

Item No.: 12

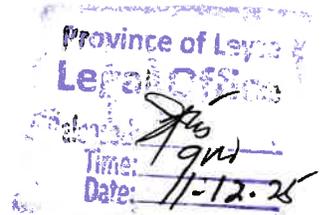
Date: 18 2025 NOV



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE



Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: NOV 12 2025
By: Jennif

2nd INDORSEMENT
October 17, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No.225 s. 2025 of the Sangguniang Bayan of Matag-ob, Leyte.

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

- Ordinance No. 225 s. 2025: **“An Ordinance enforcing a total smoke ban within the Municipality of Matag-ob, Leyte”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)¹ of the Local Government Code of 1991 (R.A 7160), pursuant to RA 9211² and EO 26 series of 2017³. 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 ✕

¹(a) *The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code,*

² *Tobacco Regulation Act of 2003*

³ **PROVIDING FOR THE ESTABLISHMENT OF SMOKE-FREE ENVIRONMENTS IN PUBLIC AND ENCLOSED PLACES**

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1st Indorsement
08 October 2025

[Handwritten signature and date]
10-8-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 225, s. 2025** of the **Municipality of Matag-ob, Leyte**, entitled: **An Ordinance enforcing a total smoke ban within the Municipality of Matag-ob, Leyte, providing penalties therefor, and for other purposes.**

[Handwritten signature]
FLORINDA JILL S. BYVICO
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPAL GOVERNMENT OF MATAG-OB



OFFICE OF THE SECRETARY TO THE SANGGUNIAN

ENDORSEMENT

October 07, 2025

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: OCT 08 2025
By: Fernan

HONORABLE LEONARDO "SANDY" JAVIER
Vice-Governor
Presiding Officer
Sangguniang Panlalawigan of Leyte

Sir:

Respectfully forwarding to your good office the herein attached **Municipal Ordinance No. 225 series 2025**, entitled "**AN ORDINANCE ENFORCING A TOTAL SMOKING BAN WITHIN THE MUNICIPALITY OF MATAG-OB, LEYTE, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES.**", of the Sangguniang Bayan of Matag-ob, Leyte for review and approval by the Sangguniang Panlalawigan:

Very truly yours,

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

"The Town of United and Happy People"



Second Floor, Legislative Building, Municipal Government Complex, Diversion Rd.,
Barangay San Guillermo, Matag-ob, Leyte 6532 The Philippines

www.matag-ob.gov.ph • 053@matag-ob.gov.ph • 462 006 224 4617



SANGGUNIANG BAYAN

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on September 15, 2025.

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED:

ABSENT, on Leave
HON. ARTEMIO T. ALMOROTO
Senior SB Member

HON. JOEL N. DENOY
SB Member

HON. EVANGELINE C. CARNO
SB Member

HON. RICARDO L. GIVA
SB Member

HON. RODOLFO N. SUÑIR
SB Member

HON. LUZ M. BOLDERO
SB Member

HON. JOSE B. YAP
SB Member

HON. EDUARDO I. TOLEDO
SB Member

HON. ANA LOVE D. BORDEN
Ex-Officio Member, SK Fed. Pres.

HON. JOEL G. TACOY
Ex-Officio Member, LNB
President

HON. ROMEO N. ALBARIDA
Municipal Vice-Mayor
Presiding Officer

EXCERPTS FROM THE MINUTES OF THE 1ST REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MATAG-OB, LEYTE FOR THE TERM PERIOD COVERED FROM JUNE 30, 2025 TO JUNE 30, 2028 HELD AT THE LEGISLATIVE SESSION HALL ON SEPTEMBER 15, 2025.

MUNICIPAL ORDINANCE NO. (257) 225

AN ORDINANCE ENFORCING A TOTAL SMOKING BAN WITHIN THE MUNICIPALITY OF MATAG-OB, LEYTE, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES.

Author : Hon. Luz M. Boldero
Co-authors : Hon. Joel N. Denoy
: Hon. Joel G. Tacoy
Hon. Ana Love D. Borden
Hon. Eduardo I. Toledo

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empowers Local Government Units (LGUs) to exercise the necessary powers for the promotion of the general welfare;

WHEREAS, Republic Act 9211, otherwise known as the Tobacco Regulation Act of 2003, and Executive Order No. 26, series of 2017, provide the policy framework for establishing smoke-free environments in the Philippines;

WHEREAS, cigarette smoking and exposure to second-hand smoke have been proven to cause serious health risks, including lung cancer, respiratory diseases, cardiovascular ailments, and premature death;

WHEREAS, the Municipality of Matag-ob, Leyte, recognizing its duty to safeguard the health and well-being of its constituents, finds it imperative to enforce a **Total Smoking Ban** within its territorial jurisdiction to promote public health, maintain clean and smoke-free environments, and prevent the harmful effects of tobacco use;

NOW THEREFORE, on motion of the Honorable Luz M. Boldero, with the unanimous accord of all other members present;

Be it ordained by the Sangguniang Bayan of Matag-ob, Leyte in regular session assembled, that:



SANGGUNIANG BAYAN

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on September 15, 2025.

