municipal Government on their plans programs and operations and secure approval before implementation thereof from the Sangguniang Bayan pursuant to section 26, 27 and 458 (a) (5) (v) and (vi) of the Local Government Code of 1991.

SECTION 2. All traffic signs, signals and road markings intended to inform drivers and regulate the use of streets, alleys, bridges and sidewalks before

CHITO C. CAYACO
Municipal Vice-Mayor/
Presiding Officer.

RODEL M. TOBILLA
Sangguniang Bayan Member

GERARDO S. CARIAN
Sangguniang Bayan Member

ANGELINA C. DIOLA
Sangguniang Bayan Member

FEDERICO M. TAN
Sangguniang Bayan Member

ALVIN N. OPILANO JR.
Sangguniang Bayan Member

ELVIRA A. BOHOL
Sangguniang Bayan Member

NATHAN G. LETRODO
Sangguniang Bayan Member

LOIDA B. VILLABLANCA
Sangguniang Bayan Member

JERLYN C. MORIA
ABC President

FRANCIS CHARLES T. ALVAREZ
SK Federation President

they are installed or removed shall be approved by the Sangguniang Bayan through the recommendation of the Municipal Mayor.

ARTICLE IV – MISCELLANEOUS PROVISIONS

SECTION 1. APPROPRIATION. The sum of Twenty Thousand (P20, 000.00) Pesos shall initially be allocated for the initial printing of traffic citation tickets. Thereafter the costs of the subsequent printings shall be charged to the accumulated penalties for traffic violations.

SECTION 2. SEPARABILITY CLAUSE- If any provisions or part of this Ordinance shall be declared unconstitutional or invalid, the same shall not affect the constitutionality or validity of the other provisions or parts hereof.

SECTION 3. REPEALING CLAUSE- If any provisions or part of any existing ordinance is not consistent with this Ordinance, the same is hereby repealed or modified accordingly.

SECTION 4. EFFECTIVITY CLAUSE- This Ordinance shall take effect after three (3) consecutive weeks of publication in a newspaper of general circulation in the province of Leyte.

ENACTED.

ATTESTED TRUE AND CORRECT:

VERNADITH N. DIZON, LPT.
Sangguniang Bayan Secretary-Designate

CHITO C. CAYACO
Municipal Vice-Mayor/
Presiding Officer

RODEL M. TOBILLA
Sangguniang Bayan Member

GERARDO S. CARRAN
Sangguniang Bayan Member

ANGELINA C. BOLA
Sangguniang Bayan Member

FEDERICO M. TAN
Sangguniang Bayan Member

ALVIN N. OPINIANO JR.
Sangguniang Bayan Member

ELVIRA A. BOHOL
Sangguniang Bayan Member


NATHAN G. LETRODO
Sangguniang Bayan Member

LOIDA B. VILLABLANCA
Sangguniang Bayan Member

JERYN C. PORJA
ABC President

FRANCIS CHARLES T. ALVAREZ
SK Federation President

Attested by:


CHITO C. CAYACO
Municipal Vice-Mayor/
Presiding Officer


Concurred by:



RODELL M. TOBILLA
Sangguniang Bayan Member



GERARDO S. CARIAN
Sangguniang Bayan
Member



ANGELINA C. DIOLA
Sangguniang Bayan
Member


FEDERICO M. TAN
Sangguniang Bayan
Member


ALVIN N. OPINIANO JR.
Sangguniang Bayan
Member


ELVIRA A. BOHOL
Sangguniang Bayan
Member


NATHAN G. LETRODO
Sangguniang Bayan
Member


LOIDA B. VILLABLANCA
Sangguniang Bayan
Member


JERLYN C. BORJA
ABC President


FRANCIS CHARLES T. ALVAREZ
SK Federation President

Approved by:


HON. MARITESS B. CAYACO-MARCOS, RN.
Municipal Mayor



Republic of The Philippines
PROVINCE OF LEYTE
Municipality of Pastrana



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The Sangguniang Bayan

Record of Attendance

COMMITTEE MEETING

May 06, 2024

**“AN ORDINANCE PROVIDING RULES AND REGULATIONS
GOVERNING VEHICULAR TRAFFIC IN THE MUNICIPALITY OF
PASTRANA AND CORRESPONDING PENALTIES FOR
VIOLATION THEREOF”**

No.	Name	Time-In	Signature
1	Rodel Tobilla	10:10	
2	Angelina C. Viola	10:10	
3	Lorena B. Villanueva	10:10	
4		10:10	
5		10:10	
6	REP AMADO M. CASTILLO	10:40	
7	PSy Nilo M. Ordoñez	11:00	
8			
9			
10			
11			
12			
13			
14			
15			

