

Item No.: 40  
Date: 09 2025 DEC



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

-oOo-

**PROVINCIAL LEGAL OFFICE**

Province of Leyte  
Legal Office

Released: [Signature]  
Time: [Signature]  
Date: 12.2.25

**Sangguniang Panlalawigan**  
Province of Leyte

**RECEIVED**

DEC 03 2025  
Date: [Signature]  
By: [Signature]

**2<sup>nd</sup> INDORSEMENT**  
November 24, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2025-1V of the Sangguniang Bayan of Dulag, Leyte.

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

- Ordinance No. 2025-1V entitled: “An Ordinance regulating the National Irrigation Administration Water Supply and protection of irrigation infrastructures within the Territorial Jurisdiction of the Municipality of Dulag, 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)(5)(vii)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160). Hence, we recommend 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]

<sup>1</sup> (vii) Subject to existing laws, provide for the establishment, operation, maintenance, and repair of an efficient waterworks system to supply water for the inhabitants; regulate the construction, maintenance, repair and use of hydrants, pumps, cisterns and reservoirs; protect the purity and quantity of the water supply of the municipality and, for this purpose, extend the coverage of appropriate ordinances over all territory within the drainage area of said water supply and within one hundred (100) meters of the reservoir, conduit, canal, aqueduct, pumping station, or watershed used in connection with the water service; and regulate the consumption, use or wastage of water;

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

1<sup>ST</sup> ENDORSEMENT  
20 November 2025

*Agas*  
11.24.25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-1V**, of the **Municipality of Dulag, Leyte**, entitled: **An Ordinance regulating the National Irrigation Administration (NIA) Water Supply and protection of irrigation infrastructures within the territorial jurisdiction of the Municipality Dulag, Leyte.**

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



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF DULAG

Sangguniang Panlalawigan  
Province of Leyte

**RECEIVED**

Date: NOV 20 2025  
By: \_\_\_\_\_

**Office of the 13<sup>th</sup> Sangguniang Bayan**

19 November 2025

**TO THE HONORABLE MEMBERS  
of the Sangguniang Panlalawigan  
Province of Leyte**

Through: **HON. LEONARDO M. JAVIER, JR.**  
*Vice-Governor  
Province of Leyte*

**Subject: Endorsement of Municipal Ordinances for Review and Approval**

**Dear Honorable Members,**

Warm greetings from the Municipality of Dulag!

In accordance with the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and pursuant to the mandate of the Sangguniang Panlalawigan to review municipal ordinances for their consistency with existing laws and policies, we respectfully submit for your consideration and appropriate action the following municipal ordinances duly enacted by the Sangguniang Bayan of Dulag, Leyte:

- ✦ **Ordinance No. 2025 – I** – “An Ordinance Providing The Guidelines on the Utilization of the PhilHealth Capitation From The ‘Konsultasyong Sulit at Tama (KonSulTa) Package’ of the Municipal Health Office of Dulag”
- ✦ **Ordinance No. 2025 – II** – “An Ordinance Adopting The Implementing Rules and Regulations (IRR) of the Nutrition Code of Dulag, Leyte”
- ✦ **Ordinance No. 2025 – III** – “An Ordinance Enacting The Municipal Nutrition Code of Dulag, Leyte”
- ✦ **Ordinance No. 2025 – IV** – “An Ordinance Regulating The National Irrigation Administration (NIA) Water Supply and the Protection of Irrigation Infrastructures Within The Territorial Jurisdiction of the Municipality of Dulag, Leyte”
- ✦ **Ordinance No. 2025 – V** – “An Ordinance Declaring The Temporary Road Closure of Calle Kempis, Brgy. Serrano, Dulag, Leyte, From 7:00 o’clock In The Evening To 12:00 o’clock Midnight of May 16 – 25, 2025 For The Annual Celebration of Sta. Cruz de Mayo”
- ✦ **Ordinance No. 2025 – VI** – “An Ordinance Institutionalizing The ‘Katuwang sa Diwa at Gawa Para Sa Masaganang Ani at Mataas na Kita (KADIWA) ng Pangulo’ In The Municipality of Dulag, Leyte”
- ✦ **Ordinance No. 2025 – VII** – “An Ordinance Establishing The Integrated Pre-Emptive and Forced Evacuation System In Case of Emergencies Caused By Natural or Human Induced Hazards and Providing Penalties, Thereof”
- ✦ **Ordinance No. 2025 - VIII** - “An Ordinance Institutionalizing The Incident Command System As An On-Scene Disaster Response and Management Mechanism and Defining The Composition of the Dulag Incident Management Team, Defining Its Functions, Operational Framework and Providing Funds, Thereof”
- ✦ **Ordinance No. 2025 – IX** – “An Ordinance Declaring The Temporary Road Closure of Capitan Ciudad, Capitan Tacio and Capitan Beroy Streets, Brgy. Buntay, Dulag, Leyte From 16 August 2025

