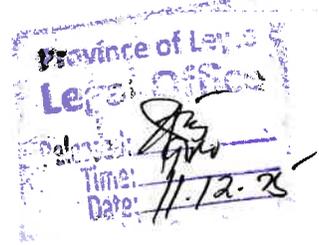


Item No.: 16

Date: 18 2025 NOV

PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-



PROVINCIAL LEGAL OFFICE

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: NOV 12 2025
By: Jennii

2nd INDORSEMENT

October 30, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 511-131025 of the Sangguniang Bayan of Palompon, Leyte.

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

- Ordinance No. 511-131025 entitled: “An Ordinance amending Section 13 (Separability Clause) of the Municipal Ordinance No. 460-121020.”

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

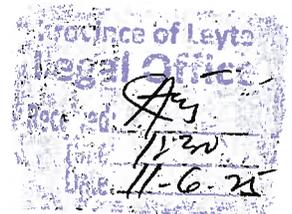
¹ (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

PLD

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1st Indorsement
06 November 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 511-131025** of the Municipality of **Palompon, Leyte**, entitled: **An Ordinance amending Section 13 (Separability Clause) of the Municipal Ordinance No. 460-121020** entitled, "An Ordinance regulating the number of sow level and fowls of small and medium commercial piggery and poultry industries operating in any barangay of Palompon, Leyte with an agricultural land classification area under the Municipal Comprehensive Land Use Plan (CLUP), as well as its minimum locational distance of not less than 1000 meters from any private and public learning institution and large-scale piggery and poultry industries operating in an agro-industrial classified land as indicated in the latest approved Comprehensive Land Use Plan (CLUP) of the municipality.

A handwritten signature in black ink, appearing to read "F. Uyvico".

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Palompon
-o0o-

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: NOV. 06 2025
By: [Signature]

Office of the Sangguniang Bayan

1st Endorsement
October 30, 2025

SECRETARY TO THE SANGGUNIANG PANLALAWIGAN

4th Floor, Provincial Government Complex
Palo, Leyte

Sir/ Madam:

Forwarding herewith copies of the **Municipal Ordinance No. 511-131025**, entitled **"AN ORDINANCE AMENDING SECTION 13 (SEPARABILITY CLAUSE) OF THE MUNICIPAL ORDINANCE NO. 460-121020 ENTITLED, "AN ORDINANCE REGULATING THE NUMBER OF SOW LEVEL AND FOWLS OF SMALL AND MEDIUM COMMERCIAL PIGGERY AND POULTRY INDUSTRIES OPERATING IN ANY BARANGAY OF PALOMPON, LEYTE WITH AN AGRICULTURAL LAND CLASSIFICATION AREA UNDER THE MUNICIPAL COMPREHENSIVE LAND USE PLAN (CLUP), AS WELL AS ITS MINIMUM LOCATIONAL DISTANCE OF NOT LESS THAN 1000 METERS FROM ANY PRIVATE AND PUBLIC LEARNING INSTITUTION AND LARGE-SCALE PIGGERY AND POULTRY INDUSTRIES OPERATING IN AN AGRO-INDUSTRIAL CLASSIFIED LAND AS INDICATED IN THE LATEST APPROVED COMPREHENSIVE LAND USE PLAN (CLUP) OF THE MUNICIPALITY,"** for review by the Sangguniang Panlalawigan.


AIME D. MACAYAN
LLSE I / Temporary SB Secretary

Enclosed:

1. Committee Report
2. Minutes of the Committee Meeting
3. Attendance



Republic of the Philippines
Province of Leyte
Municipality of Palompon

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: NOV 06 2025
By: (FERRI)

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 15TH REGULAR SESSION
OF THE SANGGUNIANG BAYAN OF PALOMPON, LEYTE HELD ON
OCTOBER 13, 2025 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

- Municipal Vice-Mayor Javes Keith R. de la Calzada (Presiding Officer)
- SB Member Burt Mari M. Bregaudit
- SB Member Edgar P. Pacaldo
- SB Member William O. Balasabas
- SB Member Vanessa N. Avenido
- SB Member Marivic E. Patalinghug
- SB Member Antonio R. Salazar
- SB Member Leonardo C. Quiamco, Jr.
- SB Member Edilberto R. Longcanaya
- Ex-Officio Member/Liga President Pablo B. Tan
- Ex-Officio Member/SK Fed. President Manuelene Laurette M. Tee

ABSENT:

None

MUNICIPAL ORDINANCE NO. 511-131025

**AN ORDINANCE AMENDING SECTION 13 (SEPARABILITY CLAUSE)
OF THE MUNICIPAL ORDINANCE NO. 460-121020 ENTITLED, "AN ORDINANCE
REGULATING THE NUMBER OF SOW LEVEL AND FOWLS OF SMALL AND MEDIUM
COMMERCIAL PIGGERY AND POULTRY INDUSTRIES OPERATING IN ANY
BARANGAY OF PALOMPON, LEYTE WITH AN AGRICULTURAL LAND
CLASSIFICATION AREA UNDER THE MUNICIPAL COMPREHENSIVE LAND USE
PLAN (CLUP), AS WELL AS ITS MINIMUM LOCATIONAL DISTANCE OF NOT LESS
THAN 1000 METERS FROM ANY PRIVATE AND PUBLIC LEARNING INSTITUTION
AND LARGE-SCALE PIGGERY AND POULTRY INDUSTRIES OPERATING IN AN
AGRO-INDUSTRIAL CLASSIFIED LAND AS INDICATED IN THE LATEST APPROVED
COMPREHENSIVE LAND USE PLAN (CLUP) OF THE MUNICIPALITY**

WHEREAS, the Sangguniang Bayan of Palompon, Leyte recognizes the need to harmonize existing municipal ordinances with applicable national laws, administrative issuances, memorandum circulars, and department orders/advisories of concerned national government agencies;

WHEREAS, the current wording of Section 13 (Separability Clause) of the said ordinance does not fully reflect the necessary legal safeguards in case of inconsistencies not only with constitutional or judicial provisions but also with executive issuances of national agencies;

MARIVIC E. PATALINGHUG
SB Member

ANTONIO R. SALAZAR
SB Member

LEONARDO C. QUIAMCO, JR.
SB Member

EDILBERTO R. LONGCANAYA
SB Member

PABLO B. TAN
SB Member

MANUELENE LAURETTE M. TEE
SB Member

VANESSA N. AVENIDO
SB Member

WILLIAM O. BALASABAS
SB Member

EDGAR P. PACALDO
SB Member

BURT MARI M. BREGAUDIT
SB Member

AIMEE D. MACAYAN
LLSE I/ Temp. SB Secretary

JAVES KEITH R. DE LA CALZADA
Municipal Vice-Mayor

MARY DOMINIQUE A. OÑATE
Municipal Mayor

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Palompon, Leyte, in session duly assembled, that:

SECTION 1. Amendment of Section 13 (Separability Clause). — Section 13 of the ordinance entitled, "An Ordinance Regulating the Number of Sow Level and Fowls of Small and Medium Commercial Piggery and Poultry Industries Operating in Any Barangay of Palompon, Leyte with an agricultural land classification area under the municipal Comprehensive Land Use Plan (CLUP) as well as its minimum locational distance of not less than 1000 meters from any private and public learning institution and large scale piggery and poultry industries operating in an Agro-industrial Classified Land as indicated in the latest approved Comprehensive Land Use Plan (CLUP) of the Municipality," is hereby amended to read as follows:

"Section 13. Separability Clause. — If any provision of this Ordinance shall be declared null and void, unconstitutional by a competent court, or in conflict with any memorandum circular, department order, or advisory issued by any national agency, the same shall not affect the validity and enforceability of the other provisions hereof."

SECTION 2. Effectivity. — This amending ordinance shall take effect immediately upon its approval and after compliance with the posting and publication requirements under existing laws and regulations.

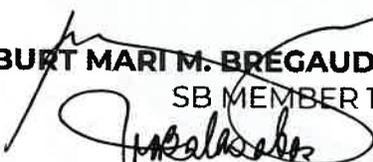
ENACTED: 13 October 2025

I HEREBY CERTIFY to the correctness of the above-mentioned Municipal Ordinance

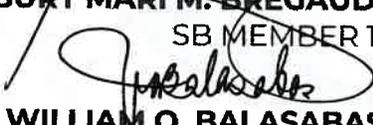

AIME S. MACAYAN
LLSE / Temporary SB Secretary

Attested:

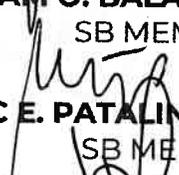

JAVES KEITH R. DE LA CALZADA
Municipal Vice-Mayor / Presiding Officer

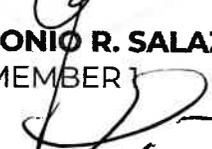

BURT MARI M. BREGAUDIT
SB MEMBER 1


EDGAR P. PACALDO
SB MEMBER 1


WILLIAM O. BALASABAS
SB MEMBER 1


VANESSA N. AVENIDO
SB MEMBER 1


MARIVIC E. PATALINGHUG
SB MEMBER 1


ANTONIO R. SALAZAR
SB MEMBER 1


LEONARDO C. QUIAMCO, JR.
SB MEMBER 1


EDILBERTO R. LONGCANAYA
SB MEMBER 1


PABLO B. TAN
Ex-Officio Member – Liga President


MANUELENE LAURETTE M. TEE
Ex-Officio Member/SKFed. President

Approved:


MARY DOMINIQUE A. OÑATE
Municipal Mayor
Date Approved: 03 OCT 2025



Republic of the Philippines
Province of Leyte
Municipality of Palompon

OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE COMMITTEE MEETING HELD ON OCTOBER 8, 2025 AT THE
SANGGUNIANG BAYAN SESSION HALL OF THIS MUNICIPALITY CONDUCTED BY THE
COMMITTEE ON HEALTH AND SANITATION

PRESENT:

SB Member Vanessa N. Avenido Presiding Officer, Chairman, Committee on Health and Sanitation
SB Member Burt Mari M. Bregaudit Member, Committee on Health and Sanitation
SB Member Antonio R. Salazar Member, Committee on Health and Sanitation

The Committee Meeting was called to order at exactly 9:45 A.M.

The Presiding Chairman Sangguniang Bayan Member Vanessa N. Avenido acknowledged the presence of the members. She then formally introduced the proposed Municipal Ordinance entitled, "An ordinance amending Section 13 (Separability Clause) of the Municipal Ordinance No. 460-121020 entitled "An ordinance regulating the number of sow level and fowls of small and medium commercial piggery and poultry industries operating in any barangay of Palompon, Leyte with an agricultural land classification area under the municipal Comprehensive Land Use Plan (CLUP) as well as its minimum locational distance of not less than 1000 meters from any private and public learning institution and large scale piggery and poultry industries operating in an Agro-industrial Classified Land as indicated in the latest approved Comprehensive Land Use Plan (CLUP) of the Municipality."

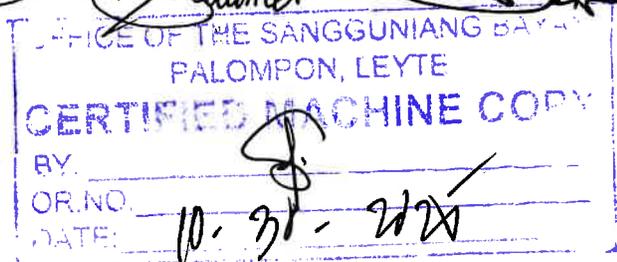
The Presiding Chairman explained that the proposed amendment was introduced to clarify the legal intent of the separability clause and to align the ordinance with national standards. She emphasized that the revision seeks to ensure that, should any provision of the ordinance be declared null and void or inconsistent with national circulars or directives, such declaration shall not affect the validity and enforceability of the remaining provisions. The Chair further noted that this amendment is part of the Committee's continuing effort to strengthen local regulations governing piggery and poultry operations, safeguard public health and sanitation, and maintain environmental integrity within the municipality.

The Presiding Chairman then presented the text of the proposed amendment, which reads:

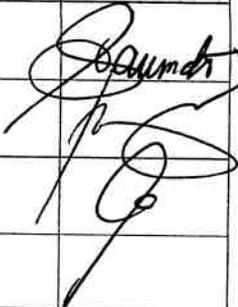
"Section 13. Separability Clause. — If any provision of this ordinance shall be declared null and void, unconstitutional by a competent court, or in conflict with memorandum circulars, department orders/advisory of any national agency, the same shall not affect the other provisions."

Following the presentation, the Committee proceeded with deliberation. Sangguniang Bayan Member Burt Mari M. Bregaudit, expressed full support for the proposed amendment, emphasizing that the revised provision reflects the Committee's commitment to ensuring that municipal legislations remain responsive to evolving national policies. He remarked that the inclusion of national circulars and department

FM-SBD-05



ATTENDANCE SHEET

Title: COMMITTEE MEETING (COMMITTEE ON HEALTH AND SANITATION)			Page ____ of ____		
Venue: Municipal Session Hall			Date(s): October 8, 2025		
#	Name	Department/Organization	Position	Contact No.	Signature
1	VANESSA N. AVENIDO	SANGGUNIANG BAYAN	SB MEMBER		
2	BURT MARI M. BREGAUDIT	SANGGUNIANG BAYAN	SB MEMBER		
3	ANTONIO R. SALAZAR	SANGGUNIANG BAYAN	SB MEMBER		
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FM-SBD-05

OFFICE OF THE SANGGUNIANG BAYAN
PALOMPON, LEYTE

CERTIFIED MACHINE COPY

BY 

OR. NO. _____

DATE 10-20-2025

10-08-25