

Item No.: 43

Date: 09 2025 DEC



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

-oOo-

Sangguniang Panlalawigan  
Province of Leyte

**PROVINCIAL LEGAL OFFICE**

**RECEIVED**

Date: DEC 03 2025  
By: [Signature]

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

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

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2025-V11 of the Sangguniang Bayan of Dulag, Leyte.

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

- Ordinance No. 2025-V11 entitled: **“The Pre-emptive and Forced Evacuation Ordinance 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)(1)(iv)<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 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*

<sup>1</sup> (iv) Adopt measures to protect the inhabitants of the municipality from the harmful effects of man-made or natural disasters and calamities and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and their return to productive livelihood following said events;

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

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

11-24-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-V11**, of the **Municipality of Dulag, Leyte**, entitled: **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.**

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



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF DULAG

Sangguniang Panlalawigan  
Province of Leyte

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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

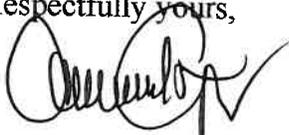
at 5:00 o'clock In The Morning Until 5:00 o'clock In The Morning of 08 September 2025 In Preparation For The 430<sup>th</sup> Araw Ng Dulag and Town Fiesta Celebrations”

- **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-VII**

**AUTHOR : COUN. ROMMEL DE PAZ CAPUNGCOL**  
*Chairperson, Committee on Health and Sanitation*

**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**

**SECTION 1. TITLE-** This Ordinance shall be referred to as **“THE PREEMPTIVE AND FORCED EVACUATION ORDINANCE OF DULAG, LEYTE”**

**SECTION 2. DECLARATION OF POLICY.** Under Sec. 16, General Welfare Clause of the Local Government Code, Local Government Units are authorized to exercise the powers necessary, appropriate or incidental to its efficient and effective governance and those which are essential to the promotion of general welfare.

Furthermore, under Sec. 2 of RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010, the State aims to recognize the local risk patterns across the country, strengthen the capacity of LGUs for disaster risk reduction and management through decentralized powers, responsibilities and resources at the regional and local levels, and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters.

Therefore, it is the declared policy of the Municipal Government of Dulag, Leyte to protect the lives and properties of its residents at all times, and, whenever possible, mitigate the effects of any human induced and natural disasters within its locality.

**SECTION 3. DEFINITION OF TERMS-** As used on this Ordinance, the following terms are hereby defined:

a. Accredited Community Disaster Volunteers (ACDV)- are individuals or organized volunteers who possess the requisite of qualifications, as stipulated in the guidelines currently utilized by the MDRRMO, and whose names were submitted as officially included in the Municipal Disaster Risk Reduction and Management Council (MDRRMC), List of Community Disaster Volunteers, and/or the National Roster of ACDVs maintained by the Office of Civil Defense (OCD) and have the following roles:

- i. Provide voluntary service to Local Government Units and communities for DRRM-related activities.

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- ii. Ensure that services rendered are done in a professional manner and does not compromise the safety of the volunteers and communities they are assisting.

b. Community Volunteer Responders (CVR)- group of responders in the community that performs response activities.

c. Disaster- serious disruption of functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. For purposes of this Ordinance, disaster shall include both natural and human-induced.

d. "Disaster Mitigation" – the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures encompass engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness.

e. "Early Warning System" – the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss. A people-centered early warning system necessarily comprises four (4) key elements: knowledge of the risks; monitoring, analysis and forecasting of the hazards; communication or dissemination of alerts and warnings; and local capabilities to respond to the warnings received. The expression "end-to-end warning system" is also used to emphasize that warning systems need to span all steps from hazard detection to community response.

f. "Emergency" – unforeseen or sudden occurrence, especially danger, demanding immediate action.

g. Emergency Evacuation- means an evacuation ordered by competent authority when an emergency has suddenly occurred which requires immediate evacuation of the affected areas.

h. Evacuation- means an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and which is considered dangerous to the health and safety of the general public.

i. Evacuation Area, Evacuation Center or Evacuation Place-place where disaster Internally Displaced Persons (IDPs) and Vulnerable and Marginalized groups are brought before, during and after disasters such as, but not limited to, typhoons, floods, landslides, earthquakes, or fire, for care, safety and protection.

j. Hazard- a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.

