

Item No.: 18

Date: 10 9 2025 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Date: 9.2.25

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: SEP 03 2025

By: Jenni M.

2nd INDORSEMENT

August 20, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-011 of the Sangguniang Bayan of Calubian, Leyte.

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

- Ordinance No. 2025-011 entitled: “**An Ordinance Amending and Revising Municipal Ordinance No. 2024-24 of Calubian, Leyte**”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution¹, subject to the availability of funds and to normal and regular accounting and auditing procedures. 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 (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
30 July 2025

Province of Leyte
Legal Office
Date: 7-30-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-011** of the **Municipality of Calubian, Leyte**, entitled: **An Ordinance amending and revising Municipal Ordinance No. 2024-24 of Calubian, Leyte** entitled: **"An Ordinance amending Section 5A.07 of Municipal Ordinance No. 2023-01** entitled: **"An Ordinance revising the Municipal Revenue Code of Calubian, Leyte, lowering the penalties to be imposed thereto."**


FLORINDA J. S. JYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian
-00-

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: 1 JUL 30 2025
By: Ferrera

OFFICE OF THE SANGGUNIANG BAYAN

July 29, 2025

HON. LEONARDO M. JAVIER, JR.
Provincial Vice Governor, Presiding Officer; and
The Honorable Members of the Sangguniang Panlalawigan
Province of Leyte
New Leyte Provincial Capitol
Palo, Leyte

THRU: MS. FLORINDA JILL S. UYVICO
Provincial Government Department Head
Secretary to the Sanggunian
Province of Leyte

Dear Honorable Ladies/ Gentlemen:

Good day!

We are respectfully forwarding *fifteen (15) copies* of the following Municipal Ordinances and its supporting attachments for favorable review and approval of the Honorable Sangguniang Panlalawigan of Leyte, to wit:

1. **Municipal Ordinance No. 2025-008:** An Ordinance on Collection of Corresponding Barangay Clearance Fee in the Application for any Business Related Transactions
2. **Municipal Ordinance No. 2025-009:** An Ordinance To Ensure an Effective Implementation To Regulate and Address Noise Pollution within the Municipality of Calubian, Leyte.
3. **Municipal Ordinance No. 2025-010:** An Ordinance Amending and Revising Municipal Ordinance No. 2024-23 of Calubian, Leyte Entitled: "An Ordinance Regulating the Holding of Discos and Benefit Dances", lowering the penalties to be imposed thereto.
4. **Municipal Ordinance No. 2025-011:** An Ordinance Amending And Revising Municipal Ordinance No. 2024-24 Of Calubian, Leyte Entitled: "An Ordinance Amending Section 5a.07 Of Municipal Ordinance No. 2023-01 Entitled "An Ordinance Revising The Municipal Revenue Code Of Calubian, Leyte, lowering the penalties to be imposed thereto.
5. **Municipal Ordinance No. 2025-012:** An Ordinance Amending Section 6 of the Municipal Ordinance No. 2023-09, entitled "An Ordinance Implementing The Utilization Of PhilHealth TB-DOTS Benefit Package Receipts And Accruing To The Trust Fund Of The Local Government Unit (LGU) of Municipality of Calubian, Leyte, as amended" previously amending Municipal Ordinance No. 2023-05.

For your perusal. Please acknowledge receipt hereof.

Thank you.

Very truly yours,

ATTY. KEISHA YNA VINEE V. RAMIREZ
MGDH I (Secretary to the Sanggunian)



Republic of the Philippines
PROVINCE OF LEYTE
 Municipality of Calubian
 -00-

Sangguniang Panlalawigan
 Province of Leyte
RECEIVED

Date: JUL
 By: [Signature]



OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE ONE HUNDRED THIRTIETH (130th) REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON JUNE 16, 2025 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

PRESENT:

- | | |
|--|---------------------|
| <i>Vice Mayor Anna Love Veloso – Laurente</i> | - Presiding Officer |
| <i>SB Member Jullian Marc A. Batiancela</i> | - Member |
| <i>SB Member Noel G. Eamiguel</i> | - Member |
| <i>SB Member Eugenio A. Ching, Jr.</i> | - Member |
| <i>SB Member Ester P. Lubiano</i> | - Member |
| <i>SB Member Julia E. Halichic</i> | - Member |
| <i>SB Member Lucita A. Palconit</i> | - Member |
| <i>Liga ng mga Barangay Pres. Alfredo M. Casas</i> | -Member |
| <i>SK Fed. Pres. Carl Ernest D. Ponce</i> | - Member |

ON LEAVE:

- | | |
|--|----------|
| <i>SB Member Benjamin A. Calbitaza</i> | - Member |
| <i>SB Member Alyza F. Nierras</i> | - Member |

ORDINANCE NO. 2025-011

AN ORDINANCE AMENDING AND REVISING MUNICIPAL ORDINANCE NO. 2024-24 OF CALUBIAN, LEYTE ENTITLED: “AN ORDINANCE AMENDING SECTION 5A.07 OF MUNICIPAL ORDINANCE NO. 2023-01 ENTITLED “AN ORDINANCE REVISING THE MUNICIPAL REVENUE CODE OF CALUBIAN, LEYTE, LOWERING THE PENALTIES TO BE IMPOSED THERETO.

*INTRODUCED BY: COMMITTEE ON FINANCE AND APPROPRIATIONS
 HON. JULLIAN MARC A. BATIANCELA*

- HON. NOEL G. EAMIGUEL
 HON. JULIA E. HALICHIC
 HON. ESTER P. LUBIANO*

WHEREAS, after a public hearing conducted on October 7, 2024, the Honorable Sangguniang Bayan enacted Municipal Ordinance No. 2024-24 entitled: “An Ordinance Amending Section 5A.07 of Municipal Ordinance No. 2023-01 entitled “An Ordinance Revising the Municipal Revenue Code of Calubian, Leyte” on October 17, 2024 during the 98th Regular Session, which was later on approved by the Municipal Mayor Hon. Marciano A. Batiancela, Jr. on October 29, 2024;

WHEREAS, the Sangguniang Panlalawigan, in its Resolution No. 2024-526 during the 115th Regular Session held on December 3, 2024 stated:

“xxx Ordinance No. 2024-24, is in need of further review considering that the proposed amendment establishes the penalties as Php 5,000, Php 8,000 and Php 10,000 for the 1st, 2nd and 3rd Offense, respectively, in contravention with Section 447 (a)(iii) of the Local Government Code. Hence, further review or revision of the proposed Ordinance;

[Signature]
 HON. JULLIAN MARC A. BATIANCELA
 SB Member

[Signature]
 HON. LUCIA A. PALCONIT
 SB Member

[Signature]
 HON. EUGENIO A. CHING, JR.
 SB Member

[Signature]
 HON. CARL ERNEST D. PONCE
 SK Federation President

[Signature]
 HON. ESTER P. LUBIANO
 SB Member

[Signature]
 HON. ALFREDO M. CASAS
 Liga ng mga Barangay Pres.

[Signature]
 HON. JULIA E. HALICHIC
 SB Member

WHEREAS, the August Body, deemed it proper to return said ordinance to SB of origin; xxx

RESOLVED, as it is hereby resolved, to RETURN TO THE SANGGUNIANG BAYAN OF ORIGIN ORDINANCE NOS. XXX 2024-24 OF CALUBIAN, LEYTE, FOR FURTHER REVIEW ON THE PENALTY PROVISION."

WHEREAS, Section 447 (a)(1)(iii) of the Local Government Code provides that the Sangguniang bayan shall "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", hence, there is a need to revise the aforementioned municipal ordinance;

WHEREAS, Municipal Ordinance No. 2024-24 is hereby adopted in its entirety but is however revised only as to the lowered penalty provision. Moreover, this Ordinance, upon approval of the Honorable Sangguniang Panlalawigan shall be published in lieu of the Municipal Ordinance No. 2024-24;

NOW, THEREFORE, on motion of SB Member Hon. Julia E. Halichic, duly seconded by Hon. Eugenio A. Ching, Jr., and the Majority of all the Sangguniang Bayan members present;

BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sangguniang Bayan of Calubian, Leyte in session assembled, that:

SECTION 1. AMENDMENTS. Section 5A.07 of Municipal Ordinance No. 2023-01 is HEREBY AMENDED, to wit:

Section 5A.07. Privilege of Residents to Take Fish in Municipal Waters. Any person who is not a grantee of a license or privilege to engage in commercial fishing is hereby allowed for domestic use in the Municipal Waters.

Any person who violates the Fishing Ordinance shall be charged a penalty of:

<i>First Offense</i>	<i>Php 1, 000.00</i>
<i>Second Offense</i>	<i>Php 1, 500.00</i>
<i>Third Offense</i>	<i>Php 2,500.00</i>

SECTION 2. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby, shall continue to be in full force & effect.

SECTION 3. REPEALING CLAUSE. All ordinances, rules, and regulations, other issuances or parts thereof which are inconsistent with this Ordinance is hereby repealed, most specifically provisions under Municipal Ordinance No. 2024-24.

