

Item No.: 04
Date: 07.2025 OCT



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE
Date: 9.24.25

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: SEP 29 2025
By: [Signature]

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
September 15, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-015, series of 2025 of the Sangguniang Bayan of Sta Fe, Leyte.

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

- Ordinance No. 2025-015, series of 2025 : **“An Ordinance requiring marriage applicant to plant at least 5 trees seedlings before marriage license or certificate shall be issued.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 16¹ of the Local Government Code of 1991 (R.A 7160). However, the Supreme Court has expressly addressed the issue of whether LGUs may impose additional requirements for marriage licenses through local ordinances. In **Solicitor General v. Metropolitan Manila Authority**², the Court held;

"To sustain the ordinance would be to open the floodgates to other ordinances amending and so violating national laws in the guise of implementing them. Thus, ordinances could be passed imposing additional requirements for the issuance of marriage licenses, to prevent bigamy; ... The list is endless, but the means, even if the end be valid, would be ultra vires."

Hence, further review of the proposed Ordinance is recommended.

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 Section 16. General Welfare. - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare.

² G.R. No. 102782

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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Legal Office
9-8-25

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST Indorsement
08 September 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-015, series of 2025** of the **Municipality of Santa Fe, Leyte**, entitled: **An Ordinance requiring marriage applicant to plant at least five (5) tree seedlings before marriage license or certificate shall be issued**

by

ANDREIS SANICO
Provl Govt. Asst Dept Head



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN SECRETARY

INDORSEMENT

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: SEP 05 2025
By: [Signature]

RESPECTFULLY FORWARDED to the Sangguniang Panlalawigan of the Province of Leyte, Tacloban City, the herein attachment *Municipal Ordinance No. 2025 – 015 (Series of 2025)* of the Sangguniang Bayan, this Municipality entitled “*An Ordinance Requiring Marriage Applicant to Plant Atleast Five (5) Tree Seedlings Before Marriage License or Certificate Shall be Issued*”, duly approved by said August Body on *August 11, 2025*, hereby recommending your appropriate favourable action.


JULIUS XERXES M. OBENQUE
Secretary to the Sanggunian

Copy Furnished:

- *The Municipal Mayor*
- *The Municipal Environment and Natural Resources*
- *The Municipal Civil Registrar*
- *All in Santa Fe, Leyte*



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN SECRETARY

CERTIFICATION OF POSTING

TO WHOM IT MAY CONCERN:

This is to certify that copies of Municipal Ordinance of the herein attached **“Municipal Ordinance No. 2025 – 015 (Series of 2025)** of the Sangguniang Bayan, this Municipality, entitled **“An Ordinance Requiring Marriage Applicant To Plant At Least Five (5) Trees Seedlings Before Marriage License Or Certificate Shall Be Issued”**, duly approved and/or enacted by said August Body on **August 11, 2025**, has been posted in at least three (3) conspicuous places in the municipality. One copy was posted at the bulletin board at the lobby of the municipal hall, one at the HRMO and one at the Municipal Gymnasium.

ISSUED this 3rd day of **September 2025** at Santa Fe, Leyte.


JULIUS XERXES M. OBENQUE
Secretary to the Sanggunian



Republic of the Philippines

Province of Leyte

MUNICIPALITY OF SANTA FE

OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 2025 - 015

AN ORDINANCE REQUIRING MARRIAGE APPLICANT TO PLANT AT LEAST FIVE (5) TREE SEEDLINGS BEFORE MARRIAGE LICENSE OR CERTIFICATE SHALL BE ISSUED

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Republic of the Philippines
Province of Leyte
MUNICIPALITY OF SANTA FE

OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 2025-015
SERIES OF 2025

AN ORDINANCE REQUIRING MARRIAGE APPLICANT TO PLANT AT LEAST FIVE (5) TREE SEEDLINGS BEFORE MARRIAGE LICENSE OR CERTIFICATE SHALL BE ISSUED

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: SEP 05 2025
By: [Signature]

