



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE, SANGGUNIANG PANLALAWIGAN

2<sup>nd</sup> INDORSEMENT  
April 23, 2025



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 23L.25-078 of the Sangguniang Bayan of Kananga, Leyte.

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

- Ordinance No. 23L.25-078 entitled: **“An Ordinance mandating the use of preemptive measures during emergency situations such as forced evacuation during man-made or natural disasters and providing guidelines thereof.”**

**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)(iv)<sup>1</sup> 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.

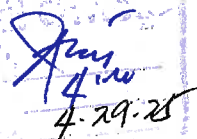
  
ATTY. JOSE RAYMUND A. ACOL  
Provincial Legal Officer

<sup>1</sup> (iv) Adopt measures to protect the inhabitants of the municipality from the harmful effects of man-made or natural disasters and calamities and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and their return to productive livelihood following said events;

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

**1<sup>ST</sup> INDORSEMENT**  
29 April 2025

  
4-29-25

The Provincial Legal Office is respectfully requested to review and submit, recommendations on the herein enclosed **Ordinance No. 23L.25-078** of the **Municipality of Kananga, Leyte**, entitled: **An Ordinance mandating the use of preemptive measures during emergency situations such as forced evacuation during man-made or natural disasters and providing guidelines thereof.**

  
**FLORINDA JIL S. UY VICO**  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
Municipality of Kananga

0380

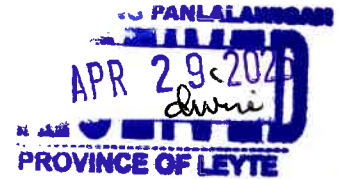
## Office of the Secretary to the Sangguniang Bayan

Telephone No. (053) 5539173  
Email Address: sbkananga6531@gmail.com

April 29, 2025

**FLORINDA JILL S. UYVICO**

Secretary to the Sanggunian  
Sangguniang Panlalawigan of Leyte  
Legislative Building, Capitol Complex  
Tacloban City



Dear SP Sec. Uyvico:

Respectfully submitted to your good office the herewith 16 copies of the following Municipal Ordinances:

1. **Ordinance No. 23L.25-078** – An Ordinance mandating the use of preemptive measures during Emergency Situations such as forced evacuation during man-made or natural disasters and providing guidelines thereof.
2. **Ordinance No. 23L.25-079** – An Ordinance reclassifying Lot No. 9581-F-1 located in Barangay Montebello, Kananga, Leyte with a total land area of one (1) hectare, covered by transfer certificate of Title No. 115-2024003959 from agricultural to commercial land use.

Enacted by the 23<sup>rd</sup> Sangguniang Bayan of Kananga, for review and approval of the Sangguniang Panlalawigan of Leyte.

Hoping for your consideration on this matter.

Thank you.

Very respectfully yours,

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



## *Sangguniang Bayan of Kananga*

### 23<sup>rd</sup> SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE SANGGUNIANG BAYAN OF KANANGA ON APRIL 14, 2025 AT THE SESSION HALL.

Present : Honorable Miguel Jorge P. Tan  
Honorable Fernando M. Aseo  
Honorable Resurreccion C. Capanas  
Honorable Brenzon C. Cabintoy  
Honorable Alma N. Orfano  
Honorable Rudy B. Cogay  
Honorable Minerva M. Bulawit  
Honorable Richie C. Cruz  
Honorable Allan C. Espinosa  
Honorable Victoriano L. Globa

Vice-Mayor/Presiding Officer  
SB Member /Floor Leader  
SB Member  
SB Member  
SB Member  
SB Member  
SB Member  
SB Member  
SB Member

Honorable Mary Daniela L. Cubero

Liga Ng Mga Barangay  
President/Ex-officio Member  
Pambayang Pederasyon Ng Sangguniang  
Kabataan President/Ex-officio Member

Absent : Honorable Rudy B. Cogay(On official leave)

SB Member

### **ORDINANCE NO. 23L.25-078** **Series of 2025**

#### **AN ORDINANCE MANDATING THE USE OF PREEMPTIVE MEASURES DURING EMERGENCY SITUATIONS SUCH AS FORCED EVACUATION DURING MAN-MADE OR NATURAL DISASTERS AND PROVIDING GUIDELINES THEREOF.**

*Authored by: SBM Hon. Resurreccion C. Capanas*

#### **PREFATORY STATEMENT**

**WHEREAS**, it has been a national policy under Section 2(a) of RA 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010" to uphold the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impacts;

**WHEREAS**, the Local Government Units (LGUs) are authorized under Section 16 of the Local Government Code of 1991, otherwise known as the General Welfare Clause, to "xxx exercise the powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare";