SECTION 4. EFFECTIVITY. This Ordinance shall take effect after fifteen (15) days from posting and publication, immediately upon approval of the Municipal Mayor and the Honorable Sangguniang Panlalawigan of Leyte.

HON. JULIAN MARC A. BATAÑCELA

SB Member

HON. NOEL G. EAMIGUEL

SB Member

HON. LUCITA A. PALCONIT

SB Member

HON. EUGENIO A. CHING, JR.

SB Member

HON. CARL ERNEST D. PONCE

SK Federation President

HON. ESTER P. LUBIANO

SB Member

HON. ALFREDO M. CASAS

Liga ng mga Barangay Pres.

HON. JULIA E. HALICHIC

SB Member

Approved.

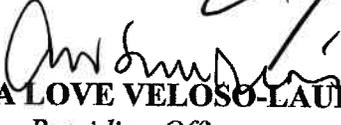
Ordinance No. 2025-011

APPROVED, this 16th day of June, 2025 at Calubian, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

ATTY. KEISHA YNA VINEE V. RAMIREZ
MGDHI (Secretary to the Sanggunian)

ATTESTED BY:


HON. ANNA LOVE VELOSO-LAURENTE
Presiding Officer


HON. JULIAN MARC A. BATIANCELA
SB Member


HON. NOEL G. EAMIGUEL
SB Member


HON. EUGENIO A. CHING, JR.
SB Member


HON. ESTER P. LUBIANO
SB Member


HON. JULIA E. HALICHIC
SB Member

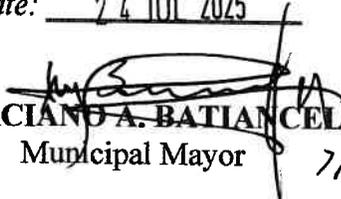

HON. LUCITA A. PALCONIT
SB Member


HON. CARL ERNEST D. PONCE
SK Federation President


HON. ALFREDO M. CASAS
Liga ng mga Barangay Pres.

APPROVED:

Date: 24 JUL 2025


HON. MARCIANO A. BATIANCELA, JR.
Municipal Mayor 7/24/25







ATTENDANCE SHEET OF PUBLIC HEARING

June 09, 2025

Calubian Sports Complex

	NAME OF BRGY. CAPTAINS	ADDRESS	SIGNATURES	CONTACT NO.
1	EDILBERTO A. DUMASAPAL	ABANILLA		
2	IGNACIA S. PALAPAR	AGAS	<i>[Signature]</i>	
3	JUAN A. CATOR, JR.	ANISLAGAN		
4	EDWIN O. ROSALEJOS	BUNACAN		
5	RENATO A. AVENIR, JR.	CABALHIN		
6	SHERIE MAE H. CASILAGAN	CABALQUINTO	<i>[Signature]</i>	
7	OFELIA L. VILLAFLO	CABRADILLA		
8	EDUARDO C. CANEJA	CANEJA	<i>[Signature]</i>	09275598134
9	SIMEON M. QUEBEC	CANTONGHAO		
10	EUGENIO C. QUIMBO	CARUYUCAN	<i>[Signature]</i>	
11	EDGARDO S. PEDIDA	CASIONGAN		
12	ALFREDO M. CASAS	CRISTINA		
13	ESTERLINA C. BERDIDA	DALUMPINES	<i>[Signature]</i>	09277082135
14	GERARDO D. PADOGA	DON LUIS	<i>[Signature]</i>	
15	JOSEPHINE H. CASINAY	DULAO		
16	MA. LUISA M. AGDA	EFE/UL-OG	<i>[Signature]</i>	
17	BEBILYN S. LOVIANO	ENAGE	<i>[Signature]</i>	
18	RYAN C. CHENG	ESPINOSA	<i>[Signature]</i>	
19	LIEF ADRIAN A. SARTHOU	F.E. MARCOS		
20	JULIUS M. PATES	GARGANERA	<i>[Signature]</i>	09543901800
21	MADEL E. DEQUIÑO	GARRIDO		
22	REYNALDO B. DALUT	GUADALUPE	<i>[Signature]</i>	09773134159
23	BEN LEO C. RUÑA	GUTOSAN		
24	RAMON C. MOLLEJON	IGANG		
25	GEMALYN R. JAVIER	INALAD	<i>[Signature]</i>	
26	ARVIN P. LUBIANO	JUBAY		
27	EDITO P. DABALOS	JUSON		
28	JUNREL B. LARISMA	KAWAYANAN	<i>[Signature]</i>	
29	GRAPES S. SINCERO	K. BUGTONG		
30	ALONA B. BAGALLON	K. ROMUALDEZ	<i>[Signature]</i>	
31	BELINDA R. COLITA	LABTIC		
32	ROBERLLY P. BALANGATAN	LARAY	<i>[Signature]</i>	
33	LEANDRO D. PATES	M. VELOSO		
34	ISMAEL M. RUIZ	MAHAIT	<i>[Signature]</i>	
35	DHASRIL S. ESTACAAN	MALOBAGO		
36	REYNALDO V. CABILLAN	MATAGOK	<i>[Signature]</i>	
37	JASSIE B. EFE	NIPA		
38	ELISEO C. BETACHE	OBISPO		
39	KEENIE J. ALBINO	PADOGA		
40	JOSEFINA C. POLANGCOS	PAGATPAT	<i>[Signature]</i>	
41	GARRY C. GIGANTO	PANGPANG		
42	JESSICA B. NODALO	PATAG	<i>[Signature]</i>	
43	ATILANO D. ABAJON	PATES		
44	SAYLITA M. SOLITE	PAULA	<i>[Signature]</i>	

