

Item No.: 17  
Date: 09 2025 DEC



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

-oOo-

Province of Leyte  
Legal Office  
Released: [Signature]  
Time: [Signature]  
Date: 12-2-25

Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
Date: DEC 03 2025  
Jemini

**PROVINCIAL LEGAL OFFICE**

**2<sup>nd</sup> INDORSEMENT**  
November 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-21 of the Sangguniang Bayan of Alangalang, Leyte.

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

- Ordinance No. 2025-21: **“An Ordinance providing for the commitment of inane persons found in any public place/ establishment or loitering about in any public street in the Municipality of Alangalang to the nearest government-run asylum, hospital or other place for the insane and providing funds therefor.”**

**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)(5)(xiv)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160). 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 *[Signature]*

*(xiv) Provide for the care of paupers, the aged, the sick, persons of unsound mind, disabled persons, abandoned minors, juvenile delinquents, drug dependents, abused children and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age and, subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons;*

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte  
-000-

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

1<sup>ST</sup> Indorsement  
26 November 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-21** of the **Municipality of Alangalang, Leyte**, entitled: **An Ordinance providing for the commitment of insane persons found in any public place/establishment or loitering about in any public street in the Municipality of Alangalang to the nearest government-run asylum, hospital or other place for the insane and providing funds therefor.**

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian

Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Alangalang  
-oOo-

Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
Date: NOV 26 2025  
By: [Signature]

OFFICE OF THE SB SECRETARY

November 26, 2025

**MS. FLORINDA JILL S. UYVICO**  
SP Secretary  
Provincial Capitol, Palo, Leyte

**Ma'am:**

Respectfully forward herewith copies of Municipal Ordinance No. 2025-21  
**"AN ORDINANCE PROVIDING FOR THE COMMITMENT OF INSANE PERSONS FOUND IN ANY PUBLIC PLACE/ESTABLISHMENT OR LOITERING ABOUT IN ANY PUBLIC STREET IN THE MUNICIPALITY OF ALANGALANG TO THE NEAREST GOVERNMENT-RUN ASYLUM, HOSPITAL OR OTHER PLACE FOR THE INSANE AND PROVIDING FUNDS THEREFOR."** for peruse and favorable action.

Kindly acknowledge receipt hereof.

Thank you and More Power!

Very Truly Yours,

  
**DANI R. DE VEYRA**  
Mun. Gov't Department Head I  
(Secretary to the Sanggunian)

Republic of the Philippines  
**PROVINCE OF LEYTE**  
Municipality of Alangalang  
-oOo-

**OFFICE OF THE SANGGUNIANG BAYAN**

**TO WHOM THIS MAY CONCERN:**

This is to certify that Municipal Ordinance No. 2025-21 has been posted for three weeks in the three public conspicuous places within the municipality and will remain posted for the information of the general public.

  
**DANI R. DE VEYRA**  
Mun. Gov't Department Head I  
(Secretary to the Sanggunian)

**ATTESTED:**

  
**MARIO V. BAGUE**  
Municipal Vice Mayor



**RECEIVED**

Date: NOV 26 2025  
By: [Signature]

**Office Of The Sangguniang Bayan**

**EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ALANGALANG, LEYTE HELD AT THE LEGISLATIVE BUILDING SESSION HALL NOVEMBER 5, 2025.**

**PRESENT:**

- Vice Mayor Mario V. Bague - Presiding Officer
- SB Member Kenneth Spice M. de Veyra
- SB Member Gina Balderamos
- SB Member Blesilda M. Yu
- SB Member Ketchie Rex A. Barrantes
- SB Member Elmer D. Matobato
- SB Member Atty. Arvin Antoni
- Punong Barangay Sarah T. Apurillo - LIGA President
- SK Chairman Charlze Jericho Duane A. Tan - PPSK Presiden

**ABSENT: None**

- SB Member Claire G. Yu On Official Travel
- SB Member Kent Jefflord C. Guillermo On Official Travel