**WHEREAS**, Punong Barangays [Section 389 (b) (6)], Municipal Mayors [Section 444 (b) (viii)], City Mayors [Section 455 (b) (vii)], and Governors [Section 465 (b) (vit)] are all mandated under the Local Government Code of 1991 to carry such emergency measures as may be necessary during and in the after-math of man-made and natural disasters and calamities;

**WHEREAS**, Section 447 in relation to Section 16 of Local Government Code, empowers Sangguniang Bayan as the legislative body of the municipality to enact ordinances and adopt resolutions for the general welfare of the city and its inhabitants " xxx (iv) Adopt measures to protect the inhabitants of the municipality from the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of disasters or calamities and their return to production livelihood, following the said events;

**WHEREAS**, the LGUs, through their local sanggunians, are enjoined under DILG Memorandum Circular No. 2012-35 dated 21 February 2012 to cause the enactment of local ordinances for the

*[Handwritten signatures and initials at the bottom of the page]*



implementation of forced/pre-emptive evacuation as a resort when a disaster or emergency has been declared and danger of loss of lives is imminent within their areas of jurisdiction;

**WHEREAS**, the Municipality of Kananga has existing Ordinance No. 19L.13-58, Series of 2013, entitled "An Ordinance Implementing Forced Evacuations As A Resort When Disaster Or Emergency Has Been Declared In The Municipality Of Kananga And Danger Of Loss Of Lives Becomes Imminent, Providing Penalties Therefor And For Other Purposes", which needs to be amended to include other important provisions;

**WHEREAS**, the Municipal Government of Kananga is highly concerned with and committed at protecting the lives of its residents at all times and at mitigating the effects of man-made and natural disasters.

**SECTION 1. DECALARATION OF POLICY** – It is the declared policy of the Municipality of Kananga to always protect the lives of its residents and whenever possible mitigate the effects of man-made and natural disasters within the locality.

**SECTION 2. TITLE** – This ordinance shall be known as "**An ordinance mandating the use of preemptive measures during emergency situations such as forced evacuation during man-made or natural disasters and providing guidelines thereof.**"

**SECTION 3. DEFINITION OF TERMS:**

As used in this Ordinance:

- a) Disaster – shall mean the result of a natural or man-made event which causes loss of life, injury, and property damage, including but not limited to natural disasters such as hurricane, tornado, storm, flood, high winds, and other weather related events, and man-made disasters including but not limited to nuclear power plant incidents, hazardous materials incidents, oil spills, explosions, civil disturbances, public calamity, acts of terrorism, hostile military action and other events related thereto.
- b) Imminent danger – shall mean an immediate threat of harm.
- c) Designated Area – shall mean barangay halls or outposts as pick up points.
- d) Evacuation – shall mean an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and is considered dangerous for health or safety of the public.
- e) Evacuation Sites/Centers – shall means all public elementary and high school buildings, sports facilities such as covered courts and auditoriums, barangay hails and other public or private facilities.
- f) Forced evacuation – shall mean an evacuation ordered as a resort when a disaster or emergency has been declared and danger of loss of life is imminent, and conditions exists that critically imperil or endanger the lives of those in a defined area.
- g) Pre-Emptive Evacuation – means an order from competent authority to forcibly evacuate residents to an appropriate evacuation destination to forestall their exposure to an imminent disaster.
- h) Response Team – shall mean any concerted effort by two (2) or more agencies, public or private, to provide assistance or intervention before, during, or immediately after a disaster to meet the life preservation and basic subsistence needs of those people affected and in the restoration of public activities and facilities.
- i) Vulnerable or Marginal Groups – shall means individuals or group of people that face higher exposure to disaster risk and poverty including but not limited to women, especially pregnant women, youth, children especially the orphans and unaccompanied children, elderly, differently-abled people, indigenous people, the disadvantage families and individuals living in high risk areas and danger zones.

**SECTION 4. GUIDELINES.**

- a) The Kananga Disaster Risk Reduction Management Office, also known as MDRRMO, shall ensure that proper trainings, orientation on the possible natural hazards, vulnerabilities,

- and climate change risk as well as knowledge management activities on disaster risk reduction management and information dissemination regarding calamities and disasters, either natural or man-made, are fully organized and conducted at the barangay level.
- b) Trainings, orientations, and activities shall also be discussed in a language understood by the local residents.
  - c) Kananga Disaster Risk Reduction Management Office, also known as MDRRMO, and its counterpart in the barangay level shall also cause the posting and posters of trainings, orientations, activities and information at the conspicuous places of the Municipality of Kananga and barangays, the issuance of newsletters, brochures and pamphlets, and if possible, dissemination through radio and television advertisements.
  - d) During rainy season as declared by the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA), these trainings, orientations, activities, and information dissemination shall be intensified and made on a regular basis, especially in the areas that are vulnerable to flooding. Landslides and other natural disasters or calamities.
  - e) The foregoing trainings, orientation, activities, and information dissemination shall be intensified and made every June at the onset of the rainy season declared by the PAGASA. During the aforesaid trainings and orientations, the MDRRMO shall also discuss and highlight in Cebuano dialect RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010; DILG MC No. 2012-35 dated 21 February 2012 regarding the Guidelines in Ensuring Public Safety During Man-Made and Natural Disasters; this Ordinance; and other laws, rules and regulations on disaster risk reduction and management.

