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Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Item No.: **23**
Date: **03 2025 JUN**

Province of Leyte
Legal Office
Time: 9:00 AM
Date: 5-9-25

SANGGUNIANG PANLALAWIGAN
RECEIVED
MAY 07 2025
PROVINCE OF LEYTE

2nd INDORSEMENT
April 28, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. (223)#209 series of 2025 of the Sangguniang Bayan of Matag-ob, Leyte.

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

- Ordinance No. (223)#209 series of 2025: **"Zero Open Defecation Ordinance of the Municipality of Matag-ob"**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 447(a)(4)(ii)¹ and (1)(iii)² 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 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 (4) Regulate activities relative to the use of land, buildings and structures within the municipality in order to promote the general welfare and for said purpose shall:

(ii) Require that buildings and the premises thereof and any land within the municipality be kept and maintained in a sanitary condition; impose penalties for any violation thereof, or upon failure to comply with said requirement, have the work done and require the owner, administrator or tenant concerned to pay the expenses of the same; or require the filling up of any land or premises to a grade necessary for proper sanitation;

² (iii) Approve ordinances imposing a fine not exceeding Two thousand five hundred pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance;

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
23 April 2025

Floris
Ans
4.24.25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. (223) #209, series of 2025** of the **Municipality of Matag-ob, Leyte**, entitled: **An Ordinance requiring every household or residential buildings to have functional sanitary toilets and all public buildings, commercial buildings & business establishments in the Municipality of Matag-ob, to have a clean & sanitary toilets accessible to the public, free of charge, and to comply the Zero Open Defecation (ZOD) policy; providing its guidelines & functions; penalties for violations and for appropriation of funds therefor.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF MATAG-OB
SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN

ENDORSEMENT
April 22, 2025



HONORABLE LEONARDO "SANDY" JAVIER
Vice-Governor
Presiding Officer
Sangguniang Panlalawigan of Leyte

Sir:

Respectfully forwarding to your good office the herein attached Municipal Ordinance No. 209 series 2025, of the Sangguniang Bayan of Matag-ob, Leyte, titled: "AN ORDINANCE REQUIRING EVERY HOUSEHOLDS OR RESIDENTIAL BUILDINGS TO HAVE FUNCTIONAL SANITARY TOILETS AND ALL PUBLIC BUILDINGS, COMMERCIAL BUILDINGS & BUSINESS ESTABLISHMENTS IN THE MUN. OF MATAG-OB, TO HAVE A CLEAN & SANITARY TOILETS ACCESSIBLE TO THE PUBLIC, FREE OF CHARGE; AND TO COMPLY THE ZERO OPEN DEFECATION (ZOD) POLICY; PROVIDING ITS GUIDELINES & FUNCTIONS; PENALTIES FOR VIOLATIONS; AND FOR APPROPRIATION OF FUNDS THEREFOR.", for review and approval by the Sangguniang Panlalawigan of Leyte.

Respectfully,

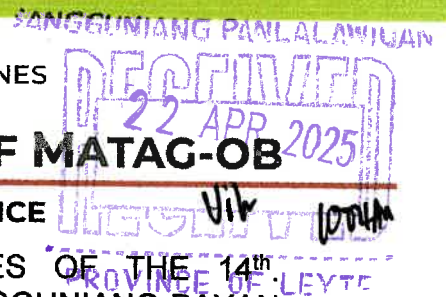

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE

MUNICIPALITY OF MATAG-OB

MUNICIPAL HEALTH OFFICE



I HEREBY CERTIFY that this is a true and accurate copy of the ORDINANCE duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on March 31, 2025.

ANA MARIA SANORIA-ECUA
Secretary to the Sanggunian

ATTESTED:

HON. ARTEMIO T. ALMOROTO
Senior SB Member

HON. JOEL N. DENOY
SB Member

HON. EVANGELINE C. CARNO
SB Member

HON. ORLANDO G. VIACRUSIS
SB Member

HON. EDUARDO I. TOLEDO
SB Member

HON. PAOLO ANTONIO C. LAURENTE
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HON. RICARDO L. GIVA
SB Member

HON. JOSE B. YAP
SB Member

HON. ANA LOVE D. BORDEN
Ex-Officio Member, SK Fed. Pres.

HON. JOEL G. TACOY
Ex-Officio Member, LNB President

HON. ROMEO N. ALBARIDA
Municipal Vice-Mayor
Presiding Officer

EXCERPTS FROM THE MINUTES OF THE 14th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MATAG-OB, LEYTE FOR THE CALENDAR YEAR 2025 HELD AT LEGISLATIVE SESSION HALL ON MARCH 31, 2025.