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k. Imminent Danger- means any condition in any place such that a danger exist which could reasonably be expected to cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.

l. Internally Displaced Persons (IDPs)- refers to persons or groups of persons who have been forced or obliged to flee or leave their homes or place of habitual residence, as a result of or in order to avoid the effects of natural or human-induced hazards, and who have not crossed an internationally recognized State border.

m. Pre-emptive Evacuation- means an evacuation ordered as a resort when an imminent danger is predicted and danger of loss of life is imminent, and conditions exist that may critically imperil the lives of those in a defined area.

n. Public Alert and Warning System- system used to give warning to the public such as Siren, to alert the public of impending disaster. PAWS is usually science-based technology and mostly, those are state-of-the-art devices that have wider coverage in terms of monitoring and alerting, which benefits responsiveness to emergency management and public safety officials, and builds public trust, equity and confidence.

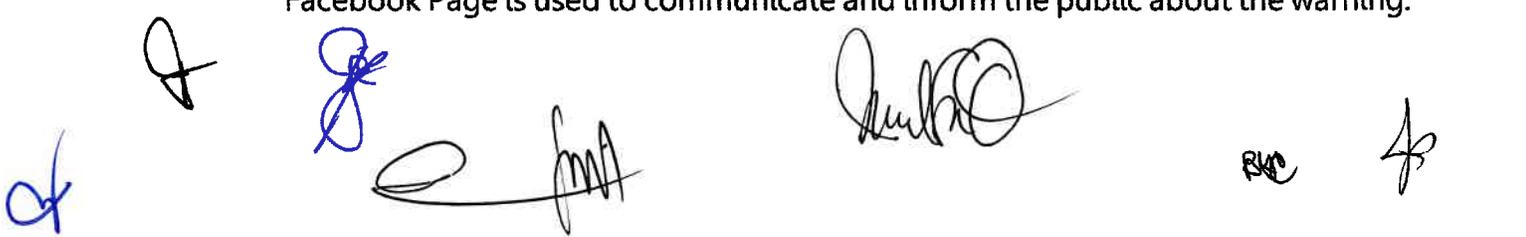
o. Standard Operating Procedures-set of step-by-step instructions complied by an organization to help workers carry out routine operations. SOPs aim to achieve efficiency, quality, output, and uniformity of performance while reducing miscommunication and failure to comply with the organization's regulations.

p. Vulnerable groups- include individuals or groups of people that ace higher exposure to disaster risk and poverty including, but not limited to, women, especially pregnant and lactating mothers, children and youth, orphans, unaccompanied children, elderly, differently-abled people and people with chronic illness.

**SECTION 4. ESTABLISHMENT OF PUBLIC ALERT WARNING SYSTEM AND ITS STANDARD OPERATING PROCEDURES (SOP)-** The MDRRMO and the Barangay Disaster Risk Reduction and Management Committee (BDRRMC) are mandated to establish PAWS and its SOP in order to provide early warning to communities at risk.

The MDRRMO and BDRRMC shall conduct regular checking of the PAWS that are already established. The following are the PAWS employed by the municipality, but shall not be limited to the following:

- a. Electronic Siren
- b. Manual Bell
- c. Manual Water Level Market- establish within the different river system as another reference for the conduct of pre-emptive evacuation. The Following colors and their corresponding meaning have been adopted from the Local Flood Early Warning System (LFEWS) of Burauen, Leyte for the Daguitan Watershed.
  - i. White- Normal Level
  - ii. Green- Alert Level 1 (Monitor)
  - iii. Yellow- Alert Level 2 (Prepare and/or Pre-emptive Evacuation)
  - iv. Red- Alert Level 3 (Evacuate)
- d. Alert through Social Media - social media warnings through the official MDRRMO Facebook Page is used to communicate and inform the public about the warning.

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**SECTION 5. CONSIDERATIONS IN THE IMPLEMENTATION OF PRE-EMPTIVE AND FORCED EVACUATION-** the following protocols shall be observed in the implementation of pre-emptive evacuation:

a. Upon the assessment and monitoring relative to the imminent danger caused by weather disturbance or other hazards, the Dulag Operations Center through the MDRRMO shall immediately inform the Municipal mayor and seek clearance for the implementation of evacuation procedures protocols.