**SECTION 5. ENSURING PUBLIC SAFETY DURING MAN-MADE AND NATURAL DISASTERS.** – If upon the assessment or determination of the MDRRMC, forced or preemptive evacuation of residents is already necessary when a disaster or emergency has been declared and danger of loss of lives is imminent within the jurisdiction, said Council shall immediately make recommendation of such assessment or determination. Implementation of force/pre-emptive evacuation.

- a) The Municipal Mayor shall declare the use of pre-emptive measures such as forced evacuation. Force/pre-emptive evacuation shall be done only upon recommendation of the Kananga Disaster Risk Reduction Management Office after due consultation and coordination with the different government agencies such as, but not limited to, PAGASA, PHIVOLCS, DPWH and PNP and when a disaster for emergency has been declared and the danger of loss of lives is imminent within the area of jurisdiction of the Municipality of Kananga.
- b) If possible, the order for the pre-emptive/force evacuation must be thoroughly evaluated after consultation with different government, agencies, especially during rainy seasons. Forced/pre-emptive evacuation shall be announced to the vulnerable or marginalized groups in the area who will be affected at least two (2) hours before the commencement of the forced evacuation to give the affected individuals or groups to prepare their necessary needs or belongings.
- c) Vulnerable or marginalized groups in the identified danger zones or areas that are to be affected by the incoming typhoon or any other identified situation or event that may cause a disaster shall be temporarily relocated to evacuation sites or centers.
- d) Assistance from the private sectors such as private schools shall be secured. Temporary use of private school's sport facilities or auditorium may be requested if the need arises and if the shortage of evacuation sites exists.
- e) Barangay halls and outposts shall be designated as the pick-up points or areas. The MDRRMC shall take the lead in preparing for, responding to, and recovering from the effects of any disaster based on the criteria provided under Rule II, Section 1 of the Implementing Rules and Regulation of Republic Act 10121.
- f) Enlist the assistance of the Municipal Chief of Police, AFP Commander or Coast Guard, Municipal Fire Chief, Kananga Rescue Team, or any accredited community disaster volunteers (ACDVs) in preparation and enforcement of pre-emptive measures such as force evacuation before and during the disaster or calamity situations.



- g) Strict enforcement of the pre-emptive measures shall be done on the area/s affected or to be affected by man-made or natural disaster. The Barangay Chief Executive or any of barangay officials, who will as much as possible, be responsible in leading the response team composed of MCDRRMC team, the PNP or any enforcement agency, local rescue teams or volunteers. The responses shall make sure that no person has been left unaccounted in the area or allowed to return in the affected area without an order issued to this effect.
- h) If any from the vulnerable or marginalized groups does not adhere to the order of forced /pre-emptive evacuation and found within the danger or target area, he/she may be arrested and forcibly be taken as a means of ensuring his/her safety.
- The sick and the elderly people;
  - Differently abled people;
  - Pregnant women and children, especially the orphan and unaccompanied children;
  - Indigenous people
- i) Social services teams shall be on an alert status to monitor and provide services and necessary materials such as but not limited to beddings, blankets, clothing, foods, and medicine, to the victims in times of disasters or calamity, medical personnel shall also be on an alert status to provide medical assistance to the vulnerable or marginalized groups, and other persons that need immediate medical attention. In the aftermath of the calamity and/or man-made or natural disaster, the Municipal Government of Kananga shall extent any assistance that it can provide to victims for their rapid recovery.
- j) Response teams must be equipped with proper trainings and the necessary equipment suitable for a particular situation. The Municipal Government of Kananga may provide additional equipment and paraphernalia to the response team as maybe needed to properly and effectively respond to the needs of those affected by the calamity and/or man-man or natural disasters.

The Municipal Government of Kananga shall take full responsibility for the enhancement, welfare and protection of volunteers and shall submit the list to the Office of the Civil Defense through MDRRMO for accreditation and inclusion in the database of community disaster volunteers.

