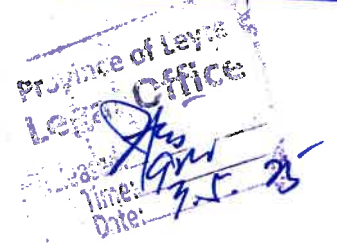


Item No.: 19
Date: 18 2025 MAR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 23L.25-066 of the Sangguniang Bayan of Kananga, Leyte.

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

- Ordinance No. 23L.25-066 entitled: **“Prohibited Pharmaceutical Products in Sari-Sari Stores.”**

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 of the Local Government Code of 1991 (R.A 7160) in relation to RA 10918². 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 

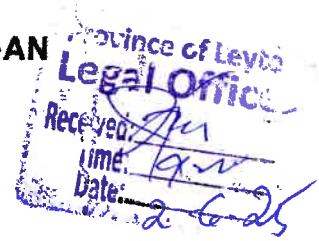
¹ (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code.

² The Philippine Pharmacy Act

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

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 **Ordinance No. 23L.25-066** of the **Municipality of Kananga, Leyte**, entitled: **An Ordinance prohibiting the sale, dispensing, distribution, reselling of any pharmaceutical products in sari-sari stores and other similar retail outlets within the territorial jurisdiction of the Municipality of Kananga, and providing penalties for violations thereof.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF KANANGA
OFFICE OF THE SANGGUNIANG BAYAN

23rd SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE 23rd
SANGGUNIANG BAYAN OF KANANGA ON JANUARY 20, 2025 AT THE SB SESSION HALL, 2nd
FLOOR, MUNICIPAL HALL.

ORDINANCE NO. 23L.25-066

(Series of 2025)

**“AN ORDINANCE PROHIBITING THE SALE, DISPENSING,
DISTRIBUTION, RESELLING OF ANY PHARMACEUTICAL
PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL
OUTLETS WITHIN THE TERRITORIAL JURISDICTION OF THE
MUNICIPALITY OF KANANGA, AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF”**

Authored By:

HON. RESURRECCION C. CAPANAS

PREFATORY STATEMENT

WHEREAS, Memorandum Circular No. 2022-025, dated March 2, 2022, issued by the Department of Interior and Local Government (DILG), mandates all Local Government Units to prohibit the sale, distribution and re selling, of pharmaceutical products in Sari-sari Stores and other similar retail outlets;

WHEREAS, Section 30 of Republic Act No. 10918, otherwise known as the Philippine Pharmacy Act, prohibits the compounding, dispensing, selling or re-selling of pharmaceutical products through retail drug outlets not licensed by the Food and Drugs Administration (FDA);

WHEREAS, Republic Act No. 8203, otherwise known as the Special Law on Counterfeit Drugs, also prohibits any person from manufacturing, selling, offering for sale, donating, distributing, trafficking, brokering, exporting, importing or possessing counterfeit drugs;

WHEREAS, FDA Advisory No. 2020-13481, the FDA has issued a public health warning against the purchase and use of several counterfeit drug products that proliferated the market, including commonly known medicines such as Phenylephrine HCI / Chlorphenamine Maleate / Paracetamol (Neozep® Forte), Loperamide (Diatabs®), Ibuprofen / Paracetamol (Alaxan® FR), Carbocisteine (Solmux®), and others;

WHEREAS, the proliferation of counterfeit pharmaceutical products and the sale of medicines by sari-sari stores, without authorization from the FDA, are a potential cause of serious harm to the health and safety of the general public;

WHEREAS, it shall be the policy of the Local Government Unit of Kananga, Leyte to protect and promote the right to health and instill health consciousness among its constituents, pursuant to Section 15, Article 11 of the 1987 Philippine Constitution.

NOW THEREFORE, the Sangguniang Bayan of Kananga, in its regular session duly assembled, hereby ordains the following:

Section 1. TITLE. – This Ordinance shall be known and cited for brevity as the “*Prohibited Pharmaceutical Products in Sari-Sari Stores*”.

