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Item No.: 19

Date: 09 2025 DEC



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

Province of Leyte
Legal Office
Released by: *[Signature]*
Time: *[Signature]*
Date: *12.2.25*

-oOo-

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: DEC 03 2025
By: *[Signature]*

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
November 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-23 of the Sangguniang Bayan of Alangalang, Leyte.

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

- Ordinance No. 2025-23 entitled: "An Ordinance declaring unlawful in the Municipality of Alangalang the distribution, sale, use, possession and acquisition of certain types of toy guns, replicas or exact reproduction of real guns and providing penalties for violation thereof."

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)(ii)¹ 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

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, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government, and in this connection shall:

(ii) Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for the violation of said ordinances;

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST Indorsement
26 November 2025


11-27-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-23** of the **Municipality of Alangalang, Leyte**, entitled: **An Ordinance declaring unlawful in the Municipality of Alangalang the distribution, sale, use, possession and acquisition of certain types of toy guns, replicas or exact reproduction of real guns and providing penalties for violation thereof.**


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: NOV 26 2025

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. 2025-23
**"AN ORDINANCE DECLARING UNLAWFUL IN THE MUNICIPALITY OF
ALANGALANG THE DISTRIBUTION, SALE, USE, POSSESSION AND
ACQUISITION OF CERTAIN TYPES OF TOY GUNS, REPLICAS OR EXACT
REPRODUCTION OF REAL GUNS AND PROVIDING PENALTIES FOR
VIOLATION 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. 2025-23 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



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

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: NOV 26 2025
By: *duane*

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 President

ABSENT:

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

MUNICIPAL ORDINANCE NO. 2025 - 23

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 DECLARING UNLAWFUL IN THE MUNICIPALITY OF
ALANGALANG THE DISTRIBUTION, SALE, USE, POSSESSION AND
ACQUISITION OF CERTAIN TYPES OF TOY GUNS, REPLICAS OR EXACT
REPRODUCTION OF REAL GUNS AND PROVIDING PENALTIES FOR
VIOLATION THEREOF**

APPROVED ON 3rd AND FINAL READING ON NOVEMBER 5,2025

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

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

Arvin Antoni
ATTY. ARVIN ANTONI
SB Member

Sarah T. Apurillo
SARAH T. APURILLO
SB Member

Charlze Jericho Duane A. Tan
CHARLZE JERICHO DUANE A. TAN
SB Member

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, 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;

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*;

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

Section 1. Declaration of Policy. – It is hereby declared to be the policy of the Municipality of Alangalang to promote the safety, comfort, convenience and the general welfare of its inhabitants. Toward this end, and in due recognition of the well-established fact that toy guns or replicas or exact reproduction of real guns when used for the commission of a crime and/or fired, using any projectiles for ammunition, can cause bodily injury and/or loss of an eye, or when intended to be used or used for the commission of an offense, then the distribution, sale to and acquisition and possession by any person, natural or juridical, of any such toy guns in the Municipality of Alangalang, shall hereafter be declared unlawful.

Section 2. Definition of Terms. – whenever used in this Ordinance, the following words and phrases shall be construed to mean.

2.1 Toy Gun/s – The phrase toy gun, as used in this Ordinance, means any replica and exact reproduction of a real gun, either in appearance, measurement, weight, and color and which when fired produces and/or utilizes, for ammunition, any pellet, missile, dart, artificial bullet and other similar object projectiles.

KENNETH SPICE M. DE VEYRA
SB Member

CINA BALDERAMOS
SB Member

BLE SILDAM. 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

Sarah T. Apurillo
LIGA President

Charlze Jerico Duane A. Tan
PPSK President

KENNETH SPICE M. DE VERA
SB Member

GINA BALDERAMOS
SB Member

BLESILDAN M. YU
SB Member

KETCHIE REN A. BARRANTES
SB Member

ELMER D. MATOBIATO
SB Member

2.2 Child – A person under nine (9) years of age.

2.3 Minor – A person over nine (9) years of age but under fifteen (15).

2.4 Youthful Offender – A youthful offender is a minor or youth over fifteen (15) but under eighteen (18) years of age at the time of the commission of the offense.