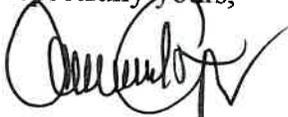
at 5:00 o'clock In The Morning Until 5:00 o'clock In The Morning of 08 September 2025 In Preparation For The 430<sup>th</sup> Araw Ng Dulag and Town Fiesta Celebrations”

- **Ordinance No. 2025 – X –** “An Ordinance Declaring The Temporary Road Closure of Bautista/Yanuario Street, Brgy. Candao, Dulag, Leyte From 16 August 2025 At 5:00 o'clock In The Morning Until 5:00 o'clock In The Morning of 08 September 2025 For The Town Fiesta Celebration of Dulag, Leyte”

These legislative measures were passed and deliberated by the Members of the Sangguniang Bayan. They are intended to promote public welfare, enhance local governance, and address specific needs and concerns of our constituents. We trust that the Sangguniang Panlalawigan will find these ordinances to be in order and consistent with national laws and policies.

Thank you for your continued support and partnership in advancing responsive and effective local legislation. We look forward to your favorable endorsement and approval.

Respectfully yours,



**ORLANDO L. CAGARA**  
*Secretary to the Sanggunian*



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF DULAG



## Office of the Sangguniang Bayan

### ORDINANCE NO. 2025-IV

AUTHOR : COUN. MIGUEL O. CASTRO

*Chairperson, Committee on Infrastructure*

## AN ORDINANCE REGULATING THE NATIONAL IRRIGATION ADMINISTRATION (NIA) WATER SUPPLY AND THE PROTECTION OF IRRIGATION INFRASTRUCTURES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF DULAG, LEYTE

**Whereas** one of the primary functions of the Municipal Local Government under RA 7160 otherwise known as the Local Government Code of the Philippines, is to protect vital government properties under its jurisdiction;

**Whereas** the Municipality of Dulag recognizes the fact that irrigation water is vital to local development, and it has become increasingly necessary for the government to intervene actively in improving the management of water resources;

**Whereas** the National Irrigation Administration has constructed Irrigation Systems within the Municipality of Dulag which has contributed to the development of agriculture industry and benefited our constituents in the Municipality;

**Whereas** unabated abuses and destruction of irrigation infrastructures are rampant and causes untold damages and thereby worsening the irrigation services;

**Whereas** the joint effort of the National Irrigation and Farmers Irrigators Associations to regulate the use of irrigation considering their limitations for police power, requires the support from the local government;

**Whereas** this Ordinance is primarily intended to ensure that all farmers are equally availing/ access the water from irrigation for their rice field;

**Now therefore**, be it ordained by the Sangguniang Bayan in session assembled, that the:

### ARTICLE I TITLE AND SCOPE

**Section 1. Title** – This Ordinance shall be called as “**An Ordinance Regulating the National Irrigation Administration (NIA) Water Supply and the Protection of Irrigation Infrastructures Within the Territorial Jurisdiction of the Municipality of Dulag, Leyte**” otherwise shall be known as “Irrigation Regulation Ordinance of Dulag, Leyte”.

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**Section 2. Scope** – The Ordinance shall apply only within the territorial jurisdiction of the Municipality of Dulag, Leyte.

## ARTICLE II DECLARATION OF POLICY

**Section 3.** It is hereby declared as a policy of the State to protect and regulate government properties including infrastructures and the promotion of equal access to irrigation services among water users in order to increase rice production and attain food self-sufficiency in the municipality.

