



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

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PROVINCIAL LEGAL OFFICE

Item No.: 02
 Date: 30 2025 JUL

Province of Leyte
 Legaspi City
 Date: 29-2025
 By: [Signature]

Sangguniang Panlalawigan
 Province of Leyte

2nd INDORSEMENT

June 13, 2025

RECEIVED

Date: JUN 23 2025

By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 4, series of 2025 of the Sangguniang Bayan of La Paz, Leyte.

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

- Ordinance No. 4, series of 2025 entitled: **“An Ordinance adopting RA 11361 or the “Anti-Obstruction of Powerlines Act” and further strengthening its implementation in the Municipality of La Paz, Leyte,.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Section 447(a)(1)¹ of the Local Government Code of 1991 (R.A 7160) pursuant to RA 11361². However, Section 7 of the proposed Ordinance runs in contrary to Section 447(a)(1)(iii)³ of the same code. Hence, we recommend the amendment of the penalties contained therein.

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, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government,

² *“Anti-Obstruction of Power Lines Act.”*

³ (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
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
05 June 2025

Provincial Legal Office
2-30
6-5-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 4, series of 2025 of the Municipality of La Paz, Leyte**, entitled: **An Ordinance adopting Republic Act 11361 or the "Anti-Obstruction of Power Lines Act" and further strengthening its implementation in the Municipality of La Paz, Leyte.**


FLORINDA JILLS UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF LA PAZ
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OFFICE OF THE SANGGUNIANG BAYAN

05 June 2025



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Sangguniang Panlalawigan
Province of Leyte
Legislative Bldg., Capitol Complex
Palo, Leyte

Madam:

Respectfully submitting herewith copies of the **MUNICIPAL ORDINANCE NO. 04, SERIES OF 2025 - AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF LA PAZ, LEYTE** for review and perusal of that office.

Please acknowledge receipt hereof and requesting the same be given due course and appropriate action.

Early action hereon will be highly appreciated.

Thank you.

Very truly yours,

ERWIN M. CERNAL
Secretary of the Sangguniang Bayan



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF LA PAZ
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

05 June 2025

HON. LEONARDO "SANDY" JAVIER, JR.

Vice Governor and Presiding Officer

The Honorable Members

Sangguniang Panlalawigan

Province of Leyte

Legislative Bldg., Capitol Complex

Palo, Leyte

Dear Honorable Ladies and Gentlemen:

Respectfully submitting herewith copies of the **MUNICIPAL ORDINANCE NO. 04, SERIES OF 2025 - AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF LA PAZ, LEYTE** for review and perusal of that office.

Please acknowledge receipt hereof and requesting the same be given due course and appropriate action.

Early action hereon will be highly appreciated.

Thank you.

Very truly yours,

ERWIN M. CERNAL

Secretary of the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
 Municipality of La Paz
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OFFICE OF THE SANGGUNANG BAYAN

Sangguniang Panlalawigan
 Province of Leyte

RECEIVED
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MUNICIPAL ORDINANCE NO. 4
Series of 2025

AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI- OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF LAPAZ, LEYTE

Authored By: Hon. Oscar G. Tan-Piengco
*(Chairperson, Committee on Laws, Rules and Ethics,
 Good Government and Accountability)*

WHEREAS, the Philippine Congress on August 8, 2019 enacted Republic Act 11361 (R.A. 11361). "An Act Ensuring the Continuous and Uninterrupted- Transmission and Distribution of Electricity and the Protection of the Integrity and Reliability of Power Lines, and Providing Penalties for Violations Thereof", also referred to as the "Anti-Obstruction of Power Lines Act;

WHEREAS pursuant to Section 17 of Republic Act No. 11361." (hereinafter referred to as the "Act"), the Department of Energy (DOE), in consultation with the appropriate government agencies such as the National Electrification Administration (NEA), the National Power Corporation (NPC), Board of Electrical Engineering (BEE), National Transmission Corporation (TransCo), the Department of Public Works and Highways (DPWH), the National Housing Authority (NHA), the Department of Human Settlements and Urban Development (DHSUD), the Department of Environment and Natural Resources (DENR), the Philippine Coconut Authority (PCA), the National Commission on the Indigenous Peoples (NCIP), the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), concerned electric power industry stakeholders, and private stakeholders, and the Joint Congressional Energy Commission (JCEC), has issued, adopted and promulgated the Implementing Rules and Regulations (IRR) to implement the provisions of the Act;