MUNICIPAL ORDINANCE NO. (223) #209
Series of 2025

AN ORDINANCE REQUIRING EVERY HOUSEHOLD OR RESIDENTIAL BUILDINGS TO HAVE FUNCTIONAL SANITARY TOILETS AND ALL PUBLIC BUILDINGS, COMMERCIAL BUILDINGS & BUSINESS ESTABLISHMENTS IN THE MUN. OF MATAG-OB, TO HAVE A CLEAN & SANITARY TOILETS ACCESSIBLE TO THE PUBLIC, FREE OF CHARGE; AND TO COMPLY THE ZERO OPEN DEFECATION (ZOD) POLICY; PROVIDING ITS GUIDELINES & FUNCTIONS; PENALTIES FOR VIOLATIONS; AND FOR APPROPRIATION OF FUNDS THEREFOR.

Author : Hon. Joel N. Denoy

Co-Authors : Hon. Evangeline C. Carno
Hon. Joel G. Tacoy
Hon. Ana Love D. Borden

WHEREAS, the health of the people, being of paramount importance, all efforts of public services should be directed towards the protection and promotion of health.

WHEREAS, the 1987 Philippine Constitution, Article II Section 15, provides that "The State shall protect and promote the right to health of the people and instill health consciousness among them."

WHEREAS, Republic Act 7160 otherwise known as the Local Government Code of 1991, likewise accords every local government unit the power and authority to promote the general welfare within its territorial jurisdiction including the promotion of health and safety of its constituents.

WHEREAS, The Municipality of Matag-ob, consistent with its vision of healthy Matag-obanons, is vigilant as to the effects of unsanitary disposals of human wastes in health and well-being. Hence, the Municipal government is



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ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED:

HON. ARTEMIO T. ALMOROTO
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Municipal Vice-Mayor
Presiding Officer

committed to implement the Zero Open Defecation (ZOD) policy.

Now therefore, on motion of the Hon. Joel N. Denoy, duly seconded by all other members present, in its Regular session assembled, that:

SECTION 1. Short Title. - This Ordinance shall be known as "Zero Open Defecation (ZOD) Ordinance of the Municipality of Matag-ob."

SECTION 2. Scope and Coverage. - This shall be applicable to all persons, natural or juridical, resident or non-resident within the territorial jurisdiction in the Municipality of Matag-ob.

SECTION 3. Definition of terms. - For the purpose of this Ordinance, the following terms shall mean:

a. Zero Open Defecation (ZOD) – Absence of open defecation practice by One Hundred Percent (100%) among populace in Municipality of Matag-ob.

b. Community Service – refers to the voluntary public services rendered and intended to help the people in the community.

c. Defecate – to excrete/ discharge fecal waste from the body or to have a bowel movement.

d. IEC Campaign – refers to Information, Education and Communication campaign.

e. Feces – refers to waste matter discharged from human bowels.

f. Open Defecation – refers to the manner of excreting/discharging fecal waste on a place, site or location other than the toilet/comfort room or restroom and making the human feces openly visible and exposed to the environment.

g. Public Places – refers to all places that are accessible or open to the people in a community or places for collective use regardless of ownership which include outdoor spaces for gathering but not limited to playgrounds, public squares or plaza, school grounds, church grounds and the likes.

h. Sanitary Toilets – refers to sanitation facilities or a piece of hardware used for the proper collection or disposal of human waste (urine and feces).



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I HEREBY CERTIFY that this is a true and accurate copy of the ORDINANCE duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on March 31, 2025.

ANA MARIA SANORIA-ECUA
Secretary to the Sanggunian

ATTESTED:

HON. ARTEMIO T. ALMOROTO
Senior SB Member

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Municipal Vice-Mayor
Presiding Officer

SECTION 4. Prohibited Acts. - The following acts shall be prohibited:

- It is prohibited to defecate and urinate in open public places.
- It is prohibited to throw human wastes, such as but not limited to diapers, napkins, and tissue papers outside the toilets or any open spaces, public or private, and in waterways such as rivers, creeks, drainage and canals.

SECTION 5. General and Administrative Provisions.