On the basis of such recommendation, the Mayor shall immediately declare the implementation and enforcement of pre-emptive evacuation which shall be guided by the following factors:

- i. Conditions of Evacuation;
- ii. Chain of Command;
- iii. Evacuation Procedures;
- iv. Emergency Standards; and
- v. Early Warning System

b. The Pre-emptive Evacuation and Forced evacuation shall be enforced in different levels depending on the type of hazard, as follows:

| Types of Emergencies   |   |
|------------------------|---|
| Flood                  | <ul style="list-style-type: none"> <li>a. <b>Green Warning</b> or Alert Level 1- Announcement in barangay PA system every 1 hour.</li> <li>b. <b>Yellow Warning</b> or Alert Level 2- Announcement in barangay PA system every 30 minutes. Pre-emptive evacuation</li> <li>c. <b>Red Warning</b> or Alert Level 3- Siren for 3 minutes. Forced Evacuation</li> </ul>  |
| Tropical Cyclone       | <ul style="list-style-type: none"> <li>a. <b>TCWS No. 1 (Tropical Depression)</b>- Announcement in barangay PA system every 4 hours.</li> <li>b. <b>TCWS No. 2(Tropical Storm)</b>- Announcement in barangay PA System every 2 hours. Pre-emptive Evacuation</li> <li>c. <b>TCWS No. 3(Severe Tropical Storm)</b>- Siren for 1 minute every hour.</li> <li>d. TCWS No. 4-5(<b>Typhoon</b> and <b>Super Typhoon</b>)- Siren for 2 minutes every 30 minutes.</li> </ul> |
| Fire Outbreak          | <ul style="list-style-type: none"> <li>a. Minor Fires- Rung alarm for 1 minute. Forced evacuation within 20m radius from the affected area</li> <li>b. General Fire Alert- Rung alarm for 2 minutes. Forced evacuation within 20m from the affected area.</li> </ul>  |
| Earthquake and Tsunami | <p>After Drop, Cover, Hold</p> <p><b>Magnitude 1-5 or Alert Level 0-</b> Siren for 1 minute. Forced Evacuation from building. Resumption may be done after damage assessment of engineering office.</p>   |

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|-----------|---|
|           | <p><b>Tsunami Alert Level 1</b>- Monitoring. No evacuation order.</p> <p><b>Tsunami Alert Level 2</b>- Siren for 1 minute every 30 minutes. Pre-emptive evacuation for families located within 100 meters from the shoreline.</p> <p><b>Magnitude 6 or up and Tsunami Alert Level 3</b>- Continuous siren. Forced evacuation to families located within 2km from the shoreline.</p> |
| Terrorism | <p>Continuous Siren</p> <p>Forced evacuation of affected areas.</p>   |

c. If anyone within the affected area does not adhere to the order of evacuation during FORCED EVACUATION LEVEL, the person may be compulsory taken, if the situation warrants as a means of ensuring his or her safety.

d. The Municipal Mayor through the Incident Commander shall mobilize all Response Clusters, BDRRMCs, ACDVs and RVGs in accordance with the Emergency Operations Center SOP.

**SECTION 6. CONSIDERATION IN THE IMPLEMENTATION OF EMERGENCY EVACUATION-** These protocols shall be observed in the implementation of emergency evacuations;

- a. Emergency Evacuations is a full evacuation of all residents and occupants within the hazard or disaster area and will be resorted to in cases where the forecasted impact of the hazard is within less than two hours or in any incidents that are about to occur, already occurring, or have already occurred, such as in the case of fire, earthquake, terrorist attack or criminal activity within the area;
- b. Emergency evacuation shall be carried out in a manner that is humane, respectful of the dignity of a person, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors, prioritizing children, pregnant women, the elderly, Persons with Disability (PWDs) and those with chronic illness;
- c. Personnel and volunteers carrying out the emergency evacuation shall make sure that all measures are taken to inform the evacuees, in a manner and language that they can understand, of the need for a hasty and orderly evacuation, and the lack of other alternatives for their evacuation.
- d. If anyone within the affected area does not adhere to the order of emergency evacuation for is found within the danger or target area beyond the abovementioned time frame, the person may be compulsory taken, if the situation warrants, as a means of ensuring his safety.

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**SECTION 7. BARANGAY EVACUATION AND CAMP MANAGEMENT PLAN-** It shall be incumbent upon the BDRRMCs to prepare an Evacuation and Camp Management Plan in their respective Area of Responsibilities (AORs) prior to a hazard or disaster and identify Permanent Evacuation Centers and Alternative Evacuation Centers to be utilized in case of emergencies.

BDRRMCs shall post their Evacuation Route and Evacuation Maps in conspicuous places within their respective AORs and conduct annual drills.

All emergency measures adopted shall be a coordinated and collaborative effort between the Municipal government, Barangay and assisting agencies.