WHEREAS the IRR of R.A. 11361 includes the general provisions to be followed in outlining the responsibilities of the owner or operator of power lines in the prevention and removal of power line obstructions located within any public or private property, with the ultimate objective of ensuring the continuous and uninterrupted conveyance of electricity;

WHEREAS, the Local Government Unit of La Paz has a compelling interest in ensuring that the power lines within the municipality located along the national highway and the interior barangays are free of obstructions to ensure the uninterrupted conveyance of electricity essential to sustain the municipality's economic development;

WHEREAS the Local Government Unit of La Paz acknowledges the crucial role of property owners in ensuring that power lines remain free of any dangerous and hazardous activities and improvements;

BE IT ENACTED BY THE SANGUNIANG BAYAN OF THE MUNICIPALITY OF LA PAZ IN SESSION ASSEMBLED, that:

SECTION 1. PURPOSE. To ensure the uninterrupted from DORELCO/LEYECO I power substations to the end-users-the member-consumer-owners, and protect the integrity and reliability of the Electric Cooperative's distribution systems by keeping the land beneath, the air spaces surrounding and the area traversed by power lines clear of dangerous obstructions.

SECTION 2. COVERAGE. This Ordinance shall cover all power lines and other related facilities for the conveyance of electricity throughout the Municipality of La Paz.

SECTION 3. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms are defined as follows:

- a) **Act** - refers to Republic Act No. 11361, otherwise known as the Anti- Obstruction of Power Lines Act;
- b) **Associated facilities** - refers to any or all of the equipment and other fixtures that are attached or connected with, and are integral to a power line, such as, but not limited to, poles, guys, crossarms, insulators, and conductors:
- c) **Conveyance of electricity** - refers to the delivery of electricity from the DORELCO/LEYECO I Power Substation to the premises of the end user. through power lines:
- d) **Distribution lines** - refer to the portion of the distribution system pertaining to the lines or wires:
- e) **Distribution system** - refers to the system of wires and associated facilities belonging to DORELCO/LEYECO | extending between the delivery points from the EC power substation and the connection to the premises of the end user:
- f) **Electric Cooperative or EC** - refers to DORELCO/LEYECO I, a duly organized and registered Electric Cooperative pursuant to Presidential Decree No. 269, as amended, otherwise known as the "National Electrification Administration Decree", holding the franchise to distribute electricity to thirteen (13) municipalities in Leyte, including La Paz; of electricity for its or use:
- g) **Hazardous activities** - refer to planting of plants and trees, burning of waste and other materials, excavation, quarrying, construction, and other activities of the same nature and character and regardless of purpose intended, which are performed partially/wholly inside the powerline corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity:
- h) **Hazardous improvements** - refer to plants, trees, structures, buildings and buildings of whatever kind, whether temporary or permanent in character, and regardless of purpose for which they are intended, which are located. partially or wholly, inside the Power Line Corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity:

- i) **Owner or Operator of Power Lines or Power Line Owner/Operator or PLO** - refers to DORELCO/LEYECO 1 having the ownership and/or responsibility for the operation and maintenance of the distribution power lines:
- j) **Power lines** - refer to transmission lines, sub-transmission lines, distribution lines, and other connection assets including the poles and towers used to support the lines, and other related facilities constructed or erected used for the purpose of conveyance of electricity:
- k) **Power line obstruction** - refers to any hazardous activity or hazardous improvement and other similar circumstances that threaten or endanger the continuous and uninterrupted conveyance of electricity:
- l) **Tall growing plants** - refer to plants, vines and other plant species, which grow or have the potential to grow more than three (3) meters in height from the ground:
- m) **Power Line Corridor (PLC)** - refers to and is constituted as the land beneath, the air spaces surrounding, and the area traversed by power lines, which shall be kept clear and free from any power line obstructions, dangerous structures, hazardous activities and improvements and other similar circumstances in accordance with the provisions of the Act.