Section 2. DECLARATION OF POLICY. – it is hereby declared a policy in the Municipality of Kananga to:

- a) regulate the dispensing, selling, and reselling of pharmaceutical products in sari-sari stores and other similar retail outlets as it poses health risk to the public;
- b) to safeguard the health of the people and to protect them from counterfeit drugs; and
- c) to avoid potentially fatal side effects resulting from irresponsible use of counterfeit drugs and other similar products not registered or licensed by the Food and Drugs Administration.

Section 3. DEFINITION OF TERMS. – When used in this ordinance, the following terms shall mean:

1. *Sari-sari Stores* – refer to retailing stores selling a general line or merchandise, classified as micro-enterprises.
2. *Prescription Medicines* – refer to medicines which can only be dispensed by a pharmacist to a patient, upon the presentation of a valid prescription from a physician, dentist, or veterinarian and for which a pharmacist's advice is necessary.
3. *Botika ng Barangay* – refers to a drug outlet managed by a legitimate community organization (CO) or non-government organization (NGO) and/or Local Government Unit (LGU), with a trained operator and a supervising pharmacist.
4. *Pharmacist-only OTC medicines* – refer to over-the-counter medicines classified by appropriate government agencies to be obtained only from a licensed pharmacist, with mandatory pharmacist's advice on their selection and proper use.
5. *Pharmacist* – refers to a health professional who has been registered and issued a valid Certificate of Registration (COR) and Professional Identification Card (PIC) by the PRC and the Professional Regulatory Board of Pharmacy.
6. *Household Remedies* – refer to any preparation containing pharmaceutical substances of common or ordinary use to relieve common physical ailments, and which may be dispensed without medical prescription in original packages, bottles, or containers of which the nomenclature has been duly approved by the FDA.
7. *Over The Counter (OTC)* – refer to medicines used for symptomatic relief of minor ailments, and which may be dispensed without a prescription.
8. *Counterfeit Pharmaceutical Products* – refer to pharmaceutical products which do not contain the amounts as claimed; with wrong ingredients; without active ingredients; or with insufficient quantity of active ingredients, which result in the reduction of the products' safety, efficacy, quality, strength, or purity. These also refer to products that are deliberately and fraudulently mislabeled with respect to identity and/or source or with fake packaging and can apply to both branded and generic products.

9. *Pharmaceutical Products* – refer to drugs, medicines, biologicals, pharmaceutical and biopharmaceutical products/specialties, veterinary products, veterinary biologics, and veterinary medicinal products.

Section 4. REQUIREMENTS FOR THE OPENING AND OPERATION OF A RETAIL PHARMACEUTICAL OUTLET OR ESTABLISHMENT.

Stores such as convenience stores, cooperative-run stores, and other small and medium enterprises which intend to sell household remedies and OTC drugs (which are not pharmacist-only) are first required to apply as a retail outlet for non-prescription drugs (RONPD), pursuant to FDA Circular No. 2014-028, and secure the following:

- A license to operate (LTO) from the FDA;
- The employment of the supervision and oversight of a duly registered and licensed pharmacist, pursuant to Section 31 (b) of RA 10918; and
- Other requirements imposed by the FDA on its LTO applicants.

Section 5. OPERATION OF BOTIKA NG BAYAN AND BOTIKA NG BARANGAY.

The Municipal Health Office (MHO), in coordination with the FDA and component barangays shall ensure the functionality of Botika ng Bayan and Botika ng Barangay outlets within their locality to secure unhampered access to authentic pharmaceutical products.

Section 6. PROHIBITED ACTS.