**MUNICIPAL ORDINANCE NO. 2025- 21**

**SPONSOR: HON. ARVIN V. ANTONI**

**Co-sponsors: Kenneth Spice M. De veyra**

**Gina Balderamos**

**Blesilda M. Yu**

**Ketchie Rex A. Barrantes**

**Elmer D. Matobato**

**Claire G. Yu**

**Kent Jefflord C. Guillermo**

**Sarah T. Apurillo**

**Charlze Jericho Duane A. Tan**

**AN ORDINANCE PROVIDING FOR THE COMMITMENT OF INSANE PERSONS FOUND IN ANY PUBLIC PLACE/ESTABLISHMENT OR LOITERING ABOUT IN ANY PUBLIC STREET IN THE MUNICIPALITY OF ALANGALANG TO THE NEAREST GOVERNMENT-RUN ASYLUM, HOSPITAL OR OTHER PLACE FOR THE INSANE AND PROVIDING FUNDS THEREFOR**

**APPROVED ON 3<sup>rd</sup> AND FINAL READING ON NOVEMBER 5,2025**

**On motion of SB Member Hon. Arvin Antoni duly seconded en masse be it.**

**WHEREAS, Constitutionally-declared in Sections 4 and 5, Article II of the 1987 CONSTITUTION, are the Principles that the prime duty of the Government is to serve and protect the people and that the maintenance of peace and order, the protection of life, liberty and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. Ditto,**

**KENNETH SPICE M. DE VEYRA**  
SB Member

**GINA BALDERAMOS**  
SB Member

**BLESILDA M. YU**  
SB Member

**KETCHIE REX A. BARRANTES**  
SB Member

**ELMER D. MATOBATO**  
SB Member

**ATTY. ARVIN ANTONI**  
SB Member

**SARAH T. APURILLO**  
SB Member

**CHARLZE JERICO DUANE A. TAN**  
SB Member

JH. SORIANO, M. DE VEYRA  
SB Member

Constitutionally-enshrined are the **State Policies** in Sections 9, 10 and 11, **Article II** of the **1987 CONSTITUTION** which, *inter alia*, promote social justice in all phases of national development and a just and dynamic social order, as well, that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality of life for all; which value the dignity of every human person and which guarantee full respect for human rights;

GINA BALDERAMOS  
SB Member

**WHEREAS**, historically, as early as in the year 1912, **ACT NO. 2122** already governed the confinement of insane persons or individuals of manifestly unsound mind in government institutions as may be necessary for the public safety and for the general welfare and proper protection, as well, of all persons under treatment for insanity, whether such persons be under the care of public or private institutions or of their guardians or other persons in their homes respecting which, and in proper cases, the **expenses of the insane person's transportation to the hospital and return or for his maintenance and care while at the hospital or such part thereof as may be due, shall be chargeable to the municipality in which the insane person or mental patient is a bona fide resident at the time of his commitment**;

ATTY. ARVIN ANTONI  
SB Member

BLESILDA M. YU  
SB Member

**WHEREAS**, insane persons found in any public place/establishment or loitering about in any public street or thoroughfare pose a clear and present danger to the life, liberty and property and clearly constitute a menace to the safety, comfort and convenience of the constituents of the Municipality of Alangalang. Almost invariably, no reasonable redress nor lawful retribution is readily available to the said constituents as, in fact, **ACT NO. 3815**, otherwise known as the **REVISED PENAL CODE OF THE PHILIPPINES**, pursuant to Article 12 (1) thereof, mandates that an imbecile or **an insane person, unless he acted during a lucid interval, is totally exempt from criminal liability**. Even so, the subject of commitment/confinement of insane persons in government hospitals or asylums for the insane is again reiterated as the aforesaid provision further mandates that when an insane person has committed an act which the law defines as a felony, **the court shall order his confinement in one of the hospitals or asylums established for persons thus afflicted**, which he shall not be permitted to leave without first obtaining the permission of the same court;

SARAH T. APURILLO  
SB Member

KETCHIE REX A. BARRANTES  
SB Member

**WHEREAS**, Section 16 of **RA 7160**, otherwise known as **THE LOCAL GOVERNMENT CODE OF 1991** is the authority for the mandate that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare such that, within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation of health and safety, the enhancement of social justice, the maintenance of peace and order, and the preservation of the comfort and convenience of their inhabitants;

CHARLZE JERICHO DUANE A. TAN  
SB Member

ELMER D. MATOBATO  
SB Member

**WHEREAS**, finally albeit specifically, Section 447 (a) (5) (xiv) of **RA 7160**, otherwise known as **THE LOCAL GOVERNMENT CODE OF 1991** expressly mandates the **Sangguniang Bayan**, as the legislative body of the Municipality, to approve ordinances which shall ensure the efficient and effective delivery of basic social services, and in this connection, **provide for, inter alia, the care of persons of unsound mind**;