- Every household and or residential buildings within the territorial jurisdiction of the Municipality of Matag-ob is required to have a functional sanitary toilet to ensure proper disposal of human waste.
- All public buildings and private commercial buildings/business establishments must have a clean and sanitary toilets accessible for public use, free of charge.
- All sanitary toilets in public buildings and private commercial buildings/business establishments must be compliant to the provisions of Republic Act 7277 also known as Magna Carta for Persons with Disabilities.
- The Sangguniang Bayan shall create the Municipal Zero Open Defecation Task Force (MZODTF) and its respective functions;
- All 21 Barangay government Units are required to create their respective Barangay Health and Sanitation Task Force (BHSTF) and its respective functions and or may adopt the applicable provisions or functions formulated by the Mun. Zero Open Defecation Task Force.
- The Municipal government unit of Matag-ob through the different concerned departments or agencies shall provide any form of assistance (materials & education) to the target residential owners in their usage & construction of sanitary toilets.
- Presence of functional sanitary toilets facilities among household/residential and among commercial & business establishments is a pre-requisite in the Issuance of Barangay Clearances, Certificates and Permits_ to the concerned party, hence, master listing of such is necessary (Section 7:b)
- Existing houses or residential without toilets shall be given a grace period of one & a half years (1 ½ yrs.) from the effectivity date of this ordinance, to comply.



REPUBLIC OF THE PHILIPPINES
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MUNICIPAL HEALTH OFFICE

I HEREBY CERTIFY that this is a true and accurate copy of the ORDINANCE duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on March 31, 2025.

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED:

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Senior SB Member

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Municipal Vice-Mayor
Presiding Officer

j. Existing commercial buildings/business establishments without sanitary toilet shall be given a grace period of six months (6m.) from the effectivity date of this ordinance, to comply.

SECTION 6. Creation of Municipal Zero Open Defecation Task Force (MZODTF) and its function:

a. There shall be created a Municipal ZOD Task Force to be composed of the following:

Chairperson	Municipal Mayor
Vice Chairperson	Municipal Health Officer
Assistant Vice Chairperson	Sanitary Inspector
Assistant Chairperson	SB Committee on Health and Sanitation
Members	SB Committee on Environment and Natural Resources
	LNB President
	SK Federation President
	Mun. Environment and Natural Resources Officer
	Mun. Planning and Dev't. Officer
	Mun. Engineer
	General Services Officer
	Mun. Local Government Operations Officer
	Mun. Risk Reduction & Management Officer
	Mun. Social Welfare and Development Officer
	DEPED High School and Elementary
	Market Administrator
	BHW President
	Philippine National Police of Matag-ob
	NGOs (Religious Group Rep. and Business & Commerce Rep.)

b. The Municipal ZOD Task Force spearheaded by the Municipal Health Office shall conduct regular bi annual



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE

MUNICIPALITY OF MATAG-OB

MUNICIPAL HEALTH OFFICE

I HEREBY CERTIFY that this is a true and accurate copy of the ORDINANCE duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on March 31, 2025.

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED:

HON. ARTEMIO T. ALMOROTO
Senior SB Member

HON. JOEL N. DENOY
SB Member

HON. EVANGELINE C. CARNO
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Municipal Vice-Mayor
Presiding Officer

IEC campaign to different barangay regarding the proper usage of sanitary toilets and conduct education regarding harmful effects of Open Defecation such as the occurrence of communicable diseases and other health adversities, increased in child mortality, environmental pollution, and poor tourism & economic impact.

c. The Municipal ZOD Task Force shall verify the written reports submitted by the Barangay Health and Sanitation Task Force for proper evaluation and appropriate action.

d. The Mun. Zero Open Defecation Task Force shall declare and recommend the barangays that qualify to receive the Annual ZOD Award from the Local Government Unit.

SECTION 7. Creation of Barangay Health and Sanitation Task Force and its function:

a. There shall be created a Barangay (ZOD) Task Force to be composed of the following:

CHAIRPERSON	Barangay Chairman
VICE CHAIRPERSON	Brgy. Kagawad Committee on Health and Sanitation
MEMBERS	Brgy. Kagawad Chairperson Committee on Education
	Brgy. Kagawad Chairperson Committee on Environment
	SK Chairperson
	DEPED- Principal /Head Teacher
	Daycare Worker
	Parent Leader
	All Community Volunteers (BHW, BNS, BSPO, Tanods)

b. The Barangay Health and Sanitation Task Force shall conduct regular monthly inspection, monitoring and master listing of households and business establishments with or without functional sanitary toilets.

c. The Barangay Health and Sanitation Task Force shall submit to the Municipality ZOD Task Force a quarterly written report on the status of compliance of this Ordinance among households and business establishments for appropriate action.



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE

MUNICIPALITY OF MATAG-OB

MUNICIPAL HEALTH OFFICE

I HEREBY CERTIFY that this is a true and accurate copy of the ORDINANCE duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on March 31, 2025.

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED:

HON. ARTEMIO T. ALMOROTO
Senior SB Member

HON. JOEL N. DENOY
SB Member

HON. EVANGELINE C. CARNO
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Municipal Vice-Mayor
Presiding Officer

d. The Barangay Health Sanitation Task Force, in coordination with the barangay officials shall formulate policies and strategies to eradicate Open Defecation in their respective barangays.