ANA MARIA SANORIA-ECIJA
 Secretary to the Sanggunian

ATTESTED:

ABSENT, on Leave
HON. ARTEMIO T. ALMOROTO
 Senior SB Member

HON. JOEL N. DENOY
 SB Member

HON. EVANGELINE C. CARNO
 SB Member

HON. RICARDO L. GIVA
 SB Member

HON. RODOLFO N. SUNIR
 SB Member

HON. LUZ M. BOLDERO
 SB Member

HON. JOSE B. YAP
 SB Member

HON. EDUARDO I. TOLEDO
 SB Member

HON. ANA LOVE D. BURDEN
 Ex-Officio Member, SK Fed. Pres.

HON. JOEL G. TAOY
 Ex-Officio Member, LNB
 President

HON. ROMEO N. ALBARIDA
 Municipal Vice-Mayor
 Presiding Officer

Section 1. Short Title. This ordinance shall be known as the **“Total Smoking Ban Ordinance of the Municipality of Matag-ob, Leyte.”**

Section 2. Declaration of Policy. It is declared policy of the Municipality of Matag-ob, Leyte to protect public health, promote the right to a balanced and healthy ecology, and safeguard the community from the hazards of tobacco use and exposure to smoke.

Section 3. Definition of Terms. When used in the context of this ordinance, the following terms shall mean as follows:

- a. **Smoking** – refers to being in possession or control of a lit tobacco product or other smoking paraphernalia, regardless of whether the smoke is actively being inhaled or exhaled.
- b. **Tobacco Product** – refers to any product entirely or partly made of the leaf tobacco as raw material, manufactured to be used for smoking, sucking, chewing, or snuffing, including but not limited to cigarettes, cigars, roll-your-own tobacco, and heated tobacco products.
- c. **Public Place** – refers to all places accessible or open to the public, whether indoor or outdoor, including but not limited to government offices, schools, parks, plazas, health centers, barangay halls, terminals, churches, markets, commercial establishments, and workplaces.
- d. **Point of Sale** – refers to any location at which tobacco products are sold to consumers, including retail stores, and similar establishments.
- e. **Second-Hand Smoker** – refers to the combination of smoke emitted from the burning end of a cigarette or tobacco product and smoke exhaled by the smoker.

Section 4. Scope and Coverage. This Ordinance shall cover all individuals, establishments, and organizations within the territorial jurisdiction of the Municipality of Matag-ob, Leyte.

Section 6. Exemptions. Exemptions may only be allowed for:

- a. Traditional or cultural practices involving the use of tobacco, subject to prior written authorization by the Municipal Mayor;



SANGGUNIANG BAYAN

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on September 15, 2025.

SA
ANA MARIA SANORIA-ECIJA
 Secretary to the Sanggunian

ATTESTED:

ABSENT, on Leave
HON. ARTEMIO T. ALMOROTO
 Senior SB Member

[Signature]
HON. JOEL N. DENOY
 SB Member

[Signature]
HON. EVANGELINE C. CARNO
 SB Member

[Signature]
HON. RICARDO L. GIVA
 SB Member

[Signature]
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 SB Member

[Signature]
HON. LUZ M. BOLDERO
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[Signature]
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 SB Member

[Signature]
HON. EDUARDO I. TOLEDO
 SB Member

[Signature]
HON. ANA LOVE D. BORDEN
 Ex-Officio Member, SK Fed. Pres.

[Signature]
HON. JOEL G. TACOY
 Ex-Officio Member, LNB
 President

[Signature]
HON. ROMEO N. ALBARIDA
 Municipal Vice-Mayor
 Presiding Officer

b. Research and laboratory purposes, duly certified by an authorized institution.

Section 7. Penalties. Any person found violating any provision of this Ordinance shall be penalized as follows:

- First Offense : Fine of 1,000 and confiscation of tobacco and other related products;
- Second Offense : Fine of 1,500 and confiscation of tobacco and other related products;
- Third Offense : Fine of 2,500, or imprisonment of 15 days, or both such fine and imprisonment at the discretion of the court.

If the violator is a business establishment, in addition to the above penalties, the municipal government shall revoke its business establishment.

Section 8. Enforcement. The Philippine National Police (PNP), Matag-ob Police Station, Barangay Officials, and deputized smoke-free task force personnel shall strictly implement this Ordinance.