**SECTION 8. ESTABLISHMENT OF MUNICIPAL-WIDE EVACUATION CENTER-** in case of disasters or hazards, whether forecasted or unforeseen, which affect the entire municipality, or majority of its territory, there shall be designated evacuation sites within the municipality in areas not affected, and areas outside the municipality when majority of the municipal area is affected, in coordination with other LGUs, as determined by the MDRRMC. These areas will be confirmed by the Municipal Government of Dulag, Leyte, through an agreement, order, resolution or ordinance as warranted by law.

**SECTION 9. ESTABLISHMENT OF EVACUATION SITES AT THE COMMUNITY LEVEL.** There shall be established evacuation sites, both Permanent and Alternative, to be utilized by the affected areas during hazards/disasters:

- a. Permanent Evacuation Sites- there shall be a stablished evacuation site per barangay as evaluated and designated by the MDRRMO in coordination with the BDRRMC, to serve as shelter for people in times of calamities and emergencies. The BDRRMC shall conduct regular checking and inspection of the said evacuation sites.
- b. Alternative Evacuation Sites-in anticipation of permanent evacuation sites, as designated under Section 9(a), being unable, totally or partially, to accommodate IDPs and vulnerable groups due to fortuitous events or disasters, the BDRRMC shall designate alternative evacuation sites.

- i. Prior to designation of alternative evacuation sites, the same must first be evaluated and approved by the MDRRMC through the MDRRMO. Upon approval, the BDRRMC shall release a resolution to officially designate the areas or locations as alternative evacuation sites. The BDRRMC shall also conduct regular checking and inspection with the assistance from the Municipal Engineering Office.
- ii. In case of private establishments and public schools, the BDRRMC shall have the authority to contract with the owners of said private establishments or principals of said public schools, as the case may be, in order to accommodate the IDPs: Provided, that a Memorandum of Agreement shall be entered into by and between the BDRRMC and owner of the private establishment or the principal of the public school, as the case may be.

c. By order of preference, the following may be utilized as evacuation sites:

- i. Public Gymnasiums (with walls), auditoriums
- ii. Public chapels situated within the barangay
- iii. Public schools, child development centers or other government structures.
- iv. Private establishments/ houses within the barangay.
- v. Permanent or Alternative Evacuation Sites of neighboring barangays.

d. The Health Cluster shall ensure that all IDPs and disaster victims are provided with proper and necessary medical and psychological assistance. They shall also enhance and implement health protocols to be enforced during pre-emptive and emergency evacuation in order to guide and protect humanitarian aid workers, communities, health professionals and government aid agencies from emerging and re-emerging infectious diseases.

e. The Municipal Camp Coordination and Camp Management Cluster with the Barangay CCCM shall create and enforce evacuation policies within the evacuation camp and its vicinity, with the assistance from the Law and Order Cluster.

f. The Protection Cluster, in accordance with existing laws, shall immediately heighten comprehensive measures and monitoring to prevent human trafficking, child labor, prostitution, including domestic and sexual violence, in the affected areas.

**SECTION 10. DECAMPMENT AND RETURN-** the MDRRMO, together with the BDRRMC and other concerned agencies, shall implement the following post-disaster guidelines:

a. Return- Provided that the affected area is not or has not been declared a "Danger Zone" "High Risk Area" or "No Dwelling Zone", after a disaster, a notice shall be issued by the Municipal Mayor when the disaster or hazard has already subsided, that the affected areas are declared safe for habitation and for the IDPs to return to the said areas.

- i. Incident Commander during a hazard or disaster shall monitor, assess and report to the Municipal Mayor on whether the affected area is considered "Safe" or Danger Zone" "High Risk Area" or "No Dwelling Zone".
- ii. In case the affected area is or has been declared Danger Zone" "High Risk Area" or "No Dwelling Zone", no person may return to the area without proper authorization from the Incident Commander or Municipal Mayor, upon the recommendation of the concerned agencies.
- iii. No person, other than those authorized by the Incident Commander or the Municipal Mayor, may return to the disaster area prior the issuance of an official Notice to Return.
- iv. The BDRRMC, in coordination with the Law and Order Cluster, shall ensure the orderly return of the IDPs to their residences within the affected areas only after the Notice of Return has been issued.