1. No pharmaceutical product of whatever nature and kind, shall be compounded, dispensed, sold or resold, or otherwise be made available to the consuming public, except through a retail drug outlet duly licensed by the FDA;
2. Sari-sari stores and other similar retail outlets and micro-enterprises are prohibited from dispensing, selling, or reselling prescription and pharmacist-only OTC medicines, as defined and classified by the FDA, as these medicines may only be dispensed by or obtained from a licensed pharmacist and with said licensed pharmacist's advice, pursuant to Republic Act No. 10918;
3. The manufacture, sale, or offering for sale, donation, distribution, trafficking, brokering, exportation, or importation or possession of counterfeit drugs as defined in Section 3 hereof not otherwise covered by Republic Act No. 3720, as amended. The presence or availability of such counterfeit drugs within the premises of any entity engaged in the sale, manufacture or distribution of drugs and/or pharmaceutical products or in a private residence, or in public or private vehicle, or in the premises not covered by a valid license to operate from the FDA are likewise prohibited pursuant of Section 4 of Republic Act 8203;
4. The possession, dispensing, selling, or reselling of counterfeit pharmaceutical products are prohibited and shall be governed by the provisions of Republic Act No. 8203.
5. The distribution of COVID-19 drugs shall be governed by policies set forth by the FDA and the Department of Health;

Section 7. PENALTIES – Any person found to have violated the provisions of Section 6 of this ordinance shall be penalized as follows:

1. *First Offense* – a fine of Php 2,500.00 and confiscation of all pharmaceutical products.
2. *Subsequent Offenses* – a fine of Php 2,500.00, confiscation of all pharmaceutical products and/or imprisonment for a minimum of one (1) month but not more than

six (6) months. Such fine or other penalty, or both, shall be imposed at the discretion of the Court.

3. Any establishment to have found violated Section 6 of this Ordinance shall be meted with a fine of not less than Two Thousand Five Hundred Pesos (Php 2,500.00). Recurring violations of said establishments shall mean revocation/cancellation of their business permits shall be imposed with the said corresponding fine.

Failure to pay the fine at the Municipal Treasurer's Office within seventy-two (72) hours from receipt thereof, the same shall be endorsed to the local Kananga PNP for filing of appropriate charges/cases at the appropriate court of jurisdiction.

If the violation is committed by a group, organization or entity, may it be a corporation, partnership or single proprietorship, the head, president or general manager or owner, or person acting on behalf of such responsible officers shall be held liable for the violation.

Section 8. RESPONSIBILITY OF THE LGU – the LGU of Kananga shall have the following responsibilities pertinent to this ordinance:

- a. The LGU shall ensure the integration of guidelines in the existing business permit and licensing systems and requirements;
- b. The Municipal Health Office and Barangay Health Stations in coordination with the LGU and BLGU shall ensure the operation of their respective pharmacies wherein non-prescription generic drugs and selected prescription drugs are made available;
- c. The LGU shall also establish an enabling mechanism designed to assist owners of sari-sari stores and other retail stores in securing proper authorization from the FDA to dispense, sell, and resell pharmaceutical products;
- d. To coordinate with the Philippine National Police and the FDA and assist these agencies in their drive to crack down on counterfeit drugs and the illegal distribution of pharmaceutical products and shall also report violations by authorized drug retailers with the FDA for proper regulatory action;

Section 9. ENFORCEMENT – The Local Chief Executive (LCE) or his duly authorized representative in coordination with the Business Permits and Licensing Office (BPLO), the Punong Barangays and other barangay officials, and the local Philippine National Police shall be primarily responsible for the enforcement of this ordinance which include the crackdown of counterfeit drugs and the illegal distribution of pharmaceutical products.

Section 10. INFORMATION, EDUCATION AND CAMPAIGN – it shall be the responsibility of the Local Government Unit of Kananga through the Municipal Health Office to conduct massive information, education, campaign, and communication efforts of this ordinance for the benefit of sari-sari store owners and the constituency within the territorial jurisdiction of the municipality. Likewise, it shall be the duty of the Barangay Officials in each barangay, to inform its constituents regarding this ordinance and to report to the LGU or PNP, those sari-sari stores without license that sell and dispense any pharmaceutical products;

Section 11. APPROPRIATION. The Local Chief Executive shall appropriate an ideal amount every year the in the LGU's annual budget in order to fully implement the provisions of this Ordinance. The same shall also be included in the annual investment program of the Municipality.

Section 12. SEPARABILITY CLAUSE. – If any section or part of this Ordinance is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force or effect.