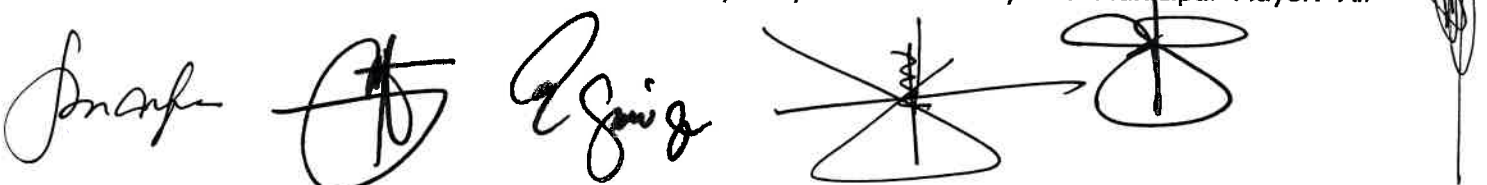
The Municipal Government of Kananga shall be responsible for providing insurance and necessary benefits to any volunteers who dies or sustain injury while engaged in any of activities defined in Republic Act 10121 otherwise known as the Philippine Risk Reduction Management Act of 2010.

- k) Residents shall only be allowed to return or go back to their homes upon the order of the Municipal Mayor through recommendation by the MDRRMC in consultation with different government agencies concerned and field personnel, after it has been determined that danger no longer exists therein.

#### SECTION 6. GUIDELINES IN IMPLEMENTING FORCED/PRE-EMPTIVE EVACUATION.

1. Forced/pre-emptive evacuation shall be carried out in a manner that is humane, respectful of the dignity of a person, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly, and persons with disabilities.
2. Personnel and volunteers carrying out the force/pre-emptive evacuation shall make sure that all measures are taken to inform the evacuees, in a manner and language that they can understand, of the need for the evacuation, the lack of other alternative for their safety, the place where they will be taken and the length of time of their evacuation;
3. Personnel and volunteers carrying out the forced/pre-emptive evacuation shall comply with other rules being promulgated by the Commission on Human Rights (CHR) for the protection of human rights of all persons.

SECTION 7. ENLISTMENT OF ASSISTANT OF OTHER GOVERNMENT AGENCIES – in declaring the implementation/enforcement of forced/pre-emptive evacuation, the members of the PNP, BFP and AFP assigned within the affected locality may be enlisted by the Municipal Mayor. All

A row of five handwritten signatures in black ink, likely representing the officials mentioned in Section 7: the Municipal Mayor and members of the PNP, BFP, and AFP.

emergency measures adopted shall be a coordinative and collaborative effort between the Municipal Government, BFP units and PNP units.

**SECTION 8. REFUSAL OF LOCAL RESIDENTS TO LEAVE THEIR HOMES OR, AFTER EVACUATING, GO BACK THEREIN WITHOUT AN ORDER ALLOWING THEM TO DO SO** - in the event that local residents refuse to leave their homes or after evacuating, go back to their homes/affected areas without an order Issued to this effect, the municipal government as well as the members of the mobilized units of the PNP, AFP, BFP and BJMP may use such physical force that is commensurate under the circumstances, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities, with the end view that lives are safely secured.

**SECTION 9. PENALTY CLAUSE** - Any public official found to violate any of the pertinent provisions of this Ordinance shall be subjected to a fine not exceeding Ph2,500 or imprisonment not exceeding 6 months or both in the discretion of the court, without prejudice to administrative sanctions as may be imposed under existing laws, rules and regulations.

**SECTION 10. COORDINATION.** - All emergency measures adopted shall be coordinative and collaborative effort between the concerned Municipal Officials of Kananga, The Philippine National Police (PNP) and the Bureau of Fire of Protection (BFP).

**SECTION 11. ADMINISTRATIVE SANCTIONS.** - DILG Memorandum Circular No. 2012-35 provides for the filing of appropriation administrative case against responsible local officials for non-compliance hereof.

**SECTION 12. SEPARABILITY CLAUSE.** - If any part or provisions of this Ordinance is found to be inconsistent with the Constitution, laws or decrees, other provisions hereof shall continue to be in force and effect.

**SECTION 13. REPEALING CLAUSE.** - Any ordinance, memo circulars, rules and regulations that are inconsistent herewith, including Municipal Ordinance No. 19L.13-58, Series of 2013, entitled "An Ordinance Implementing Forced Evacuations As A Resort When Disaster Or Emergency Has Been Declared In The Municipality Of Kananga And Danger Of Loss Of Lives Becomes Imminent, Providing Penalties Therefor And For Other Purposes", are hereby repealed or amended accordingly.

**SECTION 14. EFFECTIVITY.** - This ordinance shall take effect fifteen (15) days after its completion of its publication in a newspaper of general circulation.