SECTION 4. PROHIBITED ACTS. IT IS HEREBY DECLARED UNLAWFUL FOR ANY PERSON, WHETHER NATURAL OR JUDICIAL, PUBLIC OR PRIVATE TO:

- a) Plant or cause to be planted tall growing plants, including plants of whatever kind, variety, or height within the power line corridor;
- b) Construct or erect any hazardous improvements within the power line corridor;
- c) Conduct or perform any hazardous activities within the power line corridor
- d) Prevent or refuse duly authorized agents of the owner or operator of the powerline, entry to the property in the performance of acts enumerated under Section 5. Provided, that such entry is in accordance with the provision of Section 6 and;
- e) Perform other analogous acts or activities, which shall impair the conveyance of electricity and cause damage to power lines.

SECTION 5. PREVENTION AND REMOVAL OF POWER LINE OBSTRUCTION ON PUBLIC PROPERTY. In cases where the power line corridor is wholly or partially located within public property, DORELCO/LEYECO I shall have the right to enter the said property to prevent and remove any power line obstruction, and in particular, perform the following acts:

- a) To conduct maintenance and inspection activities within the power line corridor:
- b) To conduct repair or restoration activities within the power line corridor:
- c) To conduct trimming, pruning, cutting, or clearing activities for tall growing plants within the power line corridor without the need of securing prior clearance or permit from the Local Government Unit of La Paz
- d) To remove, dismantle, or demolish hazardous improvements in accordance with the National Building Code of the Philippines: Provided that such acts may be carried out without prior clearances or permit from, but with due notice to the Local Government Unit of Le Pe
- e) To stop, prevent, or prohibit the conduct of hazardous activities: and

- f) Perform other analogous acts or activities, which will cause the prevention and removal of any power line obstruction.

SECTION 6. PREVENTION AND REMOVAL OF POWER LINE OBSTRUCTION ON PRIVATE PROPERTY. DORELCO/LEYECO I shall have the primary duty and responsibility to remove power line obstructions. In cases where the power line corridor is wholly or partially located within a private property, the property owner shall coordinate and assist DORELCO/LEYECO I by facilitating the necessary access in order to perform the acts enumerated in Section 4. The property owner shall have the primary duty and responsibility to prevent power line obstructions and to inform DORELCO/LEYECO I of their existence. In the performance of these acts, the property owner shall be entitled to necessary assistance such as, but not limited to, education, and information, and technical and manpower support from DORELCO/LEYECO 1.

In the event that the property owner fails to perform any duty and responsibility under the preceding paragraphs, the owner or operator of the power lines shall have the right to access the power line corridor in order to undertake the acts enumerated under Section 4: Provided, however, That the NOTICE TO THE PROPERTY OWNER shall no longer be required to avert an imminent danger posed by a power line obstruction.

SECTION 7. PENALTIES. The following penalties shall be imposed upon a person, both natural and judicial, found guilty of committing any of the prohibited acts of specified in Sec. 4 of this Ordinance:

- a) **First Offense** - A fine of **TEN THOUSAND PESOS (₱10,000.00)**
- b) **Second Offense** - A fine of **TWENTY THOUSAND PESOS (₱20,000.00)**
- c) **Third and Succeeding Offenses** - A fine of **THIRTY THOUSAND PESOS (₱30,000.00)**

SECTION 8. ASSISTANCE FROM THE BARANGAY IN THE PERFORMANCE OF THIS ACTS UNDER SECTIONS 4 AND 5. DORELCO/LEYECO I shall coordinate and be assisted by the Barangay concerned where the clearing or removal of the line obstructions are being conducted.

The Barangay is mandated to provide assistance by way of providing manpower to augment the clearing crew / personnel of DORELCO/LEYECO 1.

The Barangay is mandated to keep its residents updated and notified of the clearing schedules as provided by DORELCO/LEYECO 1.

SECTION 9. DISPOSAL OF WASTE AND DEBRIS. Waste and debris which resulted from the removal of obstructions and other activities under this Ordinance shall be disposed of by the Barangay where the clearing or removal of line obstructions are conducted in accordance with the relevant barangay and municipal ordinances.

SECTION 10. SEPARABILITY CLAUSE. Any portion or provision of this Ordinance, which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect immediately upon approval.