AUTHOR : HON. AMIEL P. ENAGE
CO - AUTHORS: HON. RODEL L. AJETO
HON. ALVIN D. PETILLA
HON. GENY R. ESMERO
HON. BELEN C. CHUCA
HON. LEAH T. SALCEDA
HON. RICARDO D. FAJARDO
HON. LARRY S. ARUTA
HON. MARILOU L. MILITANTE
HON. JERALD LORENZ NARGA

HON. EDUARDO N. TOREROS
Presiding Officer/Municipal Vice-Mayor

WHEREAS, Article II, Section 16 of the Constitution of the Philippines provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, pursuant to the above provision, Republic Act No. 10176, "An Act Reviving the Observance of Arbor Day by Authorizing the Local Government Units the Responsibilities for Celebrating the Day Tree Planting as an Annual Event, mandates that all able-bodied citizens of the Philippines, who are at least 12 years old of age, shall be required to plant one (1) tree every year;

WHEREAS, it is the policy of the state to ensure the sustainable use, development, management, protection and conservation of the country's environment and natural resources for the enjoyment of the present and future generations;

WHEREAS, in response to the above policy, the Municipal Government promotes a healthier ecosystem by combating the ill effects of global warming;

WHEREAS, to avert irreversible consequences of human activities on the environment, the Municipal Government finds it imperative to make an urgent call upon the marriage applicants to plant trees before Marriage License/Certificate shall be issued;

GENERAL PROVISIONS

SECTION 1. TITLE. This ordinance shall be known as "AN ORDINANCE REQUIRING MARRIAGE APPLICANT TO PLANT AT LEAST (5) TREES SEEDLINGS BEFORE MARRIAGE LICENSE OR CERTIFICATE SHALL BE ISSUED".

SECTION 2. PURPOSE/OBJECTIVES. The purpose of this ordinance is to mandate the new couple applicant to plant trees in order to:

- a.) That all couple applicant shall be required to comply the tree planting of at least five (5) trees with pictures/videos showing the actual planting of the seedlings.
- b.) Combat the problem of the Municipality in terms of calamities being identified as one of the flood zone municipality.

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Republic of the Philippines
Province of Leyte
MUNICIPALITY OF SANTA FE

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2025-015
Dated August 11, 2025

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- c.) Help conserve and preserve mother nature for the present and future generations; and,
- d.) Instill in them the love and concern for the environment by planting trees.

SECTION 3. SCOPE. This Ordinance shall cover all individuals who intend to enter into marriage within the territorial jurisdiction of the Municipality of Santa Fe.

SECTION 4. AUTHORITY. This Ordinance is pursuant to Article II, Section 16 of the Constitution of the Philippines which provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accordance with the rhythm and harmony of nature and Republic Act No. 10176 or an Act Reviving the Observance of Arbor Day by Authorizing the Local Government Units the Responsibilities for Celebrating the Day for Tree Planting as an Annual Event which mandates that all able-bodied citizens of the Philippines, who are at least 12 years of age, shall be required to plant one (1) tree every year.

SECTION 5. DEFINITION OF TERMS. The following terms shall be defined as indicated herein when used in this ordinance;

1. **Tree**-Any tree as recommended by the Municipal Environment and Natural Resources Office and Department of Environment and Natural Resources
2. **Balanced and Healthful Ecology**-A term describing how the ecosystem is organized in a state of stability where species co-exist with other species and with their environment
3. **Ecosystem**- A system or a group of interconnected elements, formed by the interaction of a community of organization with their environment
4. **Global Warming**-An increase in the earth's average atmospheric temperature that causes changes in climate and that may result from the greenhouse effect
5. **Marriage License**-A written authorization for the marriage of two named people that is granted by a legally qualified government official or a legal document that is needed for a marriage

IMPLEMENTING REGULATION

SECTION 6. REGULATIONS.

1. All couple applicant is required to comply the tree planting of at least five (5) trees with pictures/video showing the actual planting of the seedlings as a condition for the issuance of the marriage license or certificate.
2. Couple applicant who cannot comply with the requirement will not be given a marriage license/certificate.