November 5, 2025

**NOW THEREFORE, BE IT ENACTED**, by the Sangguniang Bayan, Municipality of Alangalang, Province of Leyte, in Regular Session assembled:

**Section 1.** It is hereby declared the policy of the Municipal Government Alangalang to promote the health and safety and preserve the comfort and convenience of its inhabitants. Towards this end, the Municipal Government of Alangalang, through its proper offices and agencies shall: a) vigorously undertake efforts at curbing the proliferation of insane persons in public places/establishments or public streets by petitioning the proper court of competent jurisdiction for the issuance of an order committing an insane person so found to the nearest asylum, hospital or place for the insane until such time as he or she may be cured of his/her insanity and released without danger to the community; and b) shall hereafter vigorously prosecute unscrupulous individuals or groups/entities of unscrupulous individuals that allow, cause to allow and engage in the pernicious practice of transporting and/or bringing insane persons into the territorial jurisdiction of the Municipality of Alangalang, which practice shall, by the provision of this Ordinance, be defined and penalized as a criminal offense.

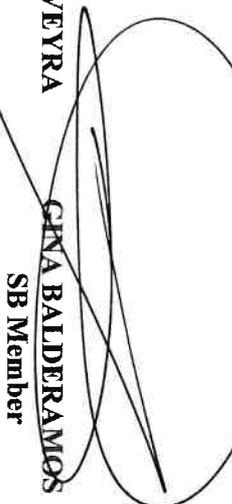
**Section 2.** Any insane person found in any public place/establishment or loitering about in any public street or thoroughfare in the Municipality of Alangalang shall be reported forthwith to the Municipal Health Office/Rural Health Unit of Alangalang which, in coordination with the Alangalang Municipal Police Station (MPS), shall thereupon endeavor that the former be brought to the nearest government hospital, whenever and wherever practicable, for the pertinent medical examination, appropriate sedation and confinement. Reasonable efforts shall then be exerted by the aforementioned offices to determine and locate the insane person's nearest of kin, the latter to be advised, in turn, of the insane person's apprehension, examination and confinement and the applicability as well of the provisions and the processes outlined in this Ordinance.

**Section 3.** For purposes of this Ordinance, the apprehension of any insane person found in any public place/establishment or loitering about in any public street or thoroughfare shall be *prima facie* evidence of the fact that the immediate relatives or any other persons as have charge of the insane person are unable and in no reasonable condition to take proper custody and care of said insane person.

**Section 4.** Upon determination of the pertinent information mentioned in Section 2 hereof and other relevant personal circumstances of the insane person as well, the head of the Municipal Health Office/Rural Health Unit shall forthwith file a petition with the proper court of competent jurisdiction if, in the exercise of sound discretion taking into consideration the welfare and safety of the public, he finds that the safety and welfare of the public will be served by the commitment of the insane person to the nearest government-run asylum, hospital or other place for the insane.

In the absence of a duly appointed Municipal Legal Officer for the Municipality of Alangalang, as this is not a mandatory office for municipal governments under RA 7160, otherwise known as the Local Government Code of 1991, the aforesaid petition shall be prepared by the Leyte Provincial Prosecutor's Office that shall then represent, at all stages of the proceedings the Municipal Health Office/Rural Health Unit which, in turn, will be a mere formal and nominal party in representation of the real party-in-interest, the Municipality of Alangalang.

  
NINETH S. LEGASPI M. DE VEYRA  
SB Member

  
GINA BALDERAMOS  
SB Member

  
BLESSILDA M. YU  
SB Member

  
KETCHIE REX A. BARRANTES  
SB Member

  
EMER D. MATOBATO  
SB Member

  
ATTY. ARVIN ANTONI  
SB Member

  
SARAH T. APURILLO  
SB Member

  
CHARLZE JERICHO DUANE A. TAN  
SB Member

The Municipal Government of Alangalang shall bear all legal costs and expenses that will be incurred germane to the filing and prosecution of the petition, the sole and exclusive prayer of which, after due hearing, shall be for the issuance of an order committing the insane person to the nearest government-run asylum/hospital for the insane until such time as he/she may be cured of his/her insanity and released without danger to the community.

**Section 5.** The penalty of TWO THOUSAND FIVE HUNDERED PESOS (P2,500.00) fine or imprisonment for a period of SIX (6) MONTHS, or both, at the discretion of the Court shall be imposed upon any person who shall transport/bring, cause the transportation/bringing of or shall suffer and/or induce another to transport/bring any insane person from one place to any part within the territorial jurisdiction of the Municipality of Alangalang for reasons other than the legitimate and *bona fide* commitment of the said insane person to any insane asylum, medical check-up or confinement in a hospital.