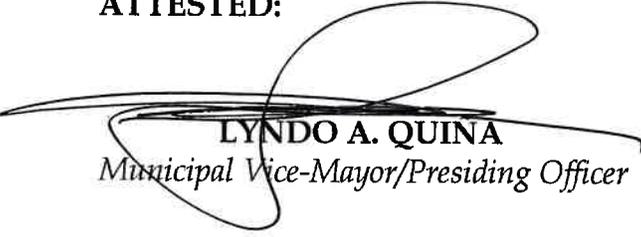
Enacted on : **May 26, 2025.**

I HEREBY CERTIFY to the correctness of the foregoing quoted Municipal Ordinance No. 4, series of 2025.



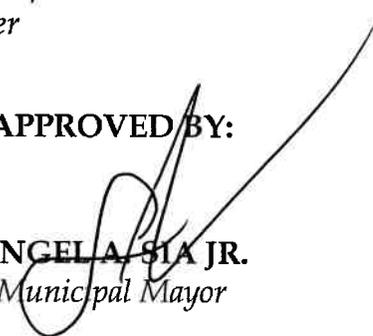
ERWIN M. CERNAL
Secretary to the Sanggunian

ATTESTED:



LYNDO A. QUINA
Municipal Vice-Mayor/Presiding Officer

APPROVED BY:



ANGELA A. SIA JR.
Municipal Mayor



Republic of the Philippines
 Province of Leyte
MUNICIPALITY OF LA PAZ
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OFFICE OF THE SANGGUNIANG BAYAN

**MINUTES OF THE PUBLIC HEARING OF THE PROPOSED MUNICIPAL ORDINANCE ADOPTING
 REPUBLIC ACT NO. 11361 OR THE ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER
 STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF LA PAZ, LEYTE HELD ON
 MAY 23, 2025 LEGISLATIVE BUILDING, OFFICE OF THE SANGGUNIANG BAYAN**

Present: (See Attendance Sheet attached)

The public hearing started at 11:00 in the morning and a short prayer was immediately led by the SB Secretary.

Honorable Oscar G. Tan-Piengco, Sangguniang Bayan member, Committee Chair of the Committee on Laws, Rules and Ethics, Good Government and Accountability discussed and explained before the attendees the provisions of the proposed **ORDINANCE ADOPTING REPUBLIC ACT NO. 11361 OR THE ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF LA PAZ, LEYTE**

After which, Honorable Tan-Piengco asked the attendees if they are in favor of the proposed penalties provided in Section 7 of the proposed municipal ordinance. Honorable Virgilio de la Cruz, Punong Barangay of Barangay Gimiranat West, this municipality, manifested that the said proposed penalties are just right to lessen and to minimize in incurring violations on the proposed ordinance.

There being no other questions, queries, and clarifications over the matter, Honorable Tan-Piengco, and the other members of the Sangguniang Bayan thanked the attendees of the public hearing.

Unanimously approved.


ARACEL P. GO
Sangguniang Bayan Member


RELY F. RELANO
Sangguniang Bayan Member

PIO S. BAROÑA
Sangguniang Bayan Member


FIONAH KIMBERLYN B. ACOMPAÑADO
*President, Pambarangay Pederasyon
 ng mga Sangguniang Kabataan*

I HEREBY CERTIFY to the correctness of the above-written **MINUTES**.


ERWIN M. CERNAL
Secretary to the Sanggunian

ATTESTED:

OSCAR G. TAN-PIENGCO, JD
SB Member/Author, Proposed Municipal Ordinance





Republic of the Philippines
Province of Leyte
MUNICIPALITY OF LA PAZ
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OFFICE OF THE SANGGUNIANG BAYAN