- j. The Presiding Officer asked the Chief of Police for suggestions with regards to the penalties.
- k. The Chief of Police P/Capt. Amado Castillo Jr. explained that in the national law which they are applying in the absence of a municipal ordinance Php 5,000.00 for license and Php 8,000.00 for registration. The Chief of police explained further.
- l. The Presiding Officer expressed that Chief Castillo is the third Chief of Police in the municipality that is implementing deputized personnel.
- m. Chief of Police P/Capt. Castillo expressed that out of 41 municipalities in Leyte Pastrana is one of which who has no municipal ordinance when it comes to traffic. And this is being tagged in his accomplishment. He added that Helmet may not be included in the violations presented.
- n. The Presiding Officer explained that as for now they can push through with two violations and just amend it in the future if there are additional violations to be proposed.
- o. Most of the drivers agreed to include in the proposed violation the exhaust muffler.
- p. One of the drivers named Regie asked if the driver is a minor will they be apprehended.
- q. Chief of Police P/Capt. Castillo explained that the parent/guardian of the minor will be the to be called and will be issued the citation ticket or the owner of the motorcycle since he should be responsible for it.
- r. Further discussion was conducted as to the process of the apprehension of the traffic violators.

III. Finally, "AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING TRAFFIC IN THE MUNICIPALITY OF PASTRANA AND CORRESPONDING PENALTIES FOR VIOLATION THEREOF" presented was applauded by everyone present and thus, being moved by Hon. Armando Lagera, Barangay Chairperson of Barangay Sapsap for approval. And this was duly seconded by Chief of Police P/Capt. Amado Castillo Jr.

IV. Since all participants were happy on the result of the Public Hearing with the approval of the majority participants present, so be it.

V. Adjournment

There being no other matters to be discussed, Public Hearing was moved for adjournment by Hon. Philip Tanauan, Barangay Chairperson of Barangay Lanauan and was duly seconded by Hon. Josephine R. Bohol Barangay Chairperson of Barangay Arabunog at 03:20 in the in the afternoon.

CERTIFIED TRUE & CORRECT:


VERNADITH N. DIZON
*Local Legislative Staff Officer II/
 Secretary – Designate
 The Sangguniang Bayan*

Attested by:


HON. GERARDO S. CARIAN
*SB Member/Committee Vice Chair on
 Peace and Order and Public Safety*

Noted by:


CHITO C. CAYACO
Municipal Vice - Mayor



**ATTENDANCE ON PUBLIC HEARING FOR
THE PROPOSED MUNICIPAL ORDINANCE;
AN ORDINANCE PROVIDING RULES AND
REGULATIONS GOVERNING VEHICULAR
TRAFFIC IN THE MUNICIPALITY OF PASTRANA
AND CORRESPONDING PENALTIES FOR
VIOLATIONS THEREOF; DATED 25TH DAY ON
JULY 2024 AT PASTRANA PUBLIC TERMINAL,
PASTRANA, LEYTE.**



NO.	NAME	ADDRESS	SIGNATURE
	Jojo Arado	Candarojo	Jojo
	RODOLFO AURES	DUMAPAG	R. Gawan
	RODOLFO AURES	DUMAPAG	
	RODOLFO AURES	SHP-SAP	
	PAUL ENDING	CANCARANA	
	RODOLFO AURES	DUMAPAG	
	Reggie Endia	Dumapag	
	JOHNS ANDREW TESTAN	SMT SAT	
	Josephine Bahol	Chabunog	
	JOSE C. PULLO	COMARON	
	Alan P. Eming	Kanaykenay	
	PHILIP B. TANSUAN	LANAUAAN	
	MARITES C. CARRILLO	Lima	Marites C. Carrillo
	Marianito Cayaco	Calsadahan	Marianito
	Chavez		Chavez
	DIOSDADO VERZOSA	BAHAY	Verzosa
	Ronaldito Cayaco	Calsadahan	Ronaldito
	LORENZO C. CAYACO	GUINPDUNAN	Lorenzo
	Abelardo Amador	MALIBOGAY	
	matheo maya	malibogay	
	ROEL DIONO	DIST II	ROEL
	Jose M. Morilag	Malibogay	
	Delmae Tante	BAHAY	Delmae Tante
	Anthony Canino	Calsadahan	Anthony
	MELVIN CAROMA	MALIBOGAY	
	Kamelito Luvilla	Calsadahan	R. G.
	ALEX LUDONZA	MALIBOGAY	
	HERNANDO P. LAGUNA	SHP-SAP	
	REINA UN B. ENDING	CANCARANA	
	JOSE B. DOMINICO	CANCARANA	
	Vincento B. Castellano	Calsadahan	
	Picky Namio	Arimat	NAMIO
	Rolando S. Agnes	BAHAY	R. S. A
	NILO MAGALLON	BAHAY	NILO
	NILO MAGALLON	PASTRANA	
	ALLANA MAE ARANAS	DISTRICT IV	
	Namion Bayun Rod	COMARON	
	ROSEL W. ARANAS	DIST. II	
	RUSSEL C. ARANAS	COMARON	
	MICHAEL GAWCON	SHP-SAP	
	MARK OWEN TAMAYO	DIST II	
	JOSE L. VIMARILLO	DIST. II	
	Edmundo Arado	DIST 3	