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**SECTION 11. PERSONS IN AUTHORITY IN CASES OF EVACUATIONS-** The following persons shall be authorized to initiate or assist a preemptive or emergency evacuation in a particular area; Provided, they properly identify themselves to the affected persons and explain the reason for the evacuation:

- a. Responsible Official
- b. Incident Management Team
- c. Emergency Response Clusters; and
- d. BDRRMC

Persons in Authority in case of preemptive and emergency evacuations shall have the presumption of regularity in the performance of their official duties, and shall not be held responsible for any damage inflicted upon any person or property during the conduct of such duties, that aids to the effective and unhampered administration of government functions, as a state of necessity and in view of avoiding a greater evil or injury, unless such damage was inflicted in a willful or malicious manner.

**SECTION 12. PROHIBITED ACTS.** Any person or groups of persons who commits any of the following prohibited acts shall be held liable and be subjected to the penalties as prescribed in Section 13 of this Ordinance.

- a. Conducting relief operations without prior coordination with the Operations Center or by the MSWDO, with the assistance of the Barangay Council, thereby causing havoc and commotion in the affected areas;
- b. Preventing the entry of government-owned equipment units, tools and accessories, including key personnel to disaster-stricken areas by any individual.
- c. Dereliction of duties or refusal of key government employees or officials to respond and act during calamities;
- d. Diverting the use of government equipment, tools, and resources to other uses other than their intended uses.
- e. Maliciously damaging or destroying fences, barrier or any enclosure of the disaster affected areas which are purposely mounted for public security.
- f. Willfully and forcefully causing delay in the conduct of rescue operations, resisting or refusing to be evacuated despite imminent danger and or the declaration of preemptive or emergency evacuation.
- g. Tampering, damaging or stealing hazard monitoring and early warning equipment and other related equipment and paraphernalia;
- h. Threatening, harassing, abusing, harming any person in authority or its agents, camp managers and other personnel | evacuation camps and its vicinity implementing evacuation procedures and policies;
- i. Spreading false information regarding the occurrence of any emergency resulting in panic and confusion in the community;

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- j. Maliciously causing delay in the conduct of rescue operations by obstructing the streets, sidewalks, or general vicinity where the disaster occurred;
- k. Maliciously damaging or destroying buildings, fixtures, fences, barriers or any other equipment found and used in disaster affected areas and evacuation areas;
- l. Deliberate failure or refusal to follow the rules and policies established in evacuation camps and its vicinity;
- m. Continuing to reside or occupy a portion of land identified as "Danger Zone" "High Risk Area" or "No Build Zone", despite due process and being a recipient of National Housing Authority Socialized housing.

**SECTION 13. PENALTY CLAUSE-** Any person, natural or juridical, if found to have no complied with the provisions of this Ordinance, shall be subjected to the following penalties:

- a. Fine of Five Hundred Pesos (P500.00) for committing an act under subsection(a) of Section 12.
- b. A fine of One Thousand Pesos (P1,000.00) for committing the acts under subsections (b), (c), (d), (e) and (f).
- c. Fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or imprisonment not exceeding one month at the discretion of the court for committing the acts under subsections (g), (h), (i), (j), (k), (l), (m) of Section 12.

In case of juridical persons, the President, the General Manager, or the individual or the individual entrusted with the administration thereof at the time of the commission of the violation shall be held responsible or liable thereto.

**SECTION 14 NO-CONTEST PROVISION-** Any person cited for violation of this Ordinance who does not wish to contest the same and is willing to pay voluntarily within 3 days the fine imposed under this Ordinance prior to the filing of a complaint before the appropriate judicial authority shall be allowed to do so, and shall pay the corresponding administrative fine as cited in Section 11 at the Municipal Treasurer's Office. Availment of the no-contest provision shall exempt a person from criminal liability under this Ordinance.

All proceeds from the payment of the herein imposed fine shall be appointed as follows:

- a. Sixty percent (60%) of the amount collected per apprehension shall accrue to the apprehending barangay; and
- b. Forty percent (40%) shall accrue to a Trust Fund which can only be utilized to construct, repair and rehabilitate evacuation centers.

**SECTION 15. PLANNING, TRAINING AND ORIENTATION ON DISASTER RISK REDUCTION AND MANAGEMENT-** the MDRRMO in coordination with the OCD, PDRRMO and Leyte Association of DRRMOs must plan and carry out trainings and orientations on disaster risk reduction and management in the community as well as planning, preparing, preventing and mitigating against natural and human-induced hazards, vulnerabilities, and climate change risk. As required by RA 10121, planning, training, drills and simulation exercises must be carried out at least once per quarter.

**SECTION 16. REVIEW OF PRE-EMPTIVE AND FORCED EVACUATION ORDINANCE.