

Republic of the Philippines
Province of Leyte
Palo, Leyte

EXPLANATORY NOTE

The implementation of externally initiated projects within local government units (LGUs) often proceeds without adequate consultation, alignment with local plans, or formal acceptance by the host LGU. This undermines the autonomy of municipalities, disrupts spatial coherence, and risks non-compliance with disaster risk reduction, climate resiliency, and permitting requirements.

This Ordinance seeks to institutionalize a framework that ensures LGU acceptance, meaningful consultation, and active involvement in all phases of project implementation. It reinforces the mandates of the Local Government Code, integrates climate and disaster risk considerations, and safeguards the integrity of local land use and zoning plans.

By requiring alignment with existing laws and local development frameworks, this measure promotes inclusive, transparent, and resilient governance across the Province of Leyte.

ORDINANCE NO. _____ 2025

AN ORDINANCE REQUIRING PRIOR ACCEPTANCE BY LOCAL GOVERNMENT UNITS (LGUs) OF PROJECTS TO BE IMPLEMENTED WITHIN THEIR TERRITORIAL JURISDICTION, MANDATING COMPLIANCE WITH CONSULTATION REQUIREMENTS UNDER THE LOCAL GOVERNMENT CODE, AND ENSURING ACTIVE LGU INVOLVEMENT IN PLANNING, IMPLEMENTATION, MONITORING, AND EVALUATION, INCLUDING ALIGNMENT WITH LOCAL DRRM PLANS, CLIMATE RESILIENCY FRAMEWORKS, LAND USE PLANS AND ZONING ORDINANCES.

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WHEREAS, Section 26 and 27 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandate prior consultation and approval by LGUs before any project or program is implemented within their jurisdiction;

WHEREAS, the autonomy of LGUs must be respected and strengthened through mechanisms that ensure territorial integrity, participatory planning, and transparent project governance;

WHEREAS, the increasing frequency of climate-related hazards necessitates that all projects integrate disaster risk reduction and climate resiliency measures aligned with the LGU's DRRM Plan and the Climate Change Act of 2009 (RA 9729);

WHEREAS, the Comprehensive Land Use Plan (CLUP) and Zoning Ordinance of each LGU serve as the spatial blueprint for sustainable development and must be upheld in all project siting and design decisions;

WHEREAS, the issuance of permits, licenses, and locational clearances is a legal requirement that ensures regulatory compliance, environmental safeguards, and community protection;

WHEREAS, the Province of Leyte recognizes the need to institutionalize a harmonized framework for LGU acceptance, consultation, and involvement in all externally initiated projects to promote inclusive, resilient, and lawful development;

NOW THEREFORE, be it ordained by the Sangguniang Panlalawigan of Leyte, in session duly assembled:

SECTION 1. TITLE - This Ordinance shall be known as the "LGU Acceptance and Spatially-Aligned Project Governance Ordinance of Leyte."

SECTION 2. DECLARATION OF POLICY - It is the policy of the Province of Leyte to:

- a. Uphold LGU autonomy and territorial integrity;
- b. Ensure that all projects are aligned with local priorities, plans, and legal frameworks;
- c. Promote inclusive, participatory, climate-resilient, and spatially coherent development through meaningful consultation and collaboration.

SECTION 3. COVERAGE - This Ordinance applies to all government-funded, donor-assisted, or privately initiated projects proposed for implementation within any municipality or city in the Province of Leyte.

SECTION 4. PRIOR ACCEPTANCE AND ENDORSEMENT - No project shall be implemented unless:

- a. The concerned LGU has formally accepted and endorsed the project via resolution or executive endorsement;
- b. A complete project brief and implementation plan has been submitted to the LGU;
- c. The project is demonstrably aligned with the LGU's Development Plan, Comprehensive Land Use Plan (CLUP) and/or Zoning Ordinance and Disaster Risk Reduction Management Plan.