Section 13. REPEALING CLAUSE. – All other ordinances, orders, issuances, rules, and regulations, which are inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

Section 14. EFFECTIVITY. – This Ordinance shall take effect 15 days upon its publication or after due compliance with all the requirements provided under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

CARRIED UNANIMOUSLY.

ENACTED AND APPROVED BY THE 23rd SANGGUNIANG BAYAN OF KANANGA,
LEYTE DURING ITS REGULAR SESSION HELD ON JANUARY 20, 2025 AT THE
SANGGUNIANG BAYAN SESSION HALL.

AYES : (09)

NAYS : ()


HON. FERNANDO M. ASEO

Sangguniang Bayan Member/Floor Leader


HON. BRENZON C. CABINTOY

Sangguniang Bayan Member

(On leave)

HON. RUDY COGAY

Sangguniang Bayan Member


HON. RICHIE C. CRUZ

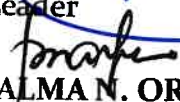
Sangguniang Bayan Member


HON. VICTORIANO L. GLOBA

Liga ng mga Barangay (LnB) President,
Ex-Officio Member


HON. RESURRECCION C. CAPANAS

Sangguniang Bayan Member/Assistant
Floor Leader


HON. ALMA N. ORFANO

Sangguniang Bayan Member


HON. MINERVA M. BULAWIT

Sangguniang Bayan Member


HON. ALLAN ESPINOSA

Sangguniang Bayan Member


HON. MARY DANIELA L. CUBERO

Pambayang Pederasyon ng mga
Sangguniang Kabataan, President,
Ex-Officio Member

I HEREBY CERTIFY to the correctness of the afore-quoted Ordinance.


ATTY. ALLAN R. CASTRO


(Board Secretary V)

Secretary to the Sangguniang Bayan

ATTESTED:


HON. MIGUEL JORGE P. TAN
Municipal Vice Mayor/Presiding Officer

APPROVED:


HON. MANUEL VICENTE M. TORRES
Municipal Mayor
FEB 3, 2025
(Date)



Republic of the Philippines
Province of Leyte
Municipality of Kananga
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Office of the Secretary to the Sangguniang Bayan

NOTICE OF PUBLIC HEARING

(Scheduled on December 19, 2024 at ABC Hall Building)

The public is hereby notified that a Public Hearing on the

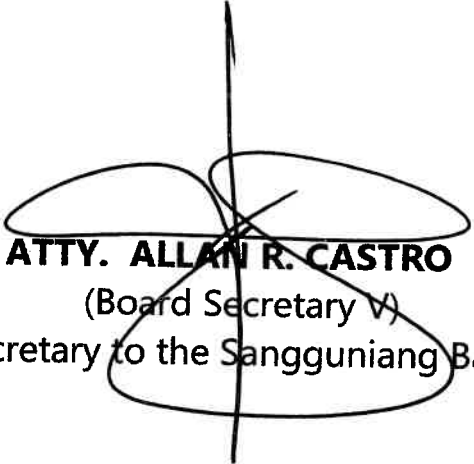
1. **Ordinance No. 23L.24-045-** An Ordinance amending the provisions of Children's & Youth Welfare Code of the Municipality of Kananga.
2. **Ordinance No. 23L.24-063-** An Ordinance prohibiting any person from consuming or drinking of alcoholic beverages in any public places in the Municipality of Kananga, Leyte.
3. **Ordinance No. 23L.24-064 –** An Ordinance requiring business establishments and other places and spaces considered as high-risk in the Municipality of Kananga, Leyte to install Video Surveillance Cameras or Closed-Circuit Television (CCTV) and providing penalties for violations thereof and for other purposes.
4. **Ordinance No. 23L.24-065-** An Ordinance establishing guidelines on the Disposition and Allocation of Philhealth Konsultasyong Sulit at Tama Package Fund or the Philhealth Konsulta Package Fund of the Municipality of Kananga, Leyte.
5. **Ordinance No. 23L.24-066-** An Ordinance prohibiting the sale, dispensing, distribution, reselling of any pharmaceutical products in Sari-sari Stores and other similar retail outlets within the territorial jurisdiction of the Municipality of Kananga, and providing penalties for violations thereof.
6. **Ordinance No. 23L.24-067-** An Ordinance establishing the Municipal Epidemiology and Surveillance Unit (MESU) of Kananga, Leyte, providing its composition, duties and functions, appropriating funds therefor and for other purposes.
7. **Ordinance No. 23L.24-070 –** An Ordinance Providing for Benefits and Privileges to Solo Parents and their children.