2.5 Imbecile – A retarded person mentally equal to a child between three (3) to eight (8) years old.

2.6 Insane person – A deranged, demented, or a person of unsound mind, permanent or temporary, and incapable of rational conduct or judgment.

2.7 Adequate Compensation – Actual monetary loss or expenses duly proved.

Section 3. Penalties. – The penalty of imprisonment of not more than THREE (3) MONTHS or a fine of not more than ONE THOUSAND FIVE HUNDRED PESOS (P1,500.00) or both at the discretion of the Court, shall be imposed upon any person, natural or juridical who shall unlawfully distribute, sell, dispose, acquire, possess or use and/or intend to use toy guns.

The owner or proprietor, manager or other responsible officer of any public or private firm, company, corporation or entity shall be meted the immediately preceding penalties in addition to the suspension of the business permit for a period not exceeding SIX (6) MONTHS for the first offense.

For subsequent violations, the maximum penalty of SIX (6) MONTHS imprisonment shall be imposed or the maximum fine of TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) or both at the discretion of the Court, and shall result in the permanent revocation of the Business/Mayor's permit and the place of business closed accordingly if the violator is a juridical person.

If the violation is in furtherance of, or incidental to, or in connection with any of the felonies, crimes and acts defined and penalized under the Revised Penal Code of the Philippines and other penal statutes, the penalty shall be same as that imposed in the immediately preceding paragraph.

In all cases, toy gun/s in question shall be confiscated by and turned over to the proper authorities for destruction.

Section 4. Persons who are Exempt from Criminal Liability. – The following persons are exempt from criminal liability:

4.1 An imbecile or an insane person shall not be held liable for any violation of this Ordinance, unless the latter has acted during a lucid interval, in which case, the Court shall order his confinement to the proper institution for persons thus afflicted, which he shall not be permitted to leave without obtaining the permission of the same Court.

ATTY. ARVIN ANTONI
SB Member

SARAH T. APUELLO
SB Member
LIGA President

CHARLZE JERICHO DUANE A. TAN
SB Member
PPSK President

4.2 A child under nine years of age – A child below nine (9) years of age who violates any provision of this Ordinance shall be exempt from criminal liability and shall be committed to the care of his parents, nearest relative or family friend subject to the Court’s discretion and supervision.

4.3 Minors who are over nine years of age but under fifteen – Minors over nine years of age but below fifteen (15) years old who violate the provisions of this Ordinance shall be exempt from criminal liability and shall also be committed to the care of his or her parents, nearest relative or family friend subject to the Court’s discretion and supervision unless he acted with discernment, in which case he shall be dealt with in accordance with the provisions of Article 192 of PD 603, as amended. (THE CHILD AND YOUTH WELFARE CODE).

Section 5. Youthful Offenders. – A youth who is over fifteen (15) but under eighteen (18) years of age at the time of the commission of the offense, proven to have committed the acts charged, the Court shall determine the imposable penalty including any civil liability chargeable. Provided, that the Court, instead of pronouncing judgment of conviction and upon application of the youthful offender, may suspend all further proceedings and commit him or her to the care of the Department of Social Welfare and Development until such time that the Court deems it proper to decide after considering the reports and recommendations of the department.

Section 6. Civil Liability. – An offended party who suffered any harm or injury in any part of his body with the use of a toy gun as defined in this Ordinance shall be entitled to an adequate compensation only for such pecuniary loss suffered by him as he has duly proved.

The civil liability referred to in the preceding paragraph for acts committed by a child, a minor or youthful offender as defined in this Ordinance shall be borne by his/her parents, guardians or those having custody of him/her at the time of the commission of the offense or may also be voluntary assumed by a relative or a friend.

The civil liability provided herein is separate and distinct from fines and shall be paid to the offended party.