**ATTENDANCE OF THE PUBLIC HEARING ON THE MUNICIPAL ORDINANCES:
(MAY 23, 2025)**

- ✚ AN ORDINANCE DECLARING CABADIANGAN, GIBUGA, URIBANG, INBAWON, PILIWAY, MOROBORO. KAPULA-AN AND TALURAG-UN RIVERS AND OTHER TRIBUTARIES OF WATER FOR BIODIVERSITY AND CONSERVATION AREAS, FOR THE PURPOSE OF PROTECTION AND PRESERVATION AND IMPOSE PENALTY FOR VIOLATIONS THEREOF
- ✚ AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF LA PAZ, LEYTE
- ✚ AN ORDINANCE REGULATING AND PROHIBITING THE USAGE OF "SINGLE USE OF PLASTIC BAGS" WITHIN THE MUNICIPALITY OF LA PAZ, LEYTE AND PRESCRIBING PENALTIES
- ✚ AN ORDINANCE ADOPTING THE MIGRANT WORKERS ACT AND PROVIDING
- ✗ MEASURES FOR THE PROTECTION AND WELFARE OF OVERSEAS OF FILIPINO WORKERS AND SEAFARERS FROM THE MUNICIPALITY OF LA PAZ, LEYTE

NAME	DESIGNATION	NAME OF BARANGAY	SIGNATURE
1. MA. EROENA DUPAW	P.B	QUI-ONG	
2. GILBERT M MERCADO	P.B	LUNEDA	
3. RUBEN B. LUNEDA	P.B	LIMBA	
4. JESSIE M. CALMADO	SBM	LUNEDA	
5. ARJAY Y. COVARTE	CBM	DIST. 3	
6. MARK LIGON BARRZ	SEC	DIST. 3	
7. IRENE M. ALMERIND	PB	PILIWA-1	
8. J CEL C. PERUERO	P.B	CALAGULSAN	
9. MARICEL F. QUILTA	P.B	LIMBA EAST	
10. CHARMAINE E. PONCE	P.B	CANBAMON	
11. MANGEL G. DACLIZON	P.B	PAWA	
12. Jerry F. Zamat	P.B	BACAWON	
13. MEMO LESTER D. CILAS	P.B	MAG-ASO	
14. Virginia L. Pitruca	P.B.	Boneyfad	Virginia L. Pitruca

15.	Elisberdo Mustafas	P.B	Mustafas	Mustafas
16.	Virgilio A. Dela Cruz	P. B.	Grin - Must	podilacy
17.	Mylene C. Balisacan	J.O	SB Staff	↑
18.	Jyka Mae Cortel	J.O	SB Staff	↓
19.	NANETH P. ALDRON	J.O	SB STAFF	Mustafas
20.	Felen Mae Bahiza	J.O	SB STAFF	pl.
21.	ANGELISA L. OROSO	J.O	SB STAFF	abuya
22.	Angelica S. Leona	J.O	SB STAFF	
23.	ERWIN M. CERCUAL	SB SEC.	SB SEC	Mustafas
24.	IFREN E. PINGOL	MEMRO-Designate		Mustafas
25.	PIONAH KIMBERLYN P. ACOMPARADO	SK PED. PRES.	PIST. 9	Mustafas
26.	EDGARDO VALDEZ	V.O	SB STAFF	Mustafas
27.	NOMISA C. MAMCOT	J.O	SB STAFF	Mustafas
28.	Rio Si Pascual		S.B	Mustafas
29.	SORIANO ANTONIO	MORADO-OK	SPANISH ART	Mustafas
30.	ARACELI P. CAV	SB Member	SB La Paz	Mustafas
31.	RELLY F. ROMAN	SB Member	SB La Paz	Mustafas
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Republic of the Philippines
Province of Leyte
MUNICIPALITY OF LA PAZ
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **POSTING** in prominent places in the Municipal Hall and other conspicuous places in the locality was undertaken and copies of said ordinances was remain posted for three (3) consecutive weeks pursuant to Section 59 (b) of Republic Act 7190, in relation on the ordinance - **MUNICIPAL ORDINANCE NO. 04, SERIES OF 2025 - AN ORDINANCE ADOPTING REPUBLIC ACT 11361 OR THE "ANTI-OBSTRUCTION OF POWER LINES ACT" AND FURTHER STRENGTHENING ITS IMPLEMENTATION IN THE MUNICIPALITY OF LA PAZ, LEYTE.**

Subject ordinance is being forwarded to that Body for review in compliance with Section 56 of Republic Act 7160.

ISSUED this 05th day of June 2025 at the office of Sangguniang Bayan, La Paz, Leyte.

Very truly yours,

ERWIN M. CERNAL

Secretary of the Sangguniang Bayan