8. **Ordinance No. 23L.24-072-** An Ordinance prescribing the policies, conditions, and guidelines on the reclassification of lands within the territorial jurisdiction of Kananga, imposing fees and charges for the application thereof.
9. **Ordinance No. 23L.24-073-** An ordinance prohibiting acts of Online Sexual Abuse and Exploitation of Children (OSAEC) and the Anti-Child Sexual Abuse or Exploitation Materials (ACSAEM) in the Municipality of Kananga with corresponding penalties, thereafter providing a supportive environment for the survivors.
10. **Ordinance No. 23L.24-074-** An ordinance operationalizing Republic Act No. 10173 or the Data Privacy Act of 2012 in the Municipality of Kananga, and providing guidelines therefor.

will be conducted by the 23rd Sangguniang Bayan of Kananga on the **19th day of December 2024, Thursday, from 9:00 in the morning at the ABC Hall Building, Barangay Poblacion, Kananga, Leyte.**

All interested parties / individuals are invited to attend the Public Hearing.

9 December 2024


ATTY. ALLAN R. CASTRO
(Board Secretary V)
Secretary to the Sangguniang Bayan

Republic of the Philippines
Province of Leyte
Municipality of Kananga
SANGGUNIANG BAYAN OF KANANGA

PUBLIC HEARING

ORDINANCE NO. 23L.24-063
(series of 2024)

AN ORDINANCE PROHIBITING ANY PERSON FROM CONSUMING OR DRINKING OF ALCOHOLIC BEVERAGES IN ANY PUBLIC PLACES IN THE MUNICIPALITY OF KANANGA, LEYTE.

ORDINANCE NO. 23L.24-064
(series of 2024)

AN ORDINANCE REQUIRING BUSINESS ESTABLISHMENTS AND OTHER PLACES AND SPACES CONSIDERED AS HIGH-RISK IN THE MUNICIPALITY OF KANANGA, LEYTE TO INSTALL VIDEO SURVEILLANCE CAMERAS OR CLOSED-CIRCUIT TELEVISION (CCTV) AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.

ORDINANCE NO. 23L.24-065
(series of 2024)

AN ORDINANCE ESTABLISHING GUIDELINES ON THE DISPOSITION AND ALLOCATION OF PHILHEALTH KONSULTASYONG SULIT AT TAMA PACKAGE FUND OR THE PHILHEALTH KONSULTA PACKAGE FUND OF THE MUNICIPALITY OF KANANGA, LEYTE

ORDINANCE NO. 23L.24-066
(series of 2024)

AN ORDINANCE PROHIBITING THE SALE, DISPENSING, DISTRIBUTION, RESELLING OF ANY PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL OUTLETS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF KANANGA, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

ORDINANCE NO. 23L.24-067
(series of 2024)

AN ORDINANCE ESTABLISHING THE MUNICIPAL EPIDEMIOLOGY AND SURVEILLANCE UNIT (MESU) OF KANANGA, LEYTE, PROVIDING ITS COMPOSITION, DUTIES AND FUNCTIONS, APPROPRIATING FUNDS THEREOF AND FOR OTHER PURPOSES.

ORDINANCE NO. 23L.24-072
(series of 2024)

AN ORDINANCE PRESCRIBING THE POLICIES, CONDITIONS, GUIDELINES ON THE RECLASSIFICATION OF LANDS WITHIN THE TERRITORIAL JURISDICTION OF KANANGA, IMPOSING FEES AND CHARGES FOR THE APPLICATION THEREOF.

