



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Item No.: 20

Date: 05 2025 AUG

Province of Leyte
 Provincial Capitol
 Tacloban City
 Date: 7 2 25

Sangguniang Panlalawigan
 Province of Leyte
RECEIVED
 Date: JUL 03 2025
 By: Jenni Vi

2nd INDORSEMENT
 June 30, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 1, series of 2025 of the Sangguniang Bayan of Abuyog, Leyte.

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

- Ordinance No. 1, 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 Abuyog, 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. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

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

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

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

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
27 June 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 01, series of 2025 of the Municipality of Abuyog, 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 Abuyog, Leyte.**


FLORINDA J. JYVICO
Secretary to the Sanggunian



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan Secretary

June 20, 2025

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Legislative Building
Capitol Grounds
Tacloban City



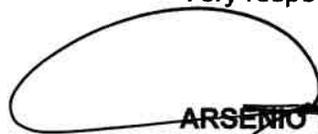
Ma'am:

Respectfully transmitting herewith as attached Ordinances of the Sangguniang Bayan of Abuyog, Leyte for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte, to wit:

1. **ORDINANCE NO. 01, s. 2025**
"An Ordinance Adopting Republic Act 11361 or the "Anti-Obstruction of Power Lines Act" and Further Strengthening its Implementation in the Municipality of Abuyog, Leyte"
2. **ORDINANCE NO. 02, s. 2025**
"An Ordinance Authorizing the Local Chief Executive of the Municipality of Abuyog, Leyte to Grant Incentives to Board Passers, Topnotchers, and Course Review Team Members of the Teachers Education Program in Pursuance to Abuyog Community College (ACC) Board of Trustees Resolution No. 39, Series 2024 and its Implementing Rules and Regulations (IRR)"
3. **ORDINANCE NO. 06, s. 2025**
"An Ordinance Providing for A Community-Based Mental Health Program and Delivery System in the Municipality of Abuyog, Leyte Establishing Mechanisms and Guidelines for its Implementation, and Appropriating Necessary Funds Therefor"
4. **ORDINANCE NO. 07, SERIES 2025**
"An Ordinance Strengthening the Implementation of Republic Act No. 7883, Otherwise Known as the "Barangay Health Workers Benefits and Incentives Act of 1995" and Providing Funds for this Purpose"

Thank you and more power.

Very respectfully yours,


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary

SP



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 1ST REGULAR SESSION OF THE 19TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON JANUARY 7, 2025

PRESENT:

Hon. James L. Bohol	Municipal Vice-Mayor, Prsdg. Officer
Hon. Jeannette A. Valida	SB Member, Prsdg. Pro-tempore
Hon. Antonio C. Almendra, Jr.	SB Member
Hon. Arnold R. Allera	SB Member
Hon. Patrocinio A. Risos, Jr.	SB Member
Hon. Editha C. Deloy	SB Member
Hon. Edmundo P. Saño	SB Member
Hon. Francisco B. Landia	SB Member, Floor Leader
Hon. Erwin V. Belleza	SB Member
Hon. Dario P. Lleve	SB Member, ABC President
Hon. Melliza Jane C. Traya	SB Member, SK Ped. Pres.

ABSENT:

None

ORDINANCE NO. 01, SERIES 2025

Sponsor: Honorable Arnold R. Allera
Chairman, Committee on Public Utilities & Facilities



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

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 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 Abuyog 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 Abuyog 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 SANGGUNIANG BAYAN OF ABUYOG, LEYTE IN SESSION ASSEMBLED

ORDINANCE NO. 01, S. 2025

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

SECTION 1. Purpose. To ensure the uninterrupted conveyance of electricity 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 Abuyog, Leyte.

SECTION 3. Definition of Terms. For the purpose of this Ordinance, the following terms are defined as follows:

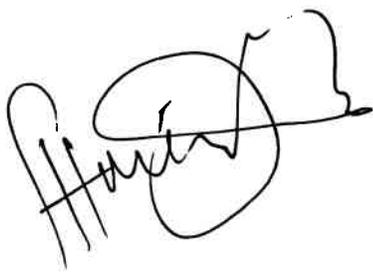
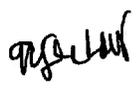
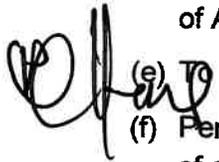
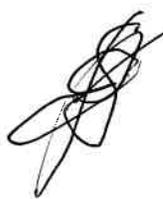
- a.) "Act" refers to Republic Act No. 11361, otherwise known as the "Anti-Obstruction of Power Lines Act";
- b.) "Associated facilities" refers to any or all of the equipment and other fixtures that are attached or connected with, and are integral to a power line, such as, but not limited to poles, guys, corssarms, 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 I 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 municipality of Abuyog, Leyte;



- g.) "End user" refers to any person entity requiring the supply and delivery of electricity for its own use
- h.) "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;
- i.) "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;
- j.) "Owner or Operator of Power Lines" or "Power Line Owner/Operator" or "PLO" refers to DORELCO/LEYECO I having the ownership and/or responsibility for the operation and maintenance of the distribution power lines;
- k.) "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;
- l.) "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;
- m.) "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;
- n.) "Power line corridor (PLC)" refers to and is constituted as the land beneath, the air space 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. 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 Auyog, Leyte
- (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 Abuyog, Leyte;
- (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 5. 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 perform 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 I.

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 6. Assistance from the Barangay – In the performance of this acts under Section 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 I.

The barangay is mandated to keep its residents updated and notified of the clearing schedules as provided BY DORELCO/LEYECO I

Section 7. 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 8. 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 9. Effectivity – This Ordinance shall take effect immediately upon approval.

ENACTED: This 7th day of January 2025.

HEREBY CERTIFY to the correctness of the foregoing ordinance.


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary











ATTESTED:


HON. JAMES L. BOHOL
Municipal Vice Mayor, Prsdg. Officer


HON. JEANNETTE A. VALIDA
SB Member, Prsdg. Pro-Tempore


HON. ANTONIO C. ALMENDRA, JR.
SB Member


HON. ARNOLD R. ALLERA
SB Member

HON. PATROCINIO A. RISOS, JR.
SB Member


HON. EDITHA C. DELOY
SB Member


HON. EDMUNDO P. SAÑO
SB Member

HON. FRANCISCO B. LANDIA
SB Member, Floor Leader

HON. ERWIN V. BELLEZA
SB Member


HON. DARIO P. LLAVE
SB Member/ ABC Fed. President


HON. MELLIZA JANE C. TRAYA
SB Member/ SK Ped. Pres.

APPROVED:


HON. LEMUEL GIN K. TRAYA
Municipal Mayor