**CARRIED UNANIMOUSLY.**

**APPROVED BY THE SANGGUNIANG BAYAN OF KANANGA AT ITS  
REGULAR SESSION ON APRIL 14, 2025.**

AYES : ( 09 )

NAYS : ( 0 )

**HON. FERNANDO M. ASEO**  
Sangguniang Bayan Member/ Floor Leader

**HON. BRENZON C. CABINTOY**  
Sangguniang Bayan Member

(On official leave)

**HON. RUDY B. COGAY**  
Sangguniang Bayan Member

**HON. RICHIE C. CRUZ**  
Sangguniang Bayan Member

**HON. RESURRECCION C. CAPANAS**  
Sangguniang Bayan Member/Asst. Floor Leader

**HON. ALMA N. ORFANO**  
Sangguniang Bayan Member

**HON. MINERVA M. BULAWIT**  
Sangguniang Bayan Member

**HON. ALLAN C. ESPINOSA**  
Sangguniang Bayan Member





**HON. VICTORIANO L. GLOBA**  
Liga Ng Mga Barangay President/  
*Ex-officio Member*

**HON. MARY DANIELA L. CUBERO**  
Pambayang Pederasyon Ng Sangguniang  
Kabataan President/*Ex-officio Member*

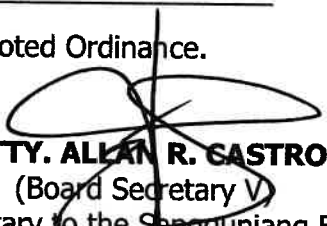
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I HEREBY CERTIFY to the correctness of the afore-quoted Ordinance.

ATTESTED:

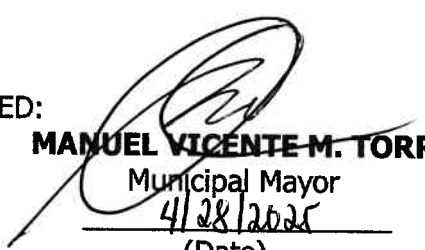


**MIGUEL JORGE P. TAN**  
Vice-Mayor & Presiding Officer



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

APPROVED:



**MANUEL VICENTE M. TORRES**  
Municipal Mayor  
4/28/2025  
(Date)



Attachment of Ordinance No. 23L.25-078  
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 April 2, 2025 at the Covered Court, Barangay Montebello, Kananga, Leyte)**

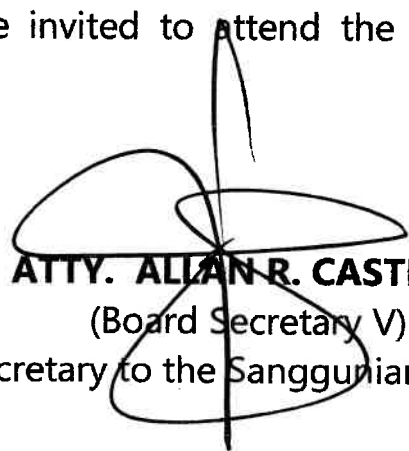
The public is hereby notified that a Public Hearing on the

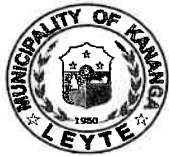
1. **ORDINANCE NO. 23L.25-078 – AN ORDINANCE MANDATING THE USE OF PREEMPTIVE MEASURES DURING EMERGENCY SITUATIONS SUCH AS FORCED EVACUATION DURING MAN-MADE OR NATURAL DISASTERS AND PROVIDING GUIDELINES THEREOF.**
2. **ORDINANCE NO. 23L.25-079 – AN ORDINANCE RECLASSIFYING LOT NO. 9581-F-1 LOCATED IN BRGY. MONTEBELLO, KANANGA, LEYTE WITH A TOTAL LAND AREA OF ONE (1) HECTARE, COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2024003959 FROM AGRICULTURAL TO COMMERCIAL LAND USE.**

will be conducted by the 23<sup>rd</sup> Sangguniang Bayan of Kananga on the **2<sup>nd</sup> day of April 2025, Wednesday, from 9:00 in the morning at the Covered Court, Brgy. Montebello Kananga, Leyte.**

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

21 March 2025

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



Republic of the Philippines  
Province of Leyte  
Municipality of Kananga  
0880

## Office of the Sangguniang Bayan

Telephone No. (053) 5539173  
Email Address: sbkananga6531@gmail.com

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April 28, 2025

### CERTIFICATE OF POSTING

#### TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that for the period April 28, 2025 to May 8, 2025 the copies of the **MUNICIPAL ORDINANCE NO. 23L.25-078 series of 2025, entitled: "AN ORDINANCE MANDATING THE USE OF PREEMPTIVE MEASURES DURING EMERGENCY SITUTATIONS SUCH AS FORCED EVACUATION DURING MAN-MADE OR NATURAL DISASTERS AND PROVIDING GUIDELINES 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 28<sup>th</sup> day of April, 2025 in Kananga, Leyte

  
**SAMMY JUNE NAVIA**  
Administrative Aide III





Republic of the Philippines  
Province of Leyte  
Municipality of Kananga  
(380)