ORDINANCE NO. 23L.24-073
(series of 2024)

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE AND
EXPLOITATION OF CHILDREN (OSAEC) AND THE ANTI CHILD SEXUAL
ABUSE OR EXPLOITATION MATERIALS (ACSAEM) IN THE
MUNICIPALITY OF KANANGA WITH CORRESPONDING PENALTIES,
THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE
SURVIVORS.

ORDINANCE NO. 23L.24-074
(series of 2024)



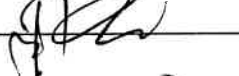

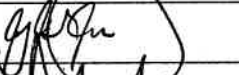
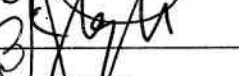


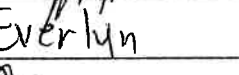
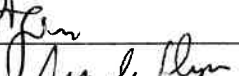

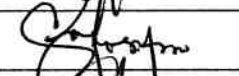


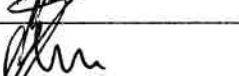
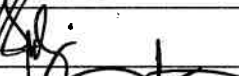



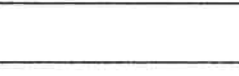

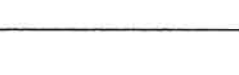
AN ORDINANCE OPERATIONALIZING REPUBLIC ACT NO. 10173 OR THE
DATA PRIVACY ACT OF 2012 IN THE MUNICIPALITY OF KANANGA, AND
PROVIDING GUIDELINES THEREFOR

SB SESSION HALL, Kananga, Leyte
December 19, 2024
9:00 A.M.

Attendance Sheet

NAME	OFFICE / ADDRESS
1. VICTORINO GLOBA	RIZAL
2. Juliana E. Bachelon	Sto. Domingo
3. MARO D. ABELAS	Bigg MATHAWAN
4. Sabeniano Alak	Lunay
5. ANGEL P. NUPK	TANIGONAN
6. LEAH O. EMPLEO	tubodon
7. WILLIAM FLORENTINO	LIH-AD
8. ERSIE A. PIEL	LIBERTAD
9. JUANILIO ANGAS	AGUTING
10. ROSARIO B. NUBA	KANAYAN
11. MAMANO M. Pano	Naghatin
12. FLORENTINO ASLO	TACAYAT
13. Ricelyn Joy C. Onchida	Montecolore
14. Emulita D. Francisco	Libon
15. Allan ESPINOSA	
16. HERNANDO ASLO	VR
17. RESURRECCION CRANAS	SBM
18. Arlene A. Cortingub	com Ignacio
19. ASOLO A. PAPA	MASARAYO

SIGNATURE

NAME	OFFICE/ADDRESS	SIGNATURE
20. JOHN RAMSES MAGALLANES	Tuburan	
21. KIMBROSIO A. SALONGON	CACAO	
22. ANTONIO U. CABEROL	HILUTOGAN	
23. Julito D. Gomez	Montecalveque	
24. RONELL A. ANGAYANGAY		
25. TED DE VEYRA		
26. JULITO C. MENDONES		
27. Elna y. Gabilan	Brig. Montubello	
28. RONELO C. PALAR	BRGY. STO. NIÑO	
29. Bonifacio Balbero	Natubgan	
30. OTONIA B. COPINSON	PEZOLIGA	
31. Maria, Evelyn T. Rodas	Poblacion	
32. Evelyn Antigua	Rizal	Everlyn
33. Rowena C. Fin	Libongan	
34. Mapple Jelyn C-Elbina	DILG	
35. Christine Bugho	Libongan	
36. MICHELLE S. ROSAS		
37. MINERVA M. BULAWIT	SB	
38. MIGUEL JORGE TAN	MM	
39. MELCA A. CAMUSADE	SD Sec. office	
40. GINA B. SALABRE	SD Sec. OFFICE	
41. MARISEL B. DIZON	SD SEC. OFFICE	
42. ALLAN R. CASTRO	SD SEC. OFFICE	
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Office of the Secretary to the Sangguniang Bayan