**Section 6.** The Municipal Health Office/Rural Health Unit, in coordination with the Office of the Provincial Legal Officer and/or the Provincial Prosecutor's Office, shall forthwith formulate and issue the appropriate rules and regulations necessary for the efficient and effective implementation of any and all provisions of this Ordinance, which implementing rules and regulations shall become effective and be enforceable only after due ratification by the Sangguniang Bayan.

**Section 7.** The necessary appropriation for the effective implementation of the provisions of this Ordinance shall be included in the Annual Budget of the Municipal Government of Alangalang.

**Section 8.** Any and all parts of any ordinance inconsistent with the provisions hereof are deemed repealed or modified accordingly

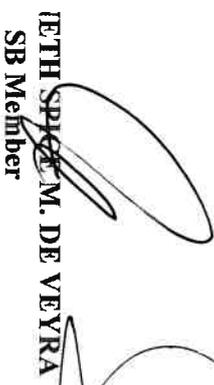
**Section 9.** This Ordinance shall be posted at prominent places within the Municipal Hall for a minimum period of three (3) consecutive weeks and shall likewise be published in a newspaper of general circulation within the territorial jurisdiction of the Municipality of Alangalang. It shall take effect on the day following its publication, or at the end of the period of posting, whichever occurs later.

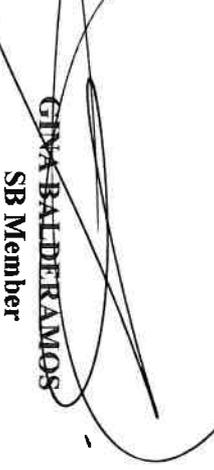
ENACTED, this 5<sup>th</sup> day of November, 2025.

APPROVED by her Mayor this November 24, 2025

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

**DANI R. DE VEYRA**  
Secretary to the Sanggunian  
Municipal Gov't. Department Head I

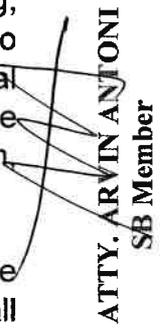
  
ETHEL SPED M. DE VEYRA  
SB Member

  
GINA BALDERAMOS  
SB Member

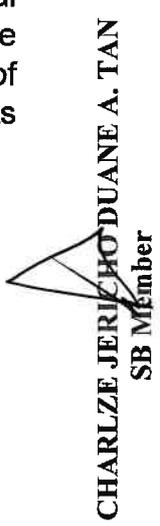
  
BLESSIDA M. YU  
SB Member

  
KETCHIE REX A. BARRANTES  
SB Member

  
ELMER D. MATOBATO  
SB Member

  
ATTY. ARVIN ANTONI  
SB Member

  
SARAH T. APURNLO  
SB Member

  
CHARLZE JERICO DUANE A. TAN  
SB Member

**ATTESTED AND CERTIFIED  
TO BE DULY CERTIFIED:**

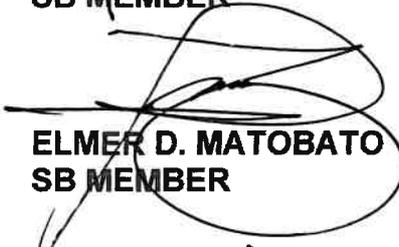
  
**MARIO V. BAGUE**  
Vice Mayor  
Presiding Officer

  
**KENNETH SPICE M. DE VEYRA**  
SB MEMBER

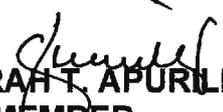
  
**GINA BALDERAMOS**  
SB MEMBER

  
**BLESILDA M. YU**  
SB MEMBER

  
**KETCHIE REX A. BARRANTES**  
SB MEMBER

  
**ELMER D. MATOBATO**  
SB MEMBER

  
**ATTY. ARVIN ANTONI**  
SB MEMBER

  
**SARAH T. APURILLO**  
SB MEMBER  
LIGA President

  
**CHARLZE JERICO DUANE A. TAN**  
SB MEMBER  
PPSK President

**APPROVED:**

  
**LOVELL ANNE M. YU -CASTRO**  
Municipal Mayor

**VOTING:  
YES - 8  
NO - 0**