SECTION 5. COMPLIANCE WITH CONSULTATION REQUIREMENTS - All projects must comply with Sections 26 and 27 of RA 7160:

- a. Prior consultation with affected communities;
- b. Prior approval of LGUs before implementation;
- c. Consultations must be documented and include barangay, CSO, and sectoral representatives.

SECTION 6. LGU INVOLVEMENT IN PLANNING AND IMPLEMENTATION - LGUs shall actively participate in:

- a. Planning and design;
- b. Implementation and supervision;
- c. Monitoring and evaluation.
- d. Project proponents must coordinate with LGU focal persons or technical working groups.

SECTION 7. ALIGNMENT WITH LOCAL DRRM PLANS, CLIMATE RESILIENCY, AND LAND USE FRAMEWORKS - Projects must:

- a. Align with the LGU's DRRM Plan;
- b. Integrate climate resiliency components;
- c. Comply with RA 9729 and relevant issuances;
- d. Be consistent with the LGU's CLUP and/or Zoning Ordinance, including land classification, density, and use restrictions.

SECTION 8. COMPLIANCE WITH PERMITS AND LICENSES - All necessary permits, clearances, and licenses must be secured from:

- a. Concerned LGUs, including zoning clearance and locational clearance;
- b. Relevant national agencies.

Non-compliance shall result in suspension or cancellation of project activities.

SECTION 9. IMPLEMENTING GUIDELINES - The following guidelines shall govern implementation:

- A. Submission and Review
 - Project proponents shall submit documents to the LGU at least 60 days prior to intended implementation;
 - LGUs shall review submissions within 15 working days and issue acceptance or request revisions;
 - Submissions must include a locational clearance and zoning compliance certificate issued by the Municipal/City Planning and Development Office.
- B. Consultation Process
 - LGUs shall convene public consultations with affected sectors;
 - Minutes, attendance sheets, and feedback summaries shall be submitted to the Sangguniang Bayan/Panlungsod.
- C. Planning and Coordination
 - LGUs shall designate focal persons or TWGs to coordinate with project implementers;
 - Joint planning workshops may be conducted to align objectives and timelines.

D. Monitoring and Evaluation

- LGUs shall conduct quarterly monitoring visits and submit reports to the Provincial Planning and Development Office (PPDO);
- Projects shall be evaluated based on compliance, impact, and alignment with local plans.

E. DRRM, Climate Resiliency, and Spatial Integration

- LGUs shall ensure project designs incorporate hazard mapping, adaptive infrastructure, and environmental safeguards;
- The PDRRMO or Municipal/City Planning Office as the case may be, shall validate integration with DRRM and CLUP frameworks.

F. Permit and License Compliance - LGUs shall maintain a checklist of required permits and licenses, including zoning and locational clearances.

- No project shall commence without full compliance, verified by the Municipal/City Engineering Office and the Business Permits and Licensing Office.

G. Provincial Oversight

- The PPDO and PDRRMO shall consolidate LGU reports, provide technical assistance, and recommend policy adjustments.
- An annual compliance audit shall be conducted and reported to the Sangguniang Panlalawigan.

SECTION 10. Administrative Sanctions - Violators shall be subject to:

- a. First Offense. A fine of Five Thousand Pesos (₱5,000.00) for each person involved and mandatory cessation of project activities, with a directive to rectify the violation within fifteen (15) calendar days;
- b. Subsequent Offenses – *Suspension of Permit, Accreditation, or any Privilege* granted if applicable, for a period not exceeding ninety (90) days, subject to review and recommendation by the Provincial Legal Office or the Local Government Unit concerned.
- c. Continuing Violation – Each day of non-compliance after the lapse of the rectification period shall constitute a separate offense, subject to an additional fine of three Thousand Pesos (₱3,000.00) per day for each person involved, with permanent suspension of project activities, and blacklisting from future engagements, subject to due process.

SECTION 11. SEPARABILITY CLAUSE - If any provision is declared invalid, the remainder shall remain in effect.

SECTION 12. EFFECTIVITY - This Ordinance shall take effect fifteen (15) days after publication and posting.