



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
 October 3, 2025

Item No.: 23
 Date: 21 2025 OCT

Sangguniang Panlalawigan
 Province of Leyte
RECEIVED
 Date: OCT 13 2025
 By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2, series of 2025 of the Sangguniang Bayan of Abuyog, Leyte.

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

- Ordinance No. 2 entitled: **“An Amendatory Ordinance amending Section 4 of Ordinance No. 12 series of 2024.”**

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. 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 *X*

¹ (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Province of Leyte
Legal Office
Date: 9.29.25

1ST INDORSEMENT
29 September 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 02, series of 2025 of the Municipality of Abuyog, Leyte**, entitled: **An amendatory Ordinance amending Section 4 of Ordinance No. 12, series of 2024 authorizing the Municipal Treasurer to collect Barangay Clearance fees and/or locational clearance of the Municipality of Abuyog, Leyte.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



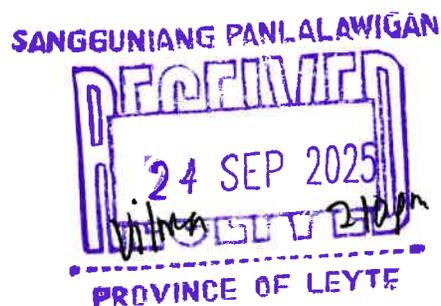
Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan Secretary

September 23, 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 Ordinance No. 10, series 2024 of the Sangguniang Bayan of Abuyog, Leyte RE: "AN AMENDATORY ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 12, SERIES 2024, AUTHORIZING THE MUNICIPAL TREASURER TO COLLECT BARANGAY CLEARANCE FEES AND/OR LOCATIONAL CLEARANCE OF THE MUNICIPALITY OF ABUYOG, LEYTE" for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte.

Thank you and more power.

Very respectfully yours,


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 11TH REGULAR SESSION OF THE 20TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON SEPTEMBER 9, 2025.

PRESENT:

- | | |
|-------------------------------|--------------------------------------|
| Hon. Dario P. Lleve | Municipal Vice Mayor, Prsdg. Officer |
| Hon. Lemuel Vincent D. Tan | SB Member, Prsdg. Pro-tempore |
| Hon. Felicito V. Topia, Jr. | SB Member |
| Hon. Ma. Amelia C. Gacis | SB Member |
| Hon. Ofelia K. Traya | SB Member |
| Hon. Rodulfo M. Cabilas | SB Member, Floor Leader |
| Hon. Roy Percival M. Perez | SB Member |
| Hon. Patrocinio A. Risos, Jr. | SB Member |
| Hon. Erwin V. Belleza | SB Member |
| Hon. Melliza Jane C. Traya | SB Member, SK Fed. President |

ABSENT:

- | | |
|-------------------------|---|
| Hon. John Bill V. Traya | SB Member, ABC President
(Official Travel) |
|-------------------------|---|

ORDINANCE NO. 02, S. 2025

Sponsor: Hon. Erwin V. Belleza

AN AMENDATORY ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 12, SERIES 2024, AUTHORIZING THE MUNICIPAL TREASURER TO COLLECT BARANGAY CLEARANCE FEES AND/OR LOCATIONAL CLEARANCE OF THE MUNICIPALITY OF ABUYOG, LEYTE

BE IT ORDAINED by the 20th Sangguniang Bayan of Abuyog, Leyte in Session Assembled, that

SECTION 1. Title. This Ordinance shall be known as the 2025 Amendatory Ordinance Amending Section 4 of Ordinance No. 12, series 2024, Authorizing the Municipal Treasurer to Collect Barangay Clearance Fees and/or Locational Clearance of the Municipality of Abuyog, Leyte.

SECTION 2. That Section 4 of Ordinance No. 12, s. 2024 shall be now be read as follows; to wit:

SECTION 4. Rate of Barangay Clearance Fee - The rate of the Barangay Clearance Fee to be collected by the Municipal Treasurer for the issuance of the Barangay Clearance Fee. Shall be:

For New Business: P300.00

For Renewal:

With gross sales or receipts for the preceding calendar year in the amount of	Amount of Barangay Clearance Fee Per Annum
Not Exceeding 40,000	= 330.00
40,001 - 100,000	= 440.00
100,001 - 300,000	= 660.00
300,001 - 1,000,000	= 990.00
1,000,001 - 2,000,000	= 1,320.00
Exceeding 2,000,000	= 1,500.00

SECTION 3. Repealing Clause. Ordinance No. 12, series 2024 is hereby amended, all other ordinance or resolution inconsistent herewith is hereby repealed or modified accordingly.

SECTION 4. Effectivity. This Ordinance shall take effect immediately upon approval.

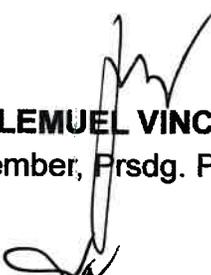
APPROVED: September 9, 2025

I HEREBY CERTIFY to the correctness of this Ordinance No. 02, s. 2025 which was duly enacted by the 20th Sangguniang Bayan during its Regular Session held on September 9, 2025.