SECTION 8. Penal Provisions.

a. In the implementation of this Ordinance, persons caught violating and not complying with the Section IV – Prohibited Acts to this Ordinance shall be penalized and to pay as follows.

1 st Offense	An Administrative fine of One Thousand Pesos (1,000Php)
2 nd Offense	An Administrative fine of Two Thousand Pesos (2,000.00Php)
3 rd Offense	An Administrative fine of Two Thousand Five Hundred (2,500.00) Pesos

b. Violators who failed to pay the corresponding penalties imposed in this Ordinance shall render the community service on the areas determined by the apprehending officers and or by the Barangay Health & Sanitation Task Force, as Follows.

1 st Offense	Two (2) days Community Service in areas determined by the Municipal ZOD Task Force
2 nd Offense	Three (3) days Community Service in areas determined by the Municipal ZOD Task Force
3 rd Offense	Five (5) days Community Service in areas determined by the Municipal ZOD Task Force

One (1) day community service construed or equivalent to (8) hours Community service.

c. The Municipal Treasure's Office is tasked to collect the penalties stipulated in this Ordinance.

SECTION 9. Budget and Appropriation. - The Local Government Unit of Matag-ob, shall appropriate funds for the implementation of Zero Open Defecation (ZOD)



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE

MUNICIPALITY OF MATAG-OB

MUNICIPAL HEALTH OFFICE

ATTESTED:

HON. ORLANDO G. VIACRUSIS
SB Member

HON. EDUARDO I. TOLEDO
SB Member

HON. PAOLO ANTONIO C. LAURENTE
SB Member

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Ex-Officio Member, SK Fed. Pres.

HON. JOEL G. TACDY
Ex-Officio Member, LNB President

HON. ROMEO M. ALBARIDA
Municipal Vice-Mayor
Presiding Officer

Ordinance and the awarding of ZOD compliant barangays.

SECTION 10. Amendments Clause. This ordinance may be amended or modified as necessary through the appropriate legislative process.

SECTION 11. Separability Clause. - In the event that part/s or provision/s, of this Ordinance is held unconstitutional or invalid, other part/s or provision/s not other wise affected shall remain in full force and effect.

SECTION 12. Repealing Clause. - All other Ordinances, or provisions thereof, inconsistent herewith are hereby amended or repealed accordingly.

SECTION 13. Effectivity. - This Ordinance shall take effect ten (10) days after its publication in a newspaper of local circulation in the province of Leyte.

ENACTED this 31st. day of March 2025 in the Municipality of Matag-ob, Leyte.

Carried Unanimously.

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the Sangguniang Bayan of Matag-ob, Leyte on March 31, 2025.

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:

HONORABLE ARTEMIO T. ALMOROTO
Senior Sp Member

HONORABLE JOEL N. DENOY
SB Member

HONORABLE EVANGELINE C. CARNO
SB Member



REPUBLIC OF THE PHILIPPINES
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Ex-Officio Member, SK Federation President

HONORABLE JOEL G. TACOY
Ex-Officio Member, LNB President

HONORABLE ROMEO N. ALBARIDA
Municipal Vice-Mayor
Presiding Officer

APPROVED:

HONORABLE BERNANDINO G. TACOY
Municipal Mayor

21 APR 2025

Date Signed



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE

MUNICIPALITY OF MATAG-OB

SANGGUNIAN BAYAN


CERTIFICATION OF POSTING

April 22, 2025

THIS IS TO CERTIFY that copies of Municipal Ordinance No. 209 series 2025, entitled: "AN ORDINANCE REQUIRING EVERY HOUSEHOLD OR RESIDENTIAL BUILDINGS TO HAVE FUNCTIONAL SANITARY TOILETS AND ALL PUBLIC BUILDINGS, COMMERCIAL BUILDINGS & BUSINESS ESTABLISHMENTS IN THE MUN. OF MATAG-OB, TO HAVE A CLEAN & SANITARY TOILETS ACCESSIBLE TO THE PUBLIC, FREE OF CHARGE; AND TO COMPLY THE ZERO OPEN DEFECATION (ZOD) POLICY; PROVIDING ITS GUIDELINES & FUNCTIONS; PENALTIES FOR VIOLATIONS; AND FOR APPROPRIATION OF FUNDS THEREFOR.", of the Sangguniang Bayan of Matag-ob, Leyte are posted in Three (3) conspicuous places within the municipality of Matag-ob, Leyte for three consecutive weeks from April 22, 2025.

This certification is issued in compliance with Section 59 of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 22nd. Day of April, 2025.


ANA MARIA SANORIA-ECLIJA
Secretary to the Sanggunian