*Office of the Liga ng mga Barangay*

April 28, 2025

## **CERTIFICATE OF POSTING**

### **TO WHOM THIS MAY CONCERN:**

THIS IS TO CERTIFY that this Office received copies of the Municipal Ordinance entitled:

**ORDINANCE NO. 23L.25- 078**

Series of 2024

**"AN ORDINANCE MANDATING THE USE OF  
PREEMPTIVE MEASURES DURING EMERGENCY  
SITUATIONS SUCH AS FORCED EVACUATION  
DURING MAN-MADE OR NATURAL DISASTERS AND  
PROVIDING GUIDELINES THEREOF.**

THIS IS TO CERTIFY FURTHER that the said copies of the Ordinance were posted in the Bulletin Boards of the 23 Barangays of the Municipality during the period April 28 to May 8, 2025.

Issued this 28<sup>th</sup> day of April, 2025 in Kananga, Leyte

**HON. VICTORIANO L. GLOBA**  
President, Liga ng mga Barangay



Republic of the Philippines  
Province of Leyte  
Municipality of Kananga  
-oOo-

## *Office of the Secretary to the Sangguniang Bayan*

MINUTES OF PUBLIC HEARING HELD BY THE SANGGUNIANG BAYAN ON APRIL 2, 2025 AT THE COVERED COURT, BRGY. MONTEBELLO, KANANGA, LEYTE FOR THE FOLLOWING MUNICIPAL ORDINANCES:

1. **ORDINANCE NO. 23L.25-078** – AN ORDINANCE MANDATING THE USE OF PREEMPTIVE MEASURES DURING EMERGENCY SITUATIONS SUCH AS FORCED EVACUATION DURING MAN-MADE OR NATURAL DISASTERS AND PROVIDING GUIDELINES THEREOF.
2. **ORDINANCE NO. 23L.25-079** – AN ORDINANCE RECLASSIFYING LOT NO. 9581-F-1 LOCATED IN BRGY. MONTEBELLO, KANANGA, LEYTE WITH A TOTAL LAND AREA OF ONE (1) HECTARE, COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2024003959 FROM AGRICULTURAL TO COMMERCIAL LAND USE.

(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, Barangay Council and Residents of concerned barangay, Representative from the Office of Municipal Planning, Lot owners nearby of lot no. 9581-F-1. And it was open at 10:12 in the morning with opening prayer led by SB Member Hon. Fernando M. Aseo and SB Secretary Atty. Allan R. Castro the master of the ceremony.

Atty. Castro presented first the Municipal draft Ordinance No. 23L.25-078. He said that the objective of the Municipality of Kananga to have a zero casualty, therefore there is a need an ordinance to adopt guidelines and to properly implement the same in order to mitigate the effects of man-made and natural disaster and calamities, and to provide relief services and assistance for victims. The Municipality of Kananga has existing Ordinance No. 19L.13-58, Series of 2013, entitled "An Ordinance Implementing Forced Evacuations As A Resort When Disaster Or Emergency Has Been Declared In The Municipality Of Kananga And Danger Of Loss Of Lives Becomes Imminent, Providing Penalties Therefor And For Other Purposes", which needs to be amended to include other important provisions.

Since there is no question and comment on the said ordinance, Atty. Castro presented another ordinance which is Ordinance No. 23L.25-079. He informed that this public hearing also conducted for the reclassification of lot located in your barangay. He presented the following required documents thru the projector.

- Letter of intent by Melchor T. Mariano;
- Copy of TCT No. 115-2024003959 Lot No. 9581-F-1, PSD-08-045038-D
- Copy of the Zoning Certification duly certified by Dr. Henry Nicolas dated October 21, 2024 that said parcels of land are zoned and classified as "Agricultural" as per approved CLUP and Zoning Ordinance of the Municipality;
- Copy of the Subdivision Plan of Lot 9581-F;
- Certification from the Municipal Agriculture Office signed by the Municipal Agriculturist Mr. Carlito J. Torreon dated December 23, 2024 certified that parts of the land were already utilized as garage, office, stockyard of various equipment and not suitable for agriculture use and ceases to be economically feasible.