MINUTES OF PUBLIC HEARING HELD BY THE SANGGUNIAN BAYAN ON DECEMBER 19, 2024 AT THE ABC HALL BUILDING, BRGY. POBLACION, KANANGA, LEYTE FOR THE FOLLOWING MUNICIPAL ORDINANCES:

1. Ordinance No. 23L24-063- An Ordinance prohibiting any person from consuming or drinking of alcoholic beverages in any public places in the Municipality of Kananga, Leyte.
2. Ordinance No. 23L24-064 – An Ordinance requiring business establishments and other places and spaces considered as high-risk in the Municipality of Kananga, Leyte to install Video Surveillance Cameras or Closed-Circuit Television (CCTV) and providing penalties for violations thereof and for other purposes.
3. Ordinance No. 23L24-065- An Ordinance establishing guidelines on the Disposition and Allocation of Philhealth Konsultasyong Sulit at Tama Package Fund or the Philhealth Konsulta Package Fund of the Municipality of Kananga, Leyte.
4. Ordinance No. 23L24-066-An Ordinance prohibiting the sale, dispensing, distribution, reselling of any pharmaceutical products in Sari-sari Stores and other similar retail outlets within the territorial jurisdiction of the Municipality of Kananga, and providing penalties for violations thereof.
5. Ordinance No. 23L24-067- An Ordinance establishing the Municipal Epidemiology and Surveillance Unit (MESU) of Kananga, Leyte, providing its composition, duties and functions, appropriating funds therefor and for other purposes.

(Attendance hereto attached)

The Public Hearing was conducted by the Office of the Sangguniang Bayan spearheaded by the Office of the Vice Mayor thru Facebook Page and Posting in the public places. The Public Hearing was attended by the Punong Barangay during the monthly meeting of Liga Ng Mga Barangay and it was open at 9:35 in the morning with opening prayer led by SB Secretary Atty. Allan R. Castro and he is also the master of the ceremony.

Atty. Castro introduced Hon. Capanas as the authored of the following draft ordinances.

Hon. Resurreccion C. Capanas(Chairman of the Committee on Rules and Laws) read and explained all the provision of the said ordinances specifically the prohibited acts provided therein. He said that the following municipal ordinances is pursuant to Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that:

"SEC. 16. General Welfare. - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants." (Emphasis supplied).

Hon. Capanas explained the provision of Ordinance No. 23L24-063. He said that this proposed ordinance is necessary to implement because statistics shows that one of the main causes of road accidents, bar fights, and petty and serious quarrels is attributed to liquor drinking.

There is a need to regulate drinking of alcoholic beverages in public places in the Municipality of Kananga to prevent irresponsible consumption which is known to cause unruly and aggressive behavior – a perfect recipe for trouble and accident.

Hon. Juanillo Angus asked if the party to be conducted in Barangay Covered court is included.

Hon. Capanas said that PUBLIC in this context refers to OUTDOOR SPACES such as roads, walkways, parks, or in a moving vehicle, drinking in bars, restaurants, stadiums, and other such establishments. The consumption of alcoholic drinks/beverages, liquors is allowed provided that it is done inside the house or any enclosed private property. He added that there is an exemption for drinking in barangay covered court only during fiesta celebration of the barangay including "vesperas", provided that there is a presence of police personnel, barangay tanods, and other peace and order officers of the barangay in the said area celebrating "vesperas" or "fiesta".

2. Ordinance No. 23L24-064 – An Ordinance requiring business establishments and other places and spaces considered as high-risk in the Municipality of Kananga, Leyte to install Video Surveillance Cameras or Closed-Circuit Television (CCTV) and providing penalties for violations thereof and for other purposes.

Hon. Capanas said that in order to intensify the Municipality of Kananga's drive to deter, prevent, detect, and solve criminality, and to preserve video recording as evidence, this August Body deems it proper to require the use of CCTV systems in business establishments within. Under the law "requirement to install CCTV" means that a business establishment is legally obligated to set up and maintain a closed-circuit television (CCTV) system on their premises, typically used for security purposes to monitor activities and deter criminal behavior; this is often enforced through local ordinances that may specify the number of cameras needed depending on the type of business and its size. he added that local government shall enact ordinances requiring businesses to install CCTV systems, often as a condition for obtaining a business permit.