## ARTICLE III DEFINITION OF TERMS

**Section 4.** To understand the terms used in the ordinance, the following are defined operationally;

1. **Canal and Road Easement** – refers to the canal and service road right of way.
2. **Canal Embankments** – refers to the canal earth bank, built to carry irrigation water.
3. **Cropping Calendar** – refers to the schedule of the rice growing season from the fallow period and land preparation, to crop establishment and maintenance to harvest and storage. The crop calendar allows a farmer to: plan for input purchase and use., develop cash flow budget for year determine need credit and period requirement.
4. **Irrigators Association / Cooperatives** – organization of irrigation water users duly registered with accredited government agencies.
5. **Irrigation Service** – refers to the set of associated Operation and Maintenance (O&M) activities provided to ensure the effective and efficient delivery and distribution of irrigation water from the source to the farm.
6. **Irrigation Structures and Facilities** – refers to all structures and facilities provided in a particular irrigation system such as; dams, reservoirs, intakes, headworks, pumping stations, main canal, and large canal.
7. **Irrigation Water** – Water flowing in the canal embankments coming from identified water sources.
8. **Landholding** – refers to the area of a farm owned by a farmer or a landowner receiving irrigation and/ or drainage services.
9. **National Irrigation Administration (NIA)** – is government- owned and controlled cooperation primarily responsible for irrigation development in the Philippines.
10. **Penalty** – refers to a punishment or violation for breaking the law or doing an unlawful act. - Refers to violation charge impose for violating the ordinance.
11. **Territorial Jurisdiction** – refers to the power of the Municipality of Dulag, Leyte in which the exercise thereof is limited only to the scope, boundary, and geographical area of Dulag, Leyte.
12. **Water Delivery Request (WDR)** – permit granted by NIA & IA to individual water user for a particular cropping season.

**ARTICLE IV**  
**REGULATION AND PROHIBITIONS ON THE OPERATION OF IRRIGATION SYSTEM**

**Section 5.** The NIA and the Irrigators Association shall be required to furnish the concerned LGU with a copy of the approved Cropping Calendar and Pattern of Planting including Operation, Maintenance Plan, Water Delivery and Distribution Plan, and status of water availability in the irrigation canal for every cropping season.

**Section 6.** It shall be unlawful to use or divert irrigation water without an approved Water Delivery Request from duly recognized Irrigators Association, in accordance with the rules and regulations set and duly approved by the latter and the National Irrigation Administration.

**Section 7.** It shall be unlawful for any person to undertake land preparation of any farm lots using Irrigation water without an approved Water Delivery Request, except for purely Rain-fed farms.

**Section 8.** It shall be unlawful to construct, destroy, manipulate, take control, and remove any irrigation fixtures, facilities, structures, headgates, check gates, turn-outs and other appurtenant irrigation structures without authority or instructions from the Irrigators Association and the National Irrigation Administration.

**Section 9.** It shall be unlawful to construct structures such as shanties, makeshift pigpens along irrigation canals, embankments, and canal and road easement.

**Section 10.** It shall be unlawful to dump noxious, poisonous substances and garbage along irrigation and drainage canals, as well as other waterways within the Municipal Jurisdiction.

**Section 11.** It shall be unlawful to undertake fishing along irrigation canals and dams requiring manipulation of irrigation structures resulting to obstruction and diversion of irrigation water.

**ARTICLE V**  
**IMPLEMENTING, MONITORING AND EVALUATION TEAM**

**Section 12.** Monitoring and Evaluation Board

- It is hereby created and composed of the following:

Municipal Mayor – Chairman  
NIA Officer – Vice – Chairman  
Concerned IA President – Member  
Municipal Agriculturist – Member  
PNP Representative – Member  
Barangay Captain – Member

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**Section 13. Implementing Team**

- It is hereby created and composed of the following:

Barangay Captain  
Barangay Police (Tanod)  
Irrigators Association Representative  
NIA Representative

**Section 14 Functions and Responsibilities**

- A. Municipal Mayor – Overseeing the overall management and administration of irrigation projects within the Municipality of Dulag.
- B. National Irrigation Administration (NIA) – Planning, designing, and implementing irrigation infrastructure and development projects, providing technical support and expertise for the maintenance and improvement of irrigation system, Monitoring and evaluating the performance of irrigation facilities and projects.
- C. Irrigator Associations – Participating in the maintenance and operation of irrigation facilities, coordinating with the local government and other stakeholders for the improvement of irrigation systems, Representing the interests of farmers and irrigators in matters related to irrigation.
- D. Municipal Agriculturist – Providing technical expertise in agricultural and irrigation-related matters, conducting assessment and evaluations of agricultural practices related to irrigation, Advising on the sustainable and efficient use of irrigation systems for agricultural purposes.
- E. Philippine National Police (PNP) – Ensuring the security and safety of irrigation facilities and personnel, collaborating with other agencies to prevent and address issues such as theft, vandalism, or illegal activities related to irrigation facilities.
- F. Barangay Captain – Facilitating communication between the local community and Coordinating community efforts for the maintenance and protection of irrigation infrastructure.
- G. Barangay Police (Tanod) – Assist the Barangay Captain, IA representative and other in monitoring and patrolling the irrigation facilities to prevent unauthorized access and misuse, Report suspicious activities or violations to the Barangay Captain and other relevant authorities for further action.