- Certification from the National Irrigation Administration Central Office duly certified by Regional Manager that a parcel of land situated at Barangay Montebello is outside irrigation service area.
- Certification from the DENR-Community Environment and Natural Resources Office duly certified by CENR Officer dated January 22, 2025 that a parcel of land situated at Barangay Montebello is within/inside Alienable and Disposable Land.
- Certification from the DENR Region VIII-Eastern Visayas duly certified by Regional Executive Director dated January 22, 2025 that a parcel of land is "outside" in Network of Protected Areas System (NIPAS).
- Certification from the Department of Agrarian Reform signed by the MARPO certified that the parcel of land is not covered by CARP;
- Deed of Absolute Sale between Sps. Rogelio B. Calape and Aurelia A. Calape (Vendor) and Sps. Melchor T. Mariano and Ma. Elisa M. Mariano (Vendee)

Hon. Cabintoy(SB Member/Chairman of the Committee on Urban Development, Zoning and public Works) said that the existing laws, required the council to conduct public hearing at the location of the proposed site for reclassification. As the Chairman of the Committee on Urban Development, Zoning and Public Works we have an intensive perusal of the proposed reclassification jointly conducted by the Committee on Rules and Laws and after series of meetings and consultation, and the applicants' compliance of the required documents, positive view regarding the classification was recommended as embodied in the Joint Committee Report.

Hon. Capanas(Chairman of the Committee on Rules and Laws) said that Public Hearing is required to be held when agricultural land is being reclassified its uses and this is under Section 20 of the Local Government Code of 1991. Also the existing laws, required the council to conduct public hearing at the location of the proposed site for reclassification, so this is the purpose why we are here. This Public Hearing for ordinance reclassification of land owned by Mr. Melchor T. Mariano & Mrs. Ma. Elisa M. Mariano located in your barangay from Agricultural to Commercial. He read and explained the provision of Section 20 of RA 7160 to be clear by the residents of the said barangay.

Hon. Aseo (SB Member) said that reclassification of lot will also benefit the municipality and barangay in terms of income from real property taxes. Because when the agricultural lot reclassified its uses will be more valuable.

The closing and final message was rendered by the Punong Barangay of Brgy. Montebello Hon. Elna Y. Gabilan and public hearing formally ended at 11:14 in the morning.

Prepared by:

**MARISEL B. DIZON**  
Local Legislative Staff Assistant



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

**PUBLIC HEARING**

**ORDINANCE NO. 23L.25-078**  
(series of 2025)

AN ORDINANCE MANDATING THE USE OF PREEMPTIVE MEASURES DURING EMERGENCY SITUATIONS SUCH AS FORCED EVACUATION DURING EMERGENCY SITUATIONS SUCH AS FORCED EVACUATION DURING MAN-MADE OR NATURAL DISASTERS AND PROVIDING GUIDELINES THEREOF.


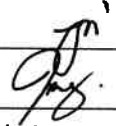
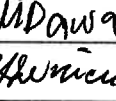
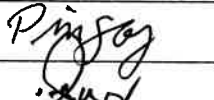
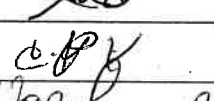
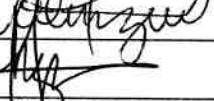
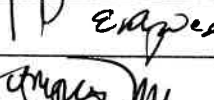
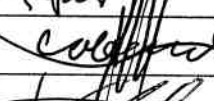
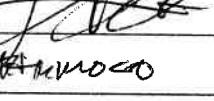
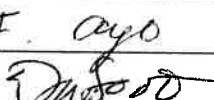


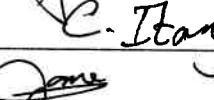
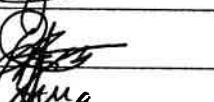
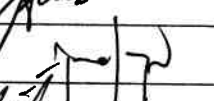
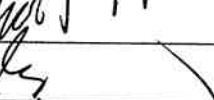
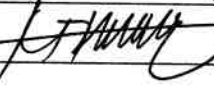



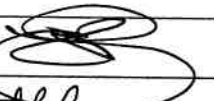



**ORDINANCE NO. 23L.25-079**  
(series of 2025)

AN ORDINANCE RECLASSIFYING LOT NO. 9581-F-1 LOCATED IN BARANGAY MONTEBELLO, KANANGA, LEYTE WITH A TOTAL LAND AREA OF ONE(1) HECTARE, COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2024003959 FROM AGRICULTURAL TO COMMERCIAL LAND USE.