45	ENRIQUE L. ABAJON,SR.	PETROLIO		
46	NENITA G. BERMOY	RAILES		
47	MILAGROS G. ABILAR	TABLA		
48	DIOMEDES D. CARLOS	TAGHARIGUE		
49	ROGERO A. TALUA	T. POBLACION		
50	SILVESTRE C. ABAJON	TUBURAN		
51	GENESIS S. PONCE	VILLAHERMOSA		
52	EDERLINA C. EAMIGUEL	VILLALON		
53	JOSE E. TAPAYA, JR.	VILLANUEVA		



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian
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OFFICE OF THE SANGGUNIANG BAYAN



ATTENDANCE SHEET OF PUBLIC HEARING

June 09, 2025

Calubian Sports Complex

	NAME OF BRGY. SECRETARIES	ADDRESS	SIGNATURES	CONTACT NO.
1	REMEDIO C. CABALQUINTO JR.	ABANILLA	<i>[Signature]</i>	09675049450
2	MARIAN T. SANDIGAN	AGAS	<i>[Signature]</i>	
3	NIEGEL J. CATOR	ANISLAGAN		
4	BERNADETTE A. EVANGELISTA	BUNACAN	<i>[Signature]</i>	
5	LIEZEL B. ARANAS	CABALHIN	<i>[Signature]</i>	09997790803
6	WENIFREDA M. FIEL	CABALQUINTO	<i>[Signature]</i>	09578193209
7	JINNY ROSE A. CABRADILLA	CABRADILLA	<i>[Signature]</i>	09537093379
8	BELLA N. CATOR	CANEJA	<i>[Signature]</i>	
9	HERBERT F. GACMAN	CANTONGHAO	<i>[Signature]</i>	09750192305
10	LORENZA R. AÑASCO	CARUYUCAN	<i>[Signature]</i>	
11	JERRY T. JAMIN	CASIONGAN	<i>[Signature]</i>	
12	GLORIA M. LUNZAGA	CRISTINA	<i>[Signature]</i>	09165980971
13	ROWENA LACDAYING	DALUMPINES	<i>[Signature]</i>	096658335426
14	GERALDINE OLIMPO	DON LUIS	<i>[Signature]</i>	0977482851
15	CARLITO S. MALIPAY	DULAO		
16	TRINIDAD AYUBAN	EFE/UL-OG	<i>[Signature]</i>	09665415470
17	EVELYN A. ANSALE	ENAGE		
18	ROBERT C. LEE	ESPINOSA		
19	MOZELLE S. MENDOZA	F.E. MARCOS		
20	SHELLA M. BALTAR	GARGANERA	<i>[Signature]</i>	09368416852
21	BELLA V. MALAIT	GARRIDO	<i>[Signature]</i>	
22	SARAHJANE D. SALUT	GUADALUPE		
23	KYLA JANE GONZALES	GUTOSAN	<i>[Signature]</i>	
24	EDILYN D. UMPAD	IGANG		
25	ABEGAIL ELLE	INALAD	<i>[Signature]</i>	09273099124
26	LOURDES O. RIVERA	JUBAY	<i>[Signature]</i>	0915010594
27	ROWENA OROT	JUSON	<i>[Signature]</i>	09516327618
28	MARY ROSE L. EBRADA	KAWAYANAN	<i>[Signature]</i>	097041500157
29	LENIZA D. SALUDAR	K. BUGTONG		
30	DONALD GENOGUIN	K. ROMUALDEZ		
31	SIRA MAE R. MAYONO	LABTIC	<i>[Signature]</i>	
32	GENELYN MARTIZO	LARAY		0966 448 246
33	NILDA D. CATOY	M. VELOSO	<i>[Signature]</i>	
34	FE MARLENE C. MONTALBO	MAHAIT	<i>[Signature]</i>	
35	REZEL D. MADANGLOG	MALOBAGO		
36	JEANELYN REDOLOZA	MATAGOK	<i>[Signature]</i>	09958092685
37	REBECCA E. OLIVAR	NIPA	<i>[Signature]</i>	
38	ALLAN O. ABELLA	OBISPO	<i>[Signature]</i>	
39	EVANGELYN D. CASTILLO	PADOGA	<i>[Signature]</i>	09532382415
40	CRESILDA PONCE	PAGATPAT	<i>[Signature]</i>	
41	NERIE B. DELA PEÑA	PANGPANG	<i>[Signature]</i>	
42	DELIA CAHAYAGAN	PATAG	<i>[Signature]</i>	
43	ROWENA C. MOSCOSA	PATES	<i>[Signature]</i>	
44	IRISH A. COLITA	PAULA	<i>[Signature]</i>	0935 742 1014
45	CECIL C. LABTIC	PETROLIO	<i>[Signature]</i>	0946 976 9989
46	ALVIN B. MONTIVES	RAILES	<i>[Signature]</i>	0966-683-2937