ATIS	CSGPOA	SEPCIN	
CMA/NOE LARRY		SAPSP	
UATMAN 'LSTROM		DET 3	
Angeline C. Dilla		QAHMY	
PERMANADO R. CASTILLO JR		OIC PNB	
ROBERTO S. CARMAN		MANAGER/ PASTOR	
LORRA B. VANDERLANS		SO MEMBER	
PERMANADO M. CASTILLO		OIC PNB PASTOR	



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MINUTES OF THE COMMITTEE MEETING ON THE PROPOSED ORDINANCE “AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING TRAFFIC IN THE MUNICIPALITY OF PASTRANA AND CORRESPONDING PENALTIES FOR VIOLATION THEREOF” CONDUCTED BY THE COMMITTEE ON PEACE AND PUBLIC SAFETY LAST MAY 6, 2024 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

Hon. FEDERICO M. TAN	- SB Member & Chairman, Committee on Peace and Public Safety
Hon. GERARDO S. CARIAN	- SB Member & Vice- Chairman, Committee on Peace and Public Safety
Hon. RODEL M. TOBILLA	- SB Member & Member, Committee on Peace and Public Safety
Hon. ANGELINA C. DIOLA	- SB Member & Member, Committee on Peace and Public Safety
Hon. NATHAN G. LETRODO	- SB Member & Member, Committee on Peace and Public Safety
Hon. LOIDA B. VILLABLANCA	- SB Member & Member, Committee on Peace and Public Safety

DELIBERATION

The Presiding Officer Hon. Gerardo S. Carian called the committee meeting at exactly 10:10 in the morning. Prayer was done through an overture. The Presiding Officer requested the Sangguniang Bayan Secretary- Designate to have the roll call. She declared the presence of a quorum.

The Presiding Officer presented the agenda which is the proposed ordinance “AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING TRAFFIC IN THE MUNICIPALITY OF PASTRANA AND CORRESPONDING PENALTIES FOR VIOLATION THEREOF.” The Presiding Officer then requested the SB Secretary - Designate to read the draft ordinance for the committee to give their comments and suggestions after.

Hon. Federico M. Tan asked if the proposed ordinance is already open for corrections. He started correcting Section 1 for the violations driving without license by removing the phrase “first securing proper”. He also corrected number 2 driving while under the influence of liquor and omitting and prohibited drugs.

Hon. Rodel M. Tobilla expressed that once the proposed ordinance will be approved and implemented wearing of helmets should be included which obliged only the drivers and exempt the passengers.

Hon. Gerardo S. Carian expressed that this practice is just to make the drivers used to this set up.

Hon. Rodel M. Tobilla explained that we will be imposing an ordinance regarding traffic violation and we will exclude the wearing of helmets.

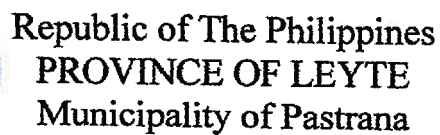
Hon. Federico M. Tan expressed that if we have the Local Ordinance, it is better because we will be imposing with just few violations. He suggested to review the public disturbances that will be cited in the proposed ordinance.

Hon. Rodel M. Tobilla shared that as he understands when we say traffic ordinance it includes all, he added that those under the influence of drugs can only be identified when tested.

Hon. Federico M. Tan expressed that all of those really should be tested.

Hon. The Presiding Officer told the Body that they must be guided of the ordinance and also the supporting documents, that is why a public hearing will be conducted and comments/suggestions will be accommodated.

The Presiding Officer expressed that all of what they have discussed should be presented during the Public Hearing that will be conducted.



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The Sangguniang Bayan

C E R T I F I C A T I O N

THIS IS TO CERTIFY, that we have posted in several conspicuous places with the entire jurisdiction of the Municipality of Pastrana, Province of Leyte, the invitation for COMMITTEE MEETING in **AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING VEHICULAR TRAFFIC IN THE MUNICIPALITY OF PASTRANA AND CORRESPONDING PENALTIES FOR VIOLATIONS THEREOF** (as per attached invitation) Posted May 6, 2024

Posted COMMITTEE Meeting

MAY 6, 2024

Certified True and Correct

VERNADITH N. DIZON

Sangguniang Bayan Secretary -
Designate

Issued on: August 13, 2024

Issued at: Pastrana, Leyte



Republic of The Philippines
PROVINCE OF LEYTE
Municipality of Pastrana



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The Sangguniang Bayan

C E R T I F I C A T I O N

THIS IS TO CERTIFY, that we have posted in several conspicuous places with the entire jurisdiction of the Municipality of Pastrana, Province of Leyte, the invitation for PUBLIC HEARING in **AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING VEHICULAR TRAFFIC IN THE MUNICIPALITY OF PASTRANA AND CORRESPONDING PENALTIES FOR VIOLATIONS THEREOF** (as per attached invitation)



Issued on: August 13, 2024
Issued at: Pastrana, Leyte