1. Implementing authority.

The primary responsibility for the implementation and enforcement of this Ordinance shall be vested in the Municipal Health Office, in coordination with the Municipal Anti-Smoking Task Force, the Philippine National Police (PNP)-Matag-ob, and Barangay Officials within their respective jurisdictions.

2. Powers and duties of Enforcers.

Authorized enforcement officers shall have the power and duty to:

- a. Monitor and inspect all public places, establishments, and public conveyances for compliance with this Ordinance;
- b. Issue citation tickets to violators of the prohibited acts enumerated herein;
- c. Confiscate tobacco products, electronic cigarettes, vapes, and similar devices when possessed or used in violation of this Ordinance;



SANGGUNIANG BAYAN

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on September 15, 2025.

ANA MARIA SANORIA-ECIJA
 Secretary to the Sanggunian

ATTESTED:

ABSENT, on Leave
HON. ARTEMIO T. ALMOROTO
 Senior SB Member

HON. JOEL N. DENOY
 SB Member

HON. EVANGELINE C. CARNO
 SB Member

HON. RICARDO L. GIVA
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 Ex-Officio Member, SK Fed. Pres.

HON. JOEL G. TACOG
 Ex-Officio Member, LNB
 President

HON. ROMEO N. ALBARIDA
 Municipal Vice-Mayor
 Presiding Officer

- d. Recommend to the Sangguniang Bayan the suspension or revocation of business permits or establishments found violating this Ordinance;
- e. Submit regular enforcement and compliance reports to the Municipal Mayor and the Sangguniang Bayan.

3. Community Participation.

All citizens are encouraged to participate in the enforcement of this Ordinance by reporting violations to the nearest barangay official, enforcement officer, or the Municipal Health Office. The identity of complainants shall be kept confidential to protect them from reprisal.

4. Posting and Signages.

All establishments, public offices, and conveyances shall post clear and visible "NO SMOKING" signs in conspicuous areas, as prescribed by the Municipal Anti-Smoking Task Force. Failure to post proper signages shall constitute a violation of this Ordinance.

5. Arrest and Filing of Charges.

Violators who refuse to heed lawful orders of authorized officers may be subject to arrest and appropriate charges under existing laws, in addition to the penalties provided in this Ordinance.

6. Use of Fines and Penalties.

All fines collected under this Ordinance shall accrue to a Special Anti-Smoking Fund to be managed by the Municipal Government of Matag-ob, Leyte, to be used exclusively for health promotion, anti-smoking campaigns, and enforcement activities.

Section 9. Amendments Clause. This ordinance may be amended or modified as necessary through the appropriate legislative process.

Section 10. Separability Clause. If any provision of this Ordinance is declared unconstitutional or invalid, the other provisions not affected thereby shall remain valid and enforceable.

Section 11. Repealing Clause. All Ordinances, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

Section 12. Effectivity Clause. This ordinance shall take effect immediately upon approval and after compliance with the posting and publication requirements of law.



SANGGUNIANG BAYAN
APPROVED UNANIMOUSLY.

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly adopted by the Sangguniang Bayan of Matag-ob, Leyte on September 15, 2025.

AK
ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:

ABSENT, on Leave

HONORABLE ARTEMIO T. ALMOROTO
Senior SB Member

M
HONORABLE JOEL N. DENOY
SB Member

Ugmo
HONORABLE EVANGELINE C. CARNO
SB Member

Ugmo
HONORABLE RICARDO L. GIVA
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SB Member

Ugmo
HONORABLE ANA LOVE D. BORDEN
Ex-Officio Member, Mun. SK Fed. President

Ugmo
HONORABLE JOEL G. TACOY
Ex-Officio Member, LNB President

Ugmo
HONORABLE ROMEO N. ALBARIDA
Municipal Vice-Mayor
Presiding Officer

APPROVED:

Ugmo
HONORABLE BERNARDINO G. TACOY
Municipal Mayor

06 OCT 2025 Date Signed

5
Mun. Ord. #(257) 225
September 15, 2025

"The Town of United and Happy People"





OFFICE OF THE SECRETARY TO THE SANGGUNIAN

CERTIFICATION OF POSTING

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: OCT 08 2025
By: [Signature]

THIS IS TO CERTIFY that copies of **Municipal Ordinance No. 225** series 2025, entitled "AN ORDINANCE ENFORCING A TOTAL SMOKING BAN WITHIN THE MUNICIPALITY OF MATAG-OB, LEYTE, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES." of the Sangguniang Bayan of Matag-ob, Leyte are posted in Three (3) conspicuous places within the municipality of Matag-ob, Leyte for three consecutive weeks from October 8, 2025.

This certification is issued in compliance with Section 59 of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 7th Day of October 2025.

Very truly yours,

ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

"The Town of United and Happy People"