47	IMELDA LUMAPAK	TABLA	<i>Imelda</i>	
48	ROSEMARIE B. JURILLA	TAGHARIGUE		
49	JENNELYN CAMARINES	T. POBLACION		
50	MARJHUN ABAJON	TUBURAN	<i>Marjhun</i>	
51	MARNELLE S. SABINAY	VILLAHERMOSA	<i>Marnelle Sabinay</i>	
52	WILMA N. EYAO	VILLALON	<i>Wilma N. Eyo</i>	
53	EDNA P. DASAS	VILLANUEVA	<i>Edna P. Dasas</i>	



ATTENDANCE SHEET OF PUBLIC HEARING

June 09, 2025

Calubian Sports Complex

	NAMES	ADDRESS	SIGNATURES	CONTACT NO.
1	MERCED B. MARIANO	Mariano SB		
2	MIRA Q. SUMAYO	Leip SB		
3	MARUARITA R. DAVE	SB		
4	Estel P. Suliano	S.B		
5	Margie H. Delgado	SB		
6	Rechelle D. Dacallas	SB		
7	JULIA E. HANLANE	Im		
8	MARIONA B. COTANGCO	MFO		
9	BIN & LINDA	LB		
10	AROU CROSA	ENOC		
11	Jonas Balan	S.B		
12	FRANCIS ANIM BOTE	SB		
13	Glenn D. tree	SB		
14	SULLAN BATANGA	SB		
15	ROLAND G. DELA CRUZ	VILLAHERMOSA		
16	ANIM PIONA	SB		
17	ANIM Cebu	SB		
18	Rubay S. Hadraque	SB		
19	Randy M. Siveral	DNG		
20	Dennis Robano			
21	Sango Halchie			
22	MARLOU BRACANTE	SB		
23	AROU CALIB			
24	MUSALO PAMPA	SB		
25	PCPT ALEXANDER C. ALONSO	PNP		
26	PSE RAOULPH C. CRUZ	PNP		
27	Louis T. Delgado	SB		
28				
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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

OFFICE OF THE SECRETARY
TO THE SANGGUNIANG BAYAN
sbsec0813.mgocalubian@gmail.com



CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY THAT the Municipal Ordinance No. 2025-011, entitled: "An Ordinance Amending And Revising Municipal Ordinance No. 2024-24 Of Calubian, Leyte Entitled: "An Ordinance Amending Section 5a.07 Of Municipal Ordinance No. 2023-01 Entitled "An Ordinance Revising The Municipal Revenue Code Of Calubian, Leyte, lowering the penalties to be imposed thereto." was posted on the Bulletin Board of the Sangguniang Bayan on July 28, 2025 and other conspicuous places in the Municipality of Calubian, Leyte, and it will remain posted therein for three (3) consecutive weeks.

THIS CERTIFICATION is issued in compliance with ARTICLE 114 of the Implementing Rules and Regulations of Regulations of Republic Act No. 7160.

ISSUED the 28th day of July, 2025 at the Municipality of Calubian, Leyte.

Very truly yours,


ATTY. KEISHAYNA VINEE V. RAMIREZ
MGDHI (Secretary to the Sanggunian)