

Item No.: 03

Date: 17 2025 JUN



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte  
Legal Office  
*[Signature]*  
Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
Date: 5/26/2025  
By: N. N. N.

2<sup>nd</sup> INDORSEMENT  
May 26, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 8 series of 2025 of the Sangguniang Bayan of Barugo, Leyte.

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

- Ordinance No. 8 series of 2025 entitled: **“An Ordinance reclassifying the land owned by the Municipality of Barugo presently occupied by the Barugo Integrated Bus Terminal in Barangay Poblacion District 1 from commercial zone to institutional zone.”**

**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)(2)(vii)<sup>1</sup> and (viii)<sup>2</sup> of the Local Government Code of 1991 (R.A 7160), subject to limitations and procedures provided in the same statute. 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.

*[Signature]*  
**ATTY. JOSE RAYMUND A. ACOL**  
*Provincial Legal Officer*

<sup>1</sup> (vii) Adopt a comprehensive land use plan for the municipality: Provided, That the formulation, adoption, or modification of said plan shall be in coordination with the approved provincial comprehensive land use plan;

<sup>2</sup> (viii) Reclassify land within the jurisdiction of the municipality, subject to the pertinent provisions of this Code;

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

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

1<sup>ST</sup> INDORSEMENT  
16 May 2025

Office of the  
Legal Officer  
Received: *[Signature]*  
Date: 5/16/25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 08, series of 2025** of the **Municipality of Barugo, Leyte**, entitled: **An Ordinance reclassifying the land owned by the Municipality of Barugo presently occupied by the Barugo Integrated Bus Terminal in Barangay Poblacion District 1 from commercial zone to institutional zone.**



**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

May 14, 2025

HON. LEONARDO "SANDY" JAVIER, JR.  
Vice-Governor/Presiding Officer  
Sanggunian Panlalawigan  
Province of Leyte



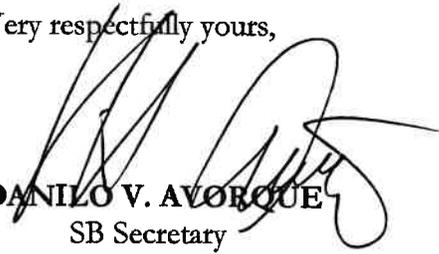
THRU: FLORINDA JILL S. UYVICO  
Secretary to the Sanggunian  
Province of Leyte

Sir:

Respectfully submitted to your good office for review the herein ORDINANCE NO. 08, 2025 ENTITLED **"AN ORDINANCE RECLASSIFYING THE LAND OWNED BY THE MUNICIPALITY OF BARUGO PRESENTLY OCCUPIED BY THE BARUGO INTEGRATED BUS TERMINAL IN BARANGAY POBLACION DISTRICT 1 FROM COMMERCIAL ZONE TO INSTITUTIONAL ZONE.**

Anticipating your favorable action on this matter.

Very respectfully yours,

  
DANILO V. AVORCUE  
SB Secretary

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***Barugo Padayon An Gugma!***

Municipal Hall, Burgos St. Poblacion District I Barugo, Leyte

 0960-294-93422

 [lgu.barugo@yahoo.com](mailto:lgu.barugo@yahoo.com)

 Municipality of Barugo, Leyte



OFFICE OF THE SANGGUNIANG BAYAN

**CERTIFICATION OF POSTING**

THIS IS TO CERTIFY that Ordinance No. 08, S. 2025, RE: **AN ORDINANCE RECLASSIFYING THE LAND OWNED BY THE MUNICIPALITY OF BARUGO PRESENTLY OCCUPIED BY THE BARUGO INTEGRATED BUS TERMINAL IN BARANGAY POBLACION DISTRICT 1 FROM COMMERCIAL ZONE TO INSTITUTIONAL ZONE** was posted in three (3) conspicuous places in the Municipality of Barugo, Leyte in compliance with the provisions of RA 7160, otherwise known as Local Government Code of 1991.

This certification is issued this 14<sup>th</sup> day of May, 2025, for whatever legal purpose this may serve.

  
**DANILO V. AVOROUÉ**  
SB Secretary

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***Barugo Padayon An Gugma!***

Municipal Hall, Burgos St. Poblacion District I Barugo, Leyte

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 Municipality of Barugo, Leyte



**OFFICE OF THE SANGGUNIANG BAYAN**

**EXCERPT FROM THE MINUTES OF THE MEETING OF THE 11<sup>TH</sup> SANGGUNIANG BAYAN OF BARUGO, LEYTE ON ITS 132<sup>ND</sup> REGULAR SESSION HELD ON THE 15<sup>TH</sup> DAY OF APRIL 2025, AT THE MUNICIPAL SESSION HALL, LEGISLATIVE BUILDING, BARUGO, LEYTE.**