ARSENIO T. VILLOTE
Sangguniang Bayan Secretary

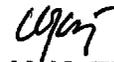
ATTESTED:

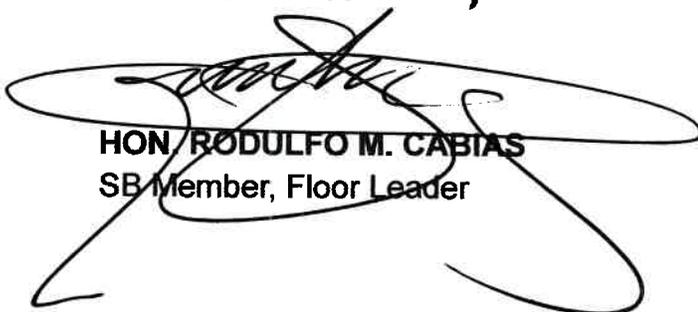

HON. DARIO P. LLEVE
Municipal Vice Mayor, Prsdg. Officer


HON. LEMUEL VINCENT D. TAN
SB Member, Prsdg. Pro-tempore


HON. FELICITO V. TOPIA, JR.
SB Member


HON. MA. AMELIA C. GACIS
SB Member


HON. OFELIA K. TRAYA
SB Member

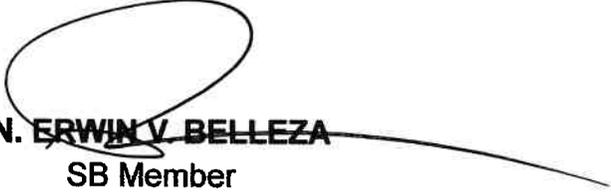

HON. RODOLFO M. CARIAS
SB Member, Floor Leader


HON. ROY PERCIVAL M. PEREZ
SB Member





HON. PATROCINIO A. RISOS, JR.
SB Member


HON. ERWIN V. BELLEZA
SB Member


HON. JOHN BEL V. TRAYA
SB Member / ABC Fed. President


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

APPROVED:


HON. LEMUEL GIN K. TRAYA
Municipal Mayor

SEP 22 2025



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 24TH REGULAR SESSION OF THE 19TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON JUNE 18, 2024

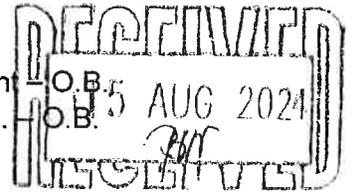
PRESENT:

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. 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

ABSENT:

Hon. Patrocinio A. Risos, Jr.	SB Member – O.B.
Hon. Dario P. Llave	SB Member, ABC President
Hon. Melliza Jane C. Traya	SB Member, SK Fed. Pres.

SANGGUNIANG PANGALAYANG



PROVINCE OF LEYTE

ORDINANCE NO.12, SERIES 2024

AN ORDINANCE AUTHORIZING THE MUNICIPAL TREASURER TO COLLECT BARANGAY CLEARANCE FEES IN THE APPLICATION FOR THE ISSUANCE OF BUSINESS PERMITS AND/OR LOCATIONAL CLEARANCE OF THE MUNICIPALITY OF ABUYOG, LEYTE

Be it ordained by the Sangguniang Bayan of Abuyog, Leyte in session assembled that;

Section 1. COVERAGE. This policy applies only to the issuance of Barangay Clearance for Business permits and Locational Clearance as a requirement for the issuance of Building Permit at the Municipality of Abuyog, Leyte. Other clearances for other purposes shall still be obtained at the barangay.

Section 2. DEFINITION OF TERMS. The words and phrases used in this Ordinance are hereby defined as follows:

Barangay Clearance – refers to any and all documents issued by the barangays with or without corresponding fees as defined in their ordinances relative to, or in relation, to the issuance of business permit and locational/zoning clearance by the municipality, or any other permit as may be required.

Barangay Clearance Fee – is an amount imposed by the barangays through an ordinance and collected by the municipality in relation to the issuance of business permit and locational clearance by the municipality.

Business Permit – is a document that must be secured from the municipal government, through its Business Permits and Licensing Office (BPLO), for a business to legally operate in the locality.

Locational Clearance – is a clearance issued by the Zoning Administrator/Zoning Officer to a project that is imposed under the provisions of an existing Zoning Ordinance of the municipality. It is a requirement for the issuance of Building Permit.

Section 3. AUTHORITY TO COLLECT BARANGAY CLEARANCE FEE. The Municipal Treasurer of the Municipality of Abuyog, Leyte is hereby authorized to collect Barangay Clearance Fees, subject to the remittance of the fees collected to the respective barangay.

Section 4. RATE OF BARANGAY CLEARANCE FEE TO BE COLLECTED. The rate of the Barangay Clearance Fee to be collected by the Municipal Treasurer for the issuance of the clearance shall be computed in accordance with the subject Barangay Revenue Ordinance of a specific barangay.

Section 5. BARANGAY CLEARANCE SIGNATORY. Electronic signature of the Punong Barangay concerned shall appear in all barangay clearance issued.

Section 6. REPORTING AND REMITTANCE. The Municipal Treasurer shall remit the Barangay Clearance Fee collected to the subject barangay not later than seven (7) working days of the ensuing month, together with the list of the issued Building and Business Permit.

Section 7. SEPARABILITY CLAUSE. If for any reason, a part of this Ordinance is declared illegal or invalid, other parts or provisions hereof which are not affected thereby, shall remain valid and in full force and effect.

Section 8. REPEALING CLAUSE. All Ordinances and rules/regulations which are inconsistent with the provisions of this Ordinance are hereby deemed, modified and/or repealed accordingly.

Section 9. EFFECTIVITY CLAUSE. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local circulation.

ENACTED: This 18th day of June 2024.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ARSENIO J. VILLOTE
Sangguniang Bayan Secretary

ATTESTED:


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


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


HON. ARNOLD R. ALLERA
SB Member


HON. EDITHA C. DELOY
SB Member


HON. ANTONIO C. ALMENDRA, JR.
SB Member

HON. PATROCINIO A. RISOS, JR.
SB Member – O.B.


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 – O.B.

HON. MELLIZA JANE C. TRAYA
SB Member, SK Fed. Pres. – O.B.

APPROVED:



HON. LEMUEL GIN K. TRAYA
Municipal Mayor

