

Item No.: 26
Date: 21 2025 OCT



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
10-13-25

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: OCT 13 2025
By: Jenni Vi

2nd INDORSEMENT
October 3, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 02, 2025 of the Sangguniang Panlungsod of Baybay City, Leyte.

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

- Ordinance No. 02, 2025: **“An Ordinance establishing the Binaybayon Enterprise Division, providing funds therefore and for such other purpose.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 454(c)¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 76² subject to availability of funds and Civil Service rules and regulations. 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 (c) The sangguniang panlungsod may:

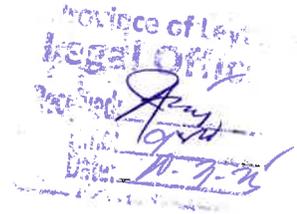
- (1) Maintain existing offices not mentioned in subsections (a) and (b) hereof;
- (2) Create such other offices as may be necessary to carry out the purposes of the city government; or
- (3) Consolidate the functions of any office with those of another in the interest of efficiency and economy.

² Section 76. Organizational Structure and Staffing Pattern. - Every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
03 October 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **City Ordinance No. 02, S. 2025 of the City of Baybay, Leyte**, entitled: **An Ordinance establishing the Binaybayon Enterprise Division, providing funds therefore and for such other purpose.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
 -000000-



OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 * panlungsodsangguniang@gmail.com

Province of Leyte
RECEIVED
 Date: OCT 03 2025
 By: [Signature]

October 2, 2025

The Sangguniang Panlalawigan
 Province of Leyte
 Tacloban City

Sir/Madam

I am pleased to transmit herewith the Hard copies of City Ordinance No. 02, S. 2025 of the Sangguniang Panlungsod of Baybay City:

It is hoped that said Ordinance is in order and therefore, merits your kind consideration.

Thank you very much.

[Signature]
 ATTY. VIVIAN E. VIDALLON
 SP Secretary

Incl.: as stated



Republic of the Philippines
 PROVINCE OF LEYTE
CITY OF BAYBAY
 -000000-



OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road. Brgy. Gaas, Baybay City, Leyte 6521 * panlungsodsangguniang@gmail.com

7TH SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 02, S. 2025
 7TH Regular Session

Sangguniang Panlalawigan
 Province of Leyte
RECEIVED
 Date: OCT 03 2025
 By: _____

AN ORDINANCE ESTABLISHING THE BINAYBAYON ENTERPRISE DIVISION, PROVIDING FUNDS THEREFORE AND FOR SUCH OTHER PURPOSE

Authored by: Hon. Dominic Junie F. Murillo / Atty. Ernesto M. Butawan

WHEREAS, Section 18 of the Local Government Code provides that LGUs has the power and authority to generate their own resources of revenue;

WHEREAS, pursuant to Section 22(d), LGUs enjoy full autonomy in exercising proprietary functions and in managing economic enterprises;

WHEREAS, Section 76 of the Local Government Code provides that every LGU shall design and implement its own organizational structure and staffing pattern, considering service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission;

WHEREAS, Section 454(c) of the Local Government Code authorizes the Sangguniang Panlungsod to maintain existing offices not mentioned in subsections (a) and (b); Create other offices as may be necessary to carry out the purposes of the city government; or Consolidate the functions of any office with those of another in the interest of efficiency and economy;

WHEREAS, Section 458(a)(viii) of the Local Government Code vests in the Sangguniang Panlungsod the authority to establish positions and prescribe the salaries, wages, allowances, and other benefits of officials and employees whose compensation is drawn wholly or principally from city funds, as well as to appropriate expenditures necessary for the effective implementation of the city government's programs, projects, services, and activities;

WHEREAS, the City Government of Baybay, under its banner program to increase farm produce and increase farmers income, has engaged in agricultural production especially high value crops, langka, kamote, and tilapia culture and other agricultural products which will be processed into delicacies, food or food supplements and offer to the public for sale;

WHEREAS, there is a need to institutionalize the mechanisms for the procurement of raw materials, processing system, sales, distribution, and collection, thus the "Binaybayon Enterprise Division" is hereby


 CARMEN L. CARI
 SP Member


 EDGARDO R. OMPLOY
 SP Member


 FULTON I. ARRADAZA
 SP Member


 SIMONE L. ASTORGA
 SP Member


 DOMINIC JUNIE F. MURILLO
 SP Member


 JOSE L. BACUSMO
 SP Member


 RAMON RONALD J. VELOSO
 SP Member


 ATTY. JOSE ROMMEL A. PENARANDA
 SP Member


 EDUARDO R. GUINOCOR
 SP Member


 JULES C. CARI
 President, LICA ng mga Barangay
 Ex-Oficio SPM


 KYLA SHANNON T. VIDAL
 SK Chair, City Federation
 Ex-Oficio SPM

created to ensure transparency, accountability, and sustainability of the enterprise;

NOW THEREFORE, on motion of SP MEMBER HON. DOMINIC JUNIE F. MURILLO, seconded by SP MEMBER HON. JOSE L. BACUSMO.

BE IT ORDAINED, by the 7TH Sangguniang Panlungsod, that on August 14, 2025, during its 7th Regular Session at the Session Hall, an ordinance is hereby adopted, to wit:

ARTICLE 1: GENERAL FRAMEWORK OF THE "BINAYBAYON ENTERPRISE DIVISION".

Section 1. TITLE - This ordinance shall be known as "AN ORDINANCE ESTABLISHING THE BINAYBAYON ENTERPRISE DIVISION, PROVIDING FUNDS THEREFORE AND FOR SUCH OTHER PURPOSE"

Section 2. Creation of the BINAYBAYON ENTERPRISE DIVISION. The Binaybayon Enterprise Division (BED) is hereby created as one of the divisions under the City Enterprise Management Office of the Local Government Unit of Baybay City, Leyte. The BED shall primarily manage all economic enterprise activities initiated by the City Government involving agricultural products produced or processed in the City of Baybay.

Section 3. Statement of Policy - The City of Baybay shall endeavor to establish viable economic enterprises that are self-reliant and are able to augment its resources, generate employment opportunities, and uplift the socio-economic well-being of the agricultural farmers of Baybay City;

Section 4. BED Officer - BINAYBAYON ENTERPRISE DIVISION shall be headed by the Binaybayon Enterprise Division Officer (BEDO) with the rank and salary equivalent to salary grade 22 OR 18 (SG 22 OR 18), subject to Civil Service rules and regulation, with the following qualification standard:

- a. A Filipino citizen;
- b. An accounting graduate or any graduate of a four year bachelor degree;
- c. A first-grade civil service eligible or its equivalent; and
- d. With two-year work experience in the government service or private sector;

Section 5. Staffing Pattern and Creation of Plantilla Positions - To achieve effective and efficient functioning of the Binaybayon Enterprise Division, the following position items to complete the staffing pattern are hereby created.

POSITION TITLE	NO.	SALARY GRADE/STEP
Development Management Officer IV	1	22/1
Development Management Officer III	1	18/1
Administrative Officer I	1	10/1
Administrative Aide II	1	4/1
Administrative Aide I	3	1/1

Additional positions may be added as necessary, following standard government procedures.

CARMEN L. CARI
SP Member

EDGARDO R. OMPOY
SP Member

FULTON IKE C. ARRADAZA
SP Member

SIMOUNE L. ASTORGA
SP Member

DOMINIC JUNIE F. MURILLO
SP Member

JOSE L. BACUSMO
SP Member

RAMON RONALD J. VELOSO
SP Member

ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member

ERLINDA MARQUE R. GUINOCOR
SP Member

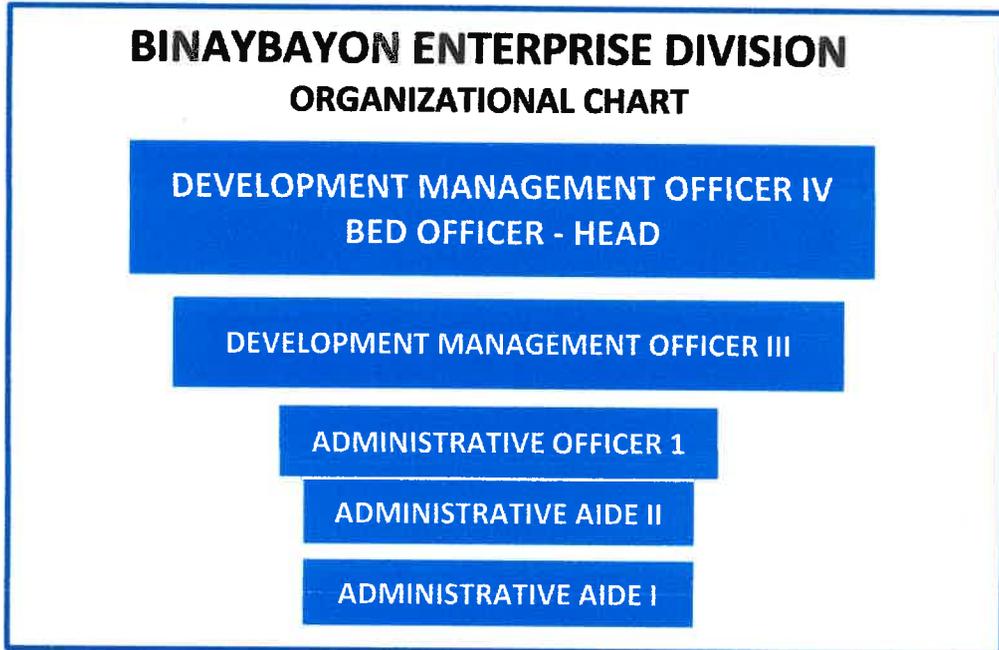
JULES JOGAS C. CARI
President, Licraing mga Barangay
Ex-Oficio SPM

KYLA SHANNEN T. VIDAL
SK Chair, City Federation
Ex-Oficio SPM

2

**ARTICLE 2: THE BINAYBAYON ENTERPRISE DIVISION (BED)
STRUCTURE, POWERS AND FUNCTIONS**

Section 6. Organizational Structure. The Binaybayon Enterprise Division shall be structured as reflected below:



Section 7. Division Functions. The Binaybayon Enterprise Division (BED) shall exercise supervisory, operational, and managerial functions over the procurement of raw materials, production, promotion, and sale of locally manufactured or processed agricultural /products/goods, including but not limited to high value crops, dehydrated jackfruits, kamote chips, tilapia and other products;

Section 8. Powers and Functions of the BED Officer.
The BED Officer shall exercise the following powers and functions:

- a. Supervise all personnel under Binaybayon Enterprise Division;
- b. Manage and keep financial records, ledgers of income under the division;
- c. Advise the City Mayor and other legally-constituted bodies on matters involving the Binaybayon Enterprise Division and its development.
- d. Promulgate policies and formulate Implementing Rules and Regulations (IRR), to improve and enhance revenue generation, budget preparation and other fiscal matters, subject to review of the Sangguniang Panlungsod.
- e. Perform such other function as prescribed by law or ordinance incidental and necessary to this position.

ARTICLE 3 - FINANCIAL OPERATIONS

Section 9. Creation of Special Account. Separate special account for the Binaybayon Enterprise Division is hereby created pursuant to Section 313 of Republic Act No. 7160 (Local Government Code of 1991), relevant Commission on Audit and DBM circulars, and other applicable laws, rules, and regulations.

[Signature]
CARMEN L. CARI
SP Member

[Signature]
EDGARDO R. OMPOY
SP Member

[Signature]
FULTON IKE C. ARRADAZA
SP Member

[Signature]
SIMONE L. ASTORGA
SP Member

[Signature]
DOMINIC UNIE F. MURILLO
SP Member

[Signature]
JOSE L. BACUSMO
SP Member

[Signature]
RAMON RONALD J. VELOSO
SP Member

[Signature]
ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member

[Signature]
EDUARDO ANTONIO R. GUINOCOR
SP Member

[Signature]
JULIUS C. CARI
President, LICA ng mga Barangay
Ex-Oficio SPM

[Signature]
KYLIA SHANNEN T. VIDAL
SK Chair, City Federation
Ex-Oficio SPM

9.1. Receipts and Revenues. Receipts and revenues collected by the Binaybayon Enterprise shall be allocated and appropriated as follows:

- a) Fifty percent (50%) for operational costs of the enterprise including but not limited to the following:
 - a.1. Purchase of raw materials and supplies;
 - a.2. Utilities, cost of electricity, water, telephone and internet services;
 - a.3. Repairs and maintenance of machineries and equipment;
 - a.4. Transportation and travel expenses;
 - a.5. Other similar expenses used for the day-to-day running costs of the Binaybayon Enterprise.
- b) Fifty percent (50%) for long-term investments such as expansion and development of the enterprise, purchase of machinery, construction of new buildings and other facilities or vehicles and the like.

Section 10. Funding Requirements for the Binaybayon Enterprise Division. All positions created or transferred to the Binaybayon Enterprise Division, as well as all budgetary requirements for its operation and maintenance, shall be provided with the necessary appropriations.

The funds required to sustain the division shall be incorporated into the City's annual budget to ensure the effective and continuous implementation of this ordinance.

ARTICLE 4. SEPARABILITY CLAUSE.

If any provision, section or part of this ordinance is declared invalid, or suspended or revoked by any court of competent jurisdiction, such judgment shall not affect the remaining provisions, sections or parts thereof, and shall remain valid and subsisting.

ARTICLE 5. REPEALING CLAUSE.

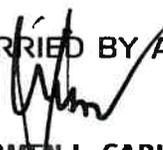
All ordinances, local rules and regulations or part thereof in conflict with, or inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly.

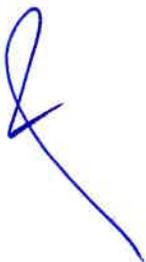
ARTICLE 6. EFFECTIVITY.

This Ordinance shall take effect after due compliance with all the requirements provided under RA 7160, otherwise known as the Local Government Code of 1991.

Enacted: August 14, 2025
Baybay City, Leyte, Philippines.

CARRIED BY ALL OF THE MEMBERS PRESENT:


CARMEN L. CARI
SP Member

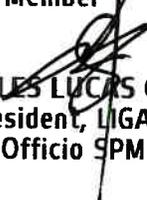

ROMULO B. ALCALA – ON LEAVE
SP Member


EDGARDO R. OMPOY
SP Member

SIMOUNE L. ASTORGA
SP Member


JOSE L. BACUSMO
SP Member


ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member


JULES LUCAS C. CARI
President, LIGA Ng Mga Barangay
Ex-Officio SPM


DR. FULTON IKE C. ARRADAZA
SP Member


DOMINIC JUNE F. MURILLO
SP Member


RAMON RONALD J. VELOSO
SP Member


EDUARD MARONE R. GUINOCOR
SP Member


KYLA SHANNEN T. VIDAL
SK Chair, City Federation
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Florante Cayunda Jr.; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Jay Ryan Austero; City Treasurer Alberta A. Manatad, CLGOO Juvy C. Pedrera, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


ATTY. VIVIAN C. ENARIO-VIDALLON
Secretary to the Sanggunian

**ATTESTED & CERTIFIED
TO BE DULY ADOPTED**


ATTY. ERNESTO M. BUTAWAN
City Vice Mayor / Presiding Officer

CONFORME:


ENGR. JOSE CARLOS L. CARI
City Mayor

10/01/2025



Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
-0000000-



OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 * panlungsodsangguniang@gmail.com

C E R T I F I C A T I O N

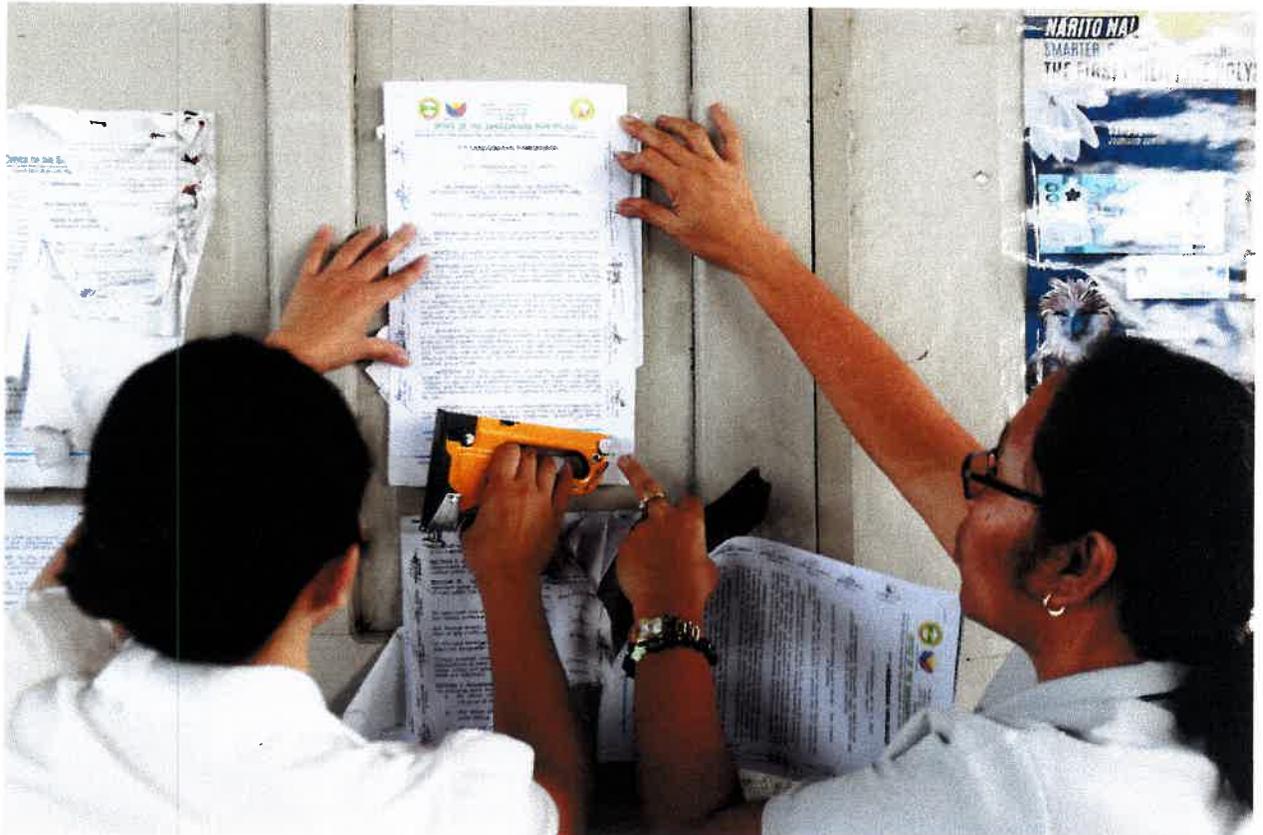
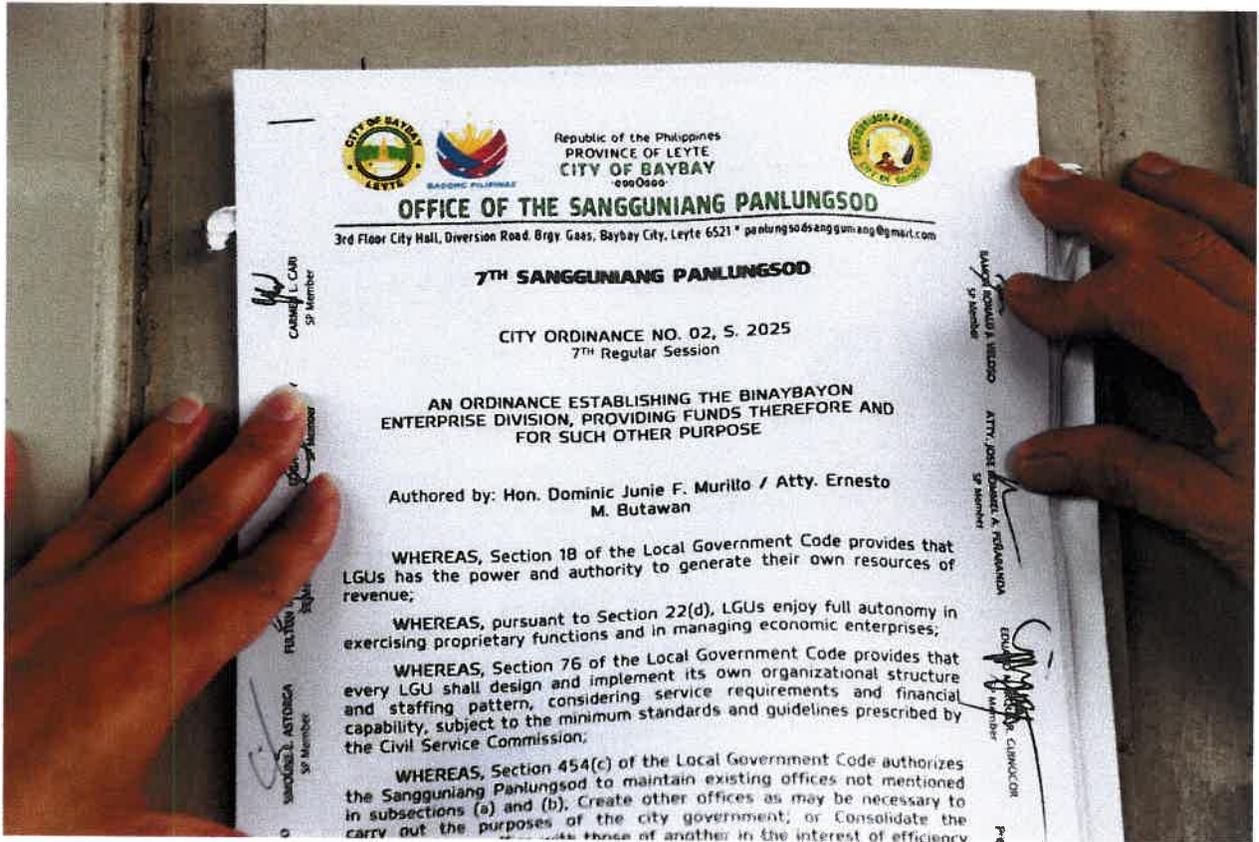
TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that the City Ordinance No. 02 s. 2025 " AN ORDINANCE ESTABLISHING THE BINAYBAYON ENTERPRISE DIVISION, PROVIDING FUNDS THEREFORE AND FOR SUCH OTHER PURPOSE" was posted in the bulletin board at Legislative Department, New City Hall, Diversion Road, the public market and Baybay City Bus and Terminal immediately upon approval thereof.

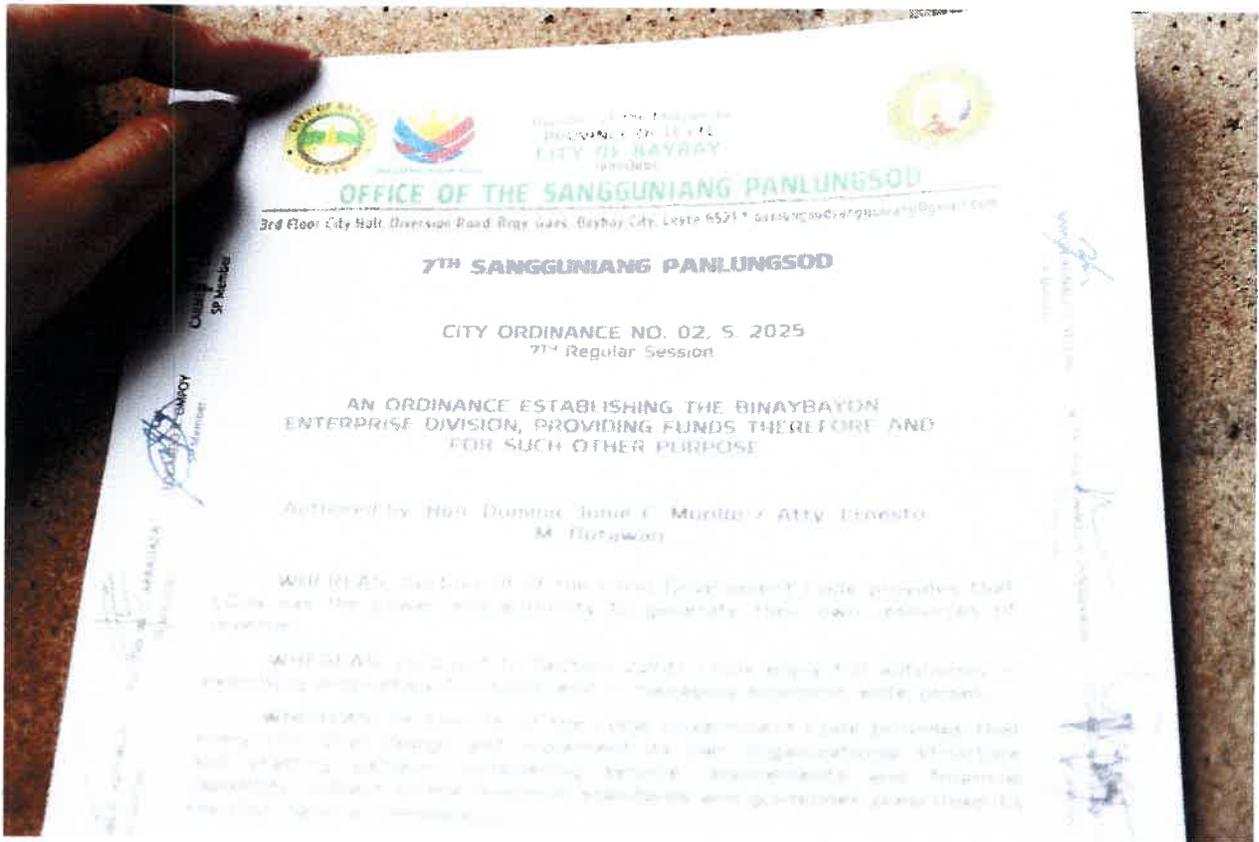
Issued this 2nd day of October 2025, at Baybay City, Leyte.


ATTY. VIVIAN E. VIDALLON
SP Secretary

BAYBAY CITY BUS TERMINAL



BAYBAY CITY PUBLIC MARKET



LEGISLATIVE OFFICE