**ARTICLE VI  
PENALTIES FOR VIOLATIONS**

**Section 15.** Any person/s violating **Section 6,7,9,10, and section 11 under ARTICLE IV** of the said Municipal Ordinance shall meet the following penalties;

***First Offense – Issuance of citation ticket and Community Service (along Irrigation Area) of one (1) day or a fine of One thousand Pesos (P1000.00).***

***Second Offense – Issuance of citation ticket and Community Service (along Irrigation Area) of one (1) day and a fine of One thousand Five hundred Pesos (P1,500.00)***

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***Third and Final Offense – Issuance of citation ticket, a fine of Two thousand Five hundred Pesos (P2,500.00), imprisonment for a duration of between two (2) months to six (6) months, or both fine and imprisonment at the court’s discretion. Additionally, the offender will be permanently excluded or terminated from using irrigation facilities.***

***Non-payment of violation within 72 hours shall be subjected for filing in court on the said violation.***

**Section 16.** Any person/s violating **Section 8** of the said Municipal Ordinance shall meet this penalty.

***First and last Offense – Issuance of citation ticket, a fine of Two thousand Five hundred Pesos (P2,500.00), imprisonment for a duration of between two (2) months to six (6) months, or both fine and imprisonment at the court’s discretion. Additionally, the offender will be permanently excluded or terminated from using irrigation facilities.***

***Non-payment of violation within 72 hours shall be subjected for filing in court on the said violation.***

## **ARTICLE VII INCENTIVE FOR THE LAW ENFORCERS**

**Section 17.** The law enforcers comprising the ***Municipal PNP and/or Barangay Tanod*** who apprehended violators shall be entitled to an incentive equivalent to/and of the amount of the fines/penalty paid by the latter.

- 50% - Barangay Concerned
- 30% - Irrigation Association
- 20% - Municipal Local Government Unit

## **ARTICLE VIII SEPARABILITY CLAUSE AND REPEALING CLAUSE**

**Section 18. SEPARABILITY CLAUSE.** If any provision of this Ordinance or the application of such provision to any person or circumstances is declared unconstitutional or invalid, the remainder of the ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

**Section 19. REPEALING CLAUSE.** Any ordinance or parts thereof that are inconsistent hereof are hereby repealed or modified accordingly.

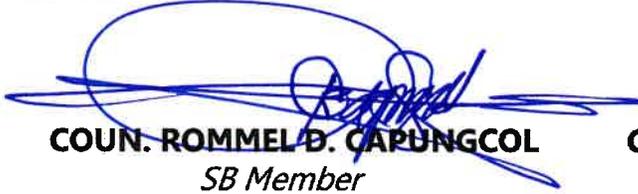
## **ARTICLE IX EFFECTIVITY AND IMPLEMENTATION**

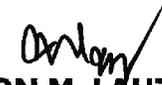
**Section 20. EFFECTIVITY** – This Ordinance shall take effect following its approval by the Sangguniang Bayan.

**ENACTED** by the Sangguniang Bayan on their 114<sup>th</sup> Regular Session on **14 May 2025.**

*[Handwritten signatures and initials are present at the bottom of the page, including a large signature on the left, a signature in blue ink in the center, and several initials on the right.]*

**CONCURRED:**

  
**COUN. ROMMEL D. CAPUNGCOL**  
*SB Member*

  
**COUN. NELSON M. LAUZON**  
*SB Member*

  
**COUN. JERSON SIMON P. VELOSO**  
*SB Member*

  
**COUN. VICENTE C. PETILOS, JR.**  
*SB Member*

  
**COUN. ROUBEL P. DUGOS**  
*SB Member*

  
**COUN. BENVINEDO Y. CAMPOSANO**  
*SB Member*

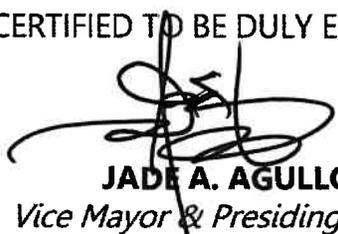
  
**COUN. VICTOR B. CADAYONG**  
*SB Member*

  
**COUN. MIGUEL O. CASTRO**  
*SB Member*

  
**PRES. MANUEL SIA QUE**  
*Liga ng mga Barangay*

  
**PRES. JERIC M. TUMANDAO**  
*Pambayang Pederasyon ng mga Sangguniang Kabataan*

CERTIFIED TO BE DULY ENACTED:

  
**JADE A. AGULLO**  
*Vice Mayor & Presiding Officer*

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance No. 2025-IV.

  
**ORLANDO L. CAGARA**  
*Secretary to the Sanggunian*

APPROVED: 28 MAY 2025, 2025



  
**ATTY. MILDRED JOYA QUE, CPA**  
*Municipal Mayor*