SECTION 7. IMPLEMENTING OFFICES.

A. Municipal Local Civil Registrar

1. Provide a mechanism in the implementation of the ordinance to the couple applicant,
2. Provide a list of couples who secured marriage license and who complied with the ordinance; and,
3. Recommend improvements or innovations on the implementation of the ordinance.

B. Municipal Environment and Natural Resources Office

1. Provide trees to be planted;
2. Identify the tree planting site;
3. Maintain a seedling nursery/seedling bank, where they could get their seedlings to be provided to those who would secure plant to be planted;
4. Conduct of site assessment and area preparation of the tree growing side;

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OFFICE OF THE SANGGUNIANG BAYAN

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Dated August 11, 2025

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5. Conduct orientation program for the general information of the participants;
6. Conduct periodic monitoring and evaluation and provide status report;
7. Assist in the provision of the appropriate species for the tree growing activities; and,
8. Coordinate with DENR, DA and DAR

C. Barangay Local Government Units (BLGUs) of Santa Fe, Leyte

1. Enact rules and regulations mandated to protect the planted trees;
2. Maintain a Seedling Nursery/Seedling Bank;
3. Penalize any person who, directly or indirectly, cause damage/destroy the trees planted in their respective barangays;
4. Conduct monitoring, evaluation and protection of planted trees at the established site;
5. Participate in the actual conduct of planting activities by the couple applicant;
6. Encourage community participation in knowing their roles, duties and responsibilities;
7. Conduct monitoring of social development and management program of implementation to ensure environmental protection in the identified area where trees shall be planted; and,
8. Assist the Municipal MENRO in monitoring and evaluation of trees planted in the identified areas

SECTION 8. CERTIFICATIONS. The Municipal Environment and Natural Resources Office will then issue a certificate of compliance to the applicant as proof in accordance with Section 6, which will be submitted to the Office of the Civil Registrar along with the other requirements for the release or issuance of marriage license.

FINAL PROVISIONS

SECTION 9. REPEALING CLAUSE. All other ordinances, resolutions, memoranda, orders and other issuances inconsistent with the provisions of this Ordinance are hereby repealed and modified accordingly.

SECTION 10. SEPARABILITY CLAUSE. If for certain reasons some provisions of this Ordinance are found to be invalid or unconstitutional, all other provisions hereof not affected thereby shall remain in full force and effect.

SECTION 11. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon its approval.

ENACTED this 11th day of August 2025 during the 6th Regular Session of the Sangguniang Bayan at the Sangguniang Bayan Session Hall, Santa Fe, Leyte.

Let copies of this Ordinance be furnished to the Office of the Municipal Mayor Hon. Amparo H. Monteza; to the Office of the Municipal Environment and Natural Resources Office of this LGU and to all other concerned for their guidance and appropriate action.

This ordinance is approved unanimously.


HON. AMIEL P. ENAGE
SB Member


HON. RODEL L. AJETO
SB Member





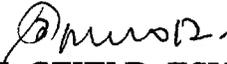
Republic of the Philippines
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OFFICE OF THE SANGGUNIANG BAYAN

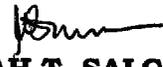
Continuation: Municipal Ordinance No. 2025-015
Dated August 11, 2025

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HON. ALVIN D. PETILLA
SB Member


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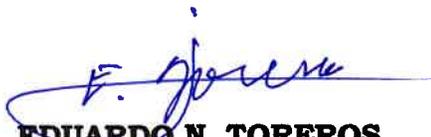

HON. MARILOU L. MILITANTE
ABC President


HON. JERALD LORENZ NARGA
SK Federation President

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


JULIUS XERXES M. OBENQUE
Secretary to the Sanggunian

ATTESTED BY:


HON. EDUARDO N. TOREROS
Municipal Vice Mayor
Presiding Officer

APPROVED:


HON. AMPARO H. MONTEZA
Municipal Mayor
Date: 9-2-25