- |          |                             |                                     |
|----------|-----------------------------|-------------------------------------|
| Present: | Hon. Josephine C. Tiu       | Municipal Vice Mayor                |
|          | Hon. Eduardo C. Calzita     | Presiding Officer                   |
|          | Hon. Nikkos Rhet V. Astorga | SB Member                           |
|          | Hon. Clinio A. Balais       | SB Member                           |
|          | Hon. Jeffrey P. Cañezal     | SB Member                           |
|          | Atty. Jesus B. Cabanacan    | SB Member                           |
|          | Hon. Eric C. Hingpis        | Pederasyon Ng Mga SK President      |
| Absent:  | Atty. Don A. Dehayco        | SB Member (FL)                      |
|          | Hon. Wayne B. Avestruz      | SB Member (FL)                      |
|          | Hon. Domingo E. Adrales     | SB Member (FL)                      |
|          | Hon. Joemar Q. Acebo        | Liga Ng Mga Barangay President (FL) |



**ORDINANCE NO. 08, S. 2025**

(Sponsor: Atty. Jesus B. Cabanacan, SB Member)

**AN ORDINANCE RECLASSIFYING THE LAND OWNED BY THE MUNICIPALITY OF BARUGO PRESENTLY OCCUPIED BY THE BARUGO INTEGRATED BUS TERMINAL IN BARANGAY POBLACION DISTRICT 1 FROM COMMERCIAL ZONE TO INSTITUTIONAL ZONE.**

**WHEREAS**, Section 3, Article XII of the 1987 Constitution provides that lands of the public domain are classified into agricultural, forest or timber, mineral lands, and national parks. Agricultural lands of the public domain may be further classified by law according to the uses to which they may be devoted. Alienable lands of the public domain shall be agricultural lands;

**WHEREAS**, the constitutional provision provides that agricultural lands of the public domain may be further classified by law according to the use thereof. The enabling law that executes this constitutional provision is Section 20 of the Local Government Code, which provides that a city or municipality may, through an ordinance passed by the sanggunian after conduction public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition;

**WHEREAS**, Section 20 of the Local Government Code is the law passed by Congress which provides for the authority and procedure by which “agricultural lands” under context of the constitutional classification is to be classified as to its use;

**WHEREAS**, with respect to “agricultural lands” of the public domain of the State, Congress, through Section 20 of the Local Government Code, empowered the city or municipality, through an ordinance, to provide its classification as to the use thereof into commercial, residential, industrial or agricultural and such power would include any change of classification by the city or municipality as the need for it arises. Hence, lands devoted to residential, commercial, or industrial use can be reclassified by the city or municipality for agricultural or other use; and

**WHEREAS**, the Municipality of Barugo will use the subject land, presently the site of the Barugo Integrated Bus Terminal, as the site for the Barugo Bayview College pursuant to the ordinance establishing the college. The bus terminal has been transferred to a temporary site pursuant to an ordinance enacted by the sanggunian. The approved 2025 Appropriations Ordinance authorized a new integrated bus terminal to be built on a different location.

***Barugo Padayon An Gugma!***

Municipal Hall, Burgos St. Poblacion District I Barugo, Leyte



**OFFICE OF THE SANGGUNIANG BAYAN**

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Ordinance No. 08, 2025

Reclassification Bayview college

NOW THEREFORE, on motion of Atty. Jesus B. Cabanacan, jointly seconded by Hon. Jeffrey P. Cañezal, Hon. Eduardo C. Calzita and Hon. Nikkos Rhet V. Astorga.

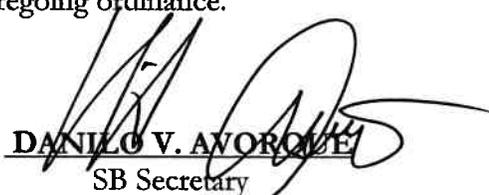
**BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN SESSION ASSEMBLED,  
THAT:**

**SECTION 1.** The property owned by the Municipality of Barugo presently occupied by the integrated bus terminal in Barangay Poblacion District 1, which has been designated as the site for the Barugo Bayview College, is hereby reclassified from Commercial Zone to Institutional Zone.

**SECTION 2.** The provisions of this Ordinance shall take effect upon its approval.

ENACTED by the Sangguniang Bayan, in session assembled this 15<sup>TH</sup> day of April 2025 at Barugo, Leyte.

I HEREBY CERTIFY to the correctness of this foregoing ordinance.

  
**DANILO V. AVOROVE**  
SB Secretary

  
**HON. EDUARDO C. CALZITA**  
SB Member

  
**HON. NIKKOS RHET V. ASTORGA**  
SB Member

  
**HON. JEFFREY P. CAÑEZAL**  
SB Member

  
**HON. CLINIO A. BALAIS**  
SB Member

  
**ATTY. JESUS B. CABANACAN**  
ABC President

  
**HON. ERIC C. HINGPIS**  
SK Federation President

ATTESTED BY:

  
**HON. JOSEPHINE C. TIU**  
Municipal Vice Mayor  
Presiding Officer

APPROVED BY:

  
**HON. ARONIC BALAIS MD, FPCEM**  
Municipal Mayor

*Barugo Padayon An Gugma!*

Municipal Hall, Burgos St. Poblacion District I Barugo, Leyte