3. Ordinance No. 23L24-065- An Ordinance establishing guidelines on the Disposition and Allocation of Philhealth Konsultasyong Sulit at Tama Package Fund or the Philhealth Konsulta Package Fund of the Municipality of Kananga, Leyte.

Hon. Capanas said that for the implementation of this ordinance is pursuant to Philhealth Circular No. 2023-0013 entitled, "Implementing Guidelines for the Philhealth Konsultasyong Sulit at Tama (Philhealth Konsulta Package), the current Philhealth Konsulta package shall expand its benefit coverage to encompass other primary care services in preparation for Konsulta+. Philhealth Konsulta Package Providers (KPPs) shall also act as the chief facility among its affiliated facilities at the primary care level, responsible for patient navigation to ensure first-contact, continuing and comprehensive care for all persons who are either diagnosed or undiagnosed, presenting with any health concern. He added that this law is to help alleviate with the financial burden of the laboratory test fees of all kanangahanons.

4. Ordinance No. 23L24-066-An Ordinance prohibiting the sale, dispensing, distribution, reselling of any pharmaceutical products in Sari-sari Stores and other similar retail outlets within the territorial jurisdiction of the Municipality of Kananga, and providing penalties for violations thereof.

Hon. Capanas said that this ordinance is pursuant to Republic Act No. 8203, otherwise known as the Special Law on Counterfeit Drugs, also prohibits any person from manufacturing, selling, offering for sale, donating, distributing, trafficking, brokering, exporting, importing or possessing counterfeit drugs.

Hon. Elna Gabilan (Brgy. Chairman of Brgy. Montebello) asked regarding the pharmaceutical products donated by the governor. She asked if the barangay is allowed to dispense those products.


Hon. Capanas answered that dispensing those pharmaceutical products in the barangay must be assisted by the medical professional.

5. **Ordinance No. 23L24-067-** An Ordinance establishing the Municipal Epidemiology and Surveillance Unit (MESU) of Kananga, Leyte, providing its composition, duties and functions, appropriating funds therefor and for other purposes.

Hon. Capanas said that this ordinance is pursuant to Section 6 and 8 of Republic Act No. 11332 otherwise known as the "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concerns Act" provides that the DOH and its local counterpart are mandated to implement the mandatory reporting of notifiable diseases and health events of public concern, and it shall ensure that the Epidemiology and Surveillance Units (ESUs) are established and functional in all levels of the DOH and its local counterparts, and in public and private health facilities and laboratories, as well as ports and airports in all provinces, cities and municipalities throughout the country. And also Republic Act. 3573 mandates individuals and health facilities to report communicable diseases to local and national health authorities to suppress and prevent widespread of the disease. Such mandate was also mentioned in the International Health Regulations of 2005 and DOH Administrative Order 2007-036. He added that this ordinance is enacted in response to the need of a Municipal Epidemiology and Surveillance Unit (MESU) under the Municipal Health Office of Kananga that will serve as a central point for data banking and response activities on health service delivery and disease surveillance system. He reiterated that all ordinances mandated barangays to support the implementation in barangay level.

The closing and final message was rendered by Municipal Vice Mayor Hon. Miguel Jorge P. Tan and public hearing formally ended at 12:10 PM.

Prepared by:


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February 4, 2025

CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that for the period February 4 to February 13, 2025 the copies of the **MUNICIPAL ORDINANCE NO. 23L.25-066 series of 2025, entitled: "AN ORDINANCE PROHIBITING THE SALE, DISPENSING, DISTRIBUTION, RESELLING OF ANY PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL OUTLETS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF KANANGA, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF."** :

1. Bulletin Board at the entrance of Municipal Hall, Kananga, Leyte
2. Post at the Kananga Public Market Rotonda, Kananga, Leyte and
3. Entrance to the Session Hall, Kananga, Leyte

Issued this 4th day of February, 2025 in Kananga, Leyte


SAM JUNE NAVIA
Administrative Aide III