**Covered Court, Barangay Montebello**  
**Kananga, Leyte**  
**April 2, 2025**  
**9:00 A.M.**

**Attendance Sheet**

NAME	OFFICE /ADDRESS	SIGNATURE
1. <u>EVELYN Y. ANGLAS</u>		<u>[Signature]</u>
2. <u>Adeline L. Masbate</u>	<u>Montebello</u>	<u>[Signature]</u>
3. <u>ANIS MARA PISOG</u>	<u>Montebello</u>	<u>[Signature]</u>
4. <u>Adela J. O. Manana</u>	<u>Montebello</u>	<u>[Signature]</u>
5. <u>Ramila S. Delacruz</u>	<u>Montebello</u>	<u>[Signature]</u>
6. <u>Brenda Garcia</u>	<u>Montebello</u>	<u>Brenda Garcia</u>
7. <u>Darlin Apayso</u>	<u>Montebello</u>	<u>Apayso</u>
8. <u>Mylyn Boley</u>	<u>Zone Mars</u>	<u>[Signature]</u>
9. <u>ROMULO L. ALKINO JR</u>	<u>Zone Mars</u>	<u>[Signature]</u>
10. <u>SERWIN C. DADY</u>	<u>Zone Mars</u>	<u>[Signature]</u>
11. <u>Belon P. Papa</u>		<u>Belon Papa</u>
12. <u>Andronio Judilla</u>	<u>Zone Mars</u>	<u>[Signature]</u>
13. <u>Pocsa, Bernilyn</u>	<u>Zone Earth</u>	<u>[Signature]</u>
14. <u>Diomedes A. Coches Jr</u>	<u>Zone Mars</u>	<u>[Signature]</u>
15. <u>TRIFINO C. CARATINGON JR</u>	<u>Zone Mars</u>	<u>[Signature]</u>

NAME	OFFICE/ADDRESS	SIGNATURE
16. <u>Mercedita D. Cabal</u>	Montebello Kananga City	
17. <u>DEPITA C. JUPILLA</u>	" "	
18. <u>ROSALIE C. POSTRATO</u>	"	
19. <u>Leonora M. Dawat</u>	"	
20. <u>Anna P. Alencinla</u>	Montebello	
21. <u>CRISTINA G. Pingoy</u>	"	
22. <u>Edwards A. Orellana</u>	"	
23. <u>Charito P. Villahermosa</u>	"	
24. <u>Edelyn J. Valenzuela</u>	"	
25. <u>Helen Caputal</u>	"	
26. <u>Dina A. Pasa</u>	"	
27. <u>Giulia L. Campos</u>	"	
28. <u>Emanuel Cabal</u>	Montebello Kananga City	
29. <u>DEMETRIO, REXIE</u>	" "	
30. <u>ROBERTO RAMOS</u>	"	
31. <u>Felisa Ayo</u>	"	
32. <u>Zenaida M. Soto</u>	"	
33. <u>Maria Lourdes C. Deng</u>	Montebello	
34. <u>MARISOL L. ESTOR</u>	"	
35. <u>PABLO TR. PABLO</u>	"	
36. <u>Cecilia D. Itang</u>	2 Mars	
37. <u>Ananor Ginobagon</u>	"	
38. <u>XABRO F. ROYAS</u>	EARTH	
39. <u>ARNEL T. SEVILLA</u>	SATURN	
40. <u>Jude malaga</u>	earth	
41. <u>MARMILO DAWAT</u>	EARTH	
42. <u>RICARDO CORDILLO</u>	Mars	
43. <u>ROY TRANCIA</u>	EARTH	
44. <u>MIGUEL JORGE P. TAN</u>	VICE-MAYOR	
45. <u>MA. LUISA MARIANO</u>	Kananga	
46. <u>AKI OLSUKA</u>	Kananga	
47. <u>Elyse Mariano</u>	Kananga	
48. <u>Yum Mariano</u>	Kananga	
49. <u>Urman Maandig</u>	Kananga	
50. <u>RAFAEL L. GARCIA</u>	"	
51. <u>Beatriz S. Habling</u>	Saturn	
52. <u>DARE X. PISON</u>	EARTH	

NAME	OFFICE/ADDRESS	SIGNATURE
53. <u>ALEX VILLAS</u>	<u>MONTICELLO</u>	<u>AV</u>
54. <u>Susan Rom-a</u>	<u>"</u>	<u>Rom-a</u>
55. <u>Prinidal A. Chello</u>	<u>Monticello</u>	<u>Prinidal A. Chello</u>
56. <u>GINA D. SALUDRE</u>	<u>SD STAFF</u>	<u>GS</u>
57. <u>MARISEL D. DITON</u>	<u>SD STAFF</u>	<u>MD</u>
58. <u>MILCA A. CAMINARE</u>	<u>SD STAFF</u>	<u>MC</u>
59. <u>ALLAN R. CASTRO</u>	<u>SD SECRETARY</u>	<u>AC</u>
60. <u>SAMMY JUNE NAVIA</u>	<u>SD STAFF</u>	<u>SN</u>
61. <u>MILIBZ JUREB TAN</u>	<u>VM</u>	<u>MT</u>
62. <u>TERNARDI AGED</u>	<u>VB</u>	<u>TA</u>
63. <u>REINARCON ORANAS</u>	<u>SB</u>	<u>RO</u>
64. <u>BRANDON CHERITY</u>	<u>SB</u>	<u>BC</u>
65. <u>MINERVA BULLADIT</u>	<u>SB</u>	<u>MB</u>
66. <u>ALLAN ESPINOSA</u>	<u>SP</u>	<u>AE</u>
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