Section 7. Liability of Parents, Guardians, or Any Person Who Has Custody of the Child, Minor, or Youthful Offender for Violations Under this Ordinance. – Parents or any parent, guardian or any person having custody, at the time of the commission of the offense, of the child, minor, or youthful offender who knowingly or willingly aids, causes, abets or connives with the commission by the said offenders of any offense as defined in this Ordinance shall be meted with an administrative fine of:

- First Offense** ----- P 200.00
- Second Offense** ----- P 300.00
- Third Offense** -----P 500.00 or imprisonment not exceeding three (3) MONTHS or both fine and imprisonment at the discretion of the Court.

KENNETH SORCE M. DE VEYRA
SB Member

GINA BALDERAMOS
SB Member

BLESILDA M. YU
SB Member

KETCHIE REX A. BARRANTES
SB Member

ELMILY T. MATORATO
SB Member

ATTY. ARVIN ANTONI
SB Member

SARAH T. APURILLO
SB Member
LIGA President

CHARLZE JERICO DUANE A. TAN
SB Member
PPSK President

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

Section 9. Effectivity – 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.

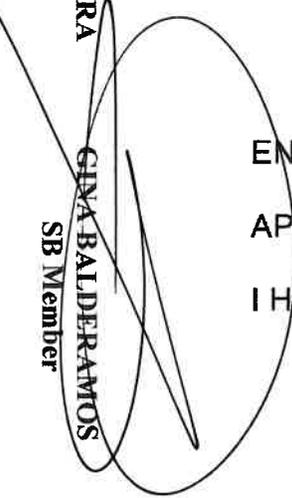
ENACTED, this 5th day of November, 2025.

APPROVED by her Mayor this NOVEMBER 24, 2025.

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

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

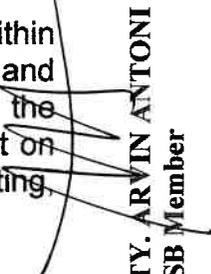

KENNETH SPICE M. DE VEYRA
SB Member


GINA BALDERAMOS
SB Member

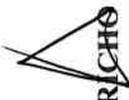

BLESIDA M. YU
SB Member


KETCHIE RINA BARRANTES
SB Member


ELMER D. MATOBATO
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ATTY. ARVIN ANTONI
SB Member

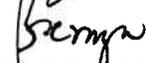

SARAH T. APURILLO
SB Member
LIGA President

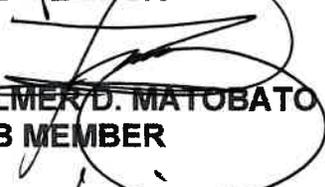

CHARLE JERICO DUANE A. TAN
SB Member
PPSW President

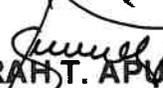
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TO BE DULY ENACTED:**

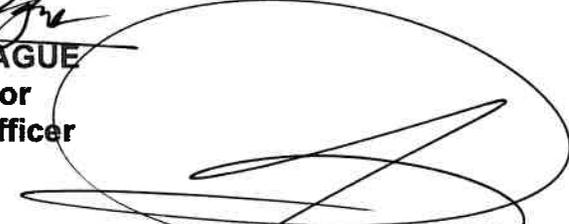

MARIO V. BAGUE
Vice Mayor
Presiding Officer


KENNETH SPICE M. DE VEYRA
SB MEMBER

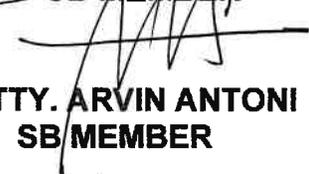

BLESILDA M. YU
SB MEMBER


ELMER D. MATOBATO
SB MEMBER


SARAH T. APURILLO
SB MEMBER
LIGA President


GINA BALDERAMOS
SB MEMBER


KETCHIE REX A. BARRANTES
SB MEMBER


ATTY. ARVIN ANTONI
SB MEMBER


CHARLZE JERICHO DUANE A. TAN
SB MEMBER
PPSK President

APPROVED:


LOVELL ANNE M. YU -CASTRO
Municipal Mayor

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