



Republic of the Philippines
PROVINCE OF LEYTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Palo, Leyte
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COMMITTEE ON RULES, LAWS and PRIVILEGES
COMMITTEE REPORT
No. 24_ S. 2025

Date: October 28, 2025

RE: *“An Ordinance Requiring Coordination with Local Government Units (LGUs) of Proposed Projects to be Implemented Within Their Territorial Jurisdiction, Mandating Compliance with the Requirements under Section 26 and 27 of the Local Government Code, and Ensuring Alignment of Projects with Local DRRM Plans, Climate Resiliency Frameworks, Land Use Plans and Zoning Ordinances.”*

Prepared by: Committee on Rules, Laws and Privileges
Chairperson: BM Atty. Ronnan Christian “Bolingling Reposar
Vice-Chairperson: BM Atty. Carlo P. Loreto
Members: BM Wilson Uy, BM Michael L. Cari and BM Martina L. Gimenez

I. BACKGROUND

The proposed ordinance seeks to institutionalize a harmonized framework for LGU acceptance, consultation, and involvement in all externally initiated projects within the Province of Leyte. It aims to reinforce the mandates of the Local Government Code, uphold LGU autonomy, and ensure that all projects are aligned with local development plans, disaster risk reduction strategies, and climate resiliency frameworks.

II. FINDINGS

Upon thorough review and consultation, the Committee finds the following:

1. The Ordinance Passes the Test of Balance Between LGU Coordination and External Project Implementation

- The measure does not unduly burden project proponents but rather ensures that projects are responsibly integrated into local contexts.
- It promotes proactive engagement between LGUs and implementers, fostering transparency, accountability, and spatial coherence.
- It provides clear timelines, procedural safeguards, and technical coordination mechanisms that facilitate project rollout while respecting local autonomy.
- Importantly, it prevents partisan interference, politically motivated decision-making and/or politically biased approval of development projects by anchoring project approval on objective criteria, such as alignment with the LGU’s Comprehensive Land Use Plan (CLUP), Zoning Ordinance, and DRRM Plan, rather than discretionary or partisan considerations.
- The ordinance institutionalizes transparency and accountability, ensuring that projects beneficial to communities are not delayed or obstructed due to political dynamics.

2. The Ordinance Passes the Test of a Valid Ordinance - It complies with the requisites of a valid ordinance:

- a. **Proper Subject** – It pertains to LGU coordination and project governance, a legitimate subject of local legislation.

- b. **Proper Legislative Authority** – The Sangguniang Panlalawigan is empowered under RA 7160 to enact measures that promote general welfare and regulate land use and development.
- c. **Consistency with National Law** – The ordinance is consistent with RA 7160 (Local Government Code), RA 9729 (Climate Change Act), RA 10121 (DRRM Act), and other relevant issuances.
- d. **Reasonableness and Enforceability** – The provisions are clear, implementable, and supported by administrative mechanisms and sanctions.

3. The Ordinance Has Clear Legal Basis

- Section 26 and 27 of RA 7160 mandate prior consultation and approval by LGUs before any project is implemented within their jurisdiction.
- The ordinance operationalizes these provisions and integrates them with climate and DRRM mandates under RA 9729 and RA 10121.
- It also reinforces the authority of LGUs to issue locational clearances and enforce zoning ordinances under existing laws and jurisprudence.

III. RECOMMENDATION

In view of the foregoing, after series of discussion, integration of suggestions and amendments, the Committee respectfully recommends for the passage of the Proposed Ordinance entitled:

“An Ordinance Requiring Coordination with Local Government Units (LGUs) of Proposed Projects to be Implemented Within Their Territorial Jurisdiction, Mandating Compliance with the Requirements under Section 26 and 27 of the Local Government Code, and Ensuring Alignment of Projects with Local DRRM Plans, Climate Resiliency Frameworks, Land Use Plans and Zoning Ordinances.”

Prepared by:



HON. ATTY. RONNAN CHRISTIAN M. REPOSAR
Chairperson, Committee on Rules, Laws and Privileges

Concurred in to by:

HON. ATTY. CARLO P. LORETO
Vice Chairperson

HON. WILSON S. UY
Member

HON. MICHAEL L. CARI
Member

HON. MA. MARTINA L. GIMENEZ
Member

Attested by:

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

Republic of the Philippines
Province of Leyte

Sangguniang Panlalawigan

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 COORDINATION WITH LOCAL GOVERNMENT UNITS (LGUs) OF PROPOSED PROJECTS TO BE IMPLEMENTED WITHIN THEIR TERRITORIAL JURISDICTION, MANDATING COMPLIANCE WITH THE REQUIREMENTS UNDER SECTION 26 and 27 OF THE LOCAL GOVERNMENT CODE, AND ENSURING ALIGNMENT OF PROJECTS WITH LOCAL DRRM PLANS, CLIMATE RESILIENCY FRAMEWORKS, LAND USE PLANS AND ZONING ORDINANCES

Authored by: Hon. Ronnan Christian “Bolingling” M. Reposar
Co-authored by: Hon. Atty. Carlo P. Loreto

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 Coordination and Project Alignment 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 CONSULTATION - No project shall be implemented unless:

- a. The concerned LGU has officially been consulted pursuant to section 26 and 27 of the Local Government Code of 1991;
- 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. Proper Coordination with LGUs concerned 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 –

- A. Project proponent or developers who violates the provision of this ordinance shall be subject to:
- **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;
 - **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.
 - **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.
- B. In addition to the local sanctions, government employees or officials who are found to have violated any of the provisions of this ordinance shall also be subjected to administrative accountability under existing laws, insofar as they may be applicable, such as but not

limited to, RA 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees, RA 3019 or the Anti-Graft and Corrupt Practices Act, RA 7160 or the Local Government Code of 1991, RA 6770 or the Ombudsman Act of 1989. whichever is applicable.

C. Persons Liable under this ordinance are hereunder enumerated

1. Project Proponents or Developers - These are individuals, corporations, or entities whether private or public, proposing or implementing projects that require LGU consultation and coordination or issuance of a Resolution Interposing No Objection (RINO). For the purpose of this ordinance, these are the persons in charge in the implementation of the projects to include Private Contractors, Developers, Business Entities, NGOs, and employees of the following:

- a. National Government Agencies (NGAs)
e.g., DPWH, DENR, DOTr, NIA, etc.
- b. Government-Owned and Controlled Corporations (GOCCs)
e.g., National Power Corporation, LWUA, PHIVIDEC
- c. Special Government Bodies or Authorities
e.g., Economic Zone Authorities, Tourism Infrastructure Boards

They may be penalized for:

- Proceeding without securing proper LGU consultation and/or RINO
- Misrepresenting project details or environmental impacts
- Violating conditions attached to the consultation process or endorsement
- Violation of RA 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees, RA 3019 or the Anti-Graft and Corrupt Practices Act, RA 7160 or the Local Government Code of 1991, RA 6770 or the Ombudsman Act of 1989

2. LGU Officials or Personnel - This includes any employees and officials who:

- Endorse and/or issues RINO without following mandated procedures (e.g., no consultation, no technical review)
- Fail to enforce the ordinance or monitor compliance
- Engage in negligence, collusion, or abuse of discretion
- Fails to conduct proper evaluation or consultation
- Endorsing projects without due diligence or documentation
- Actions or Inactions in violation of RA 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees, RA 3019 or the Anti-Graft and Corrupt Practices Act, RA 7160 or the Local Government Code of 1991, RA 6770 or the Ombudsman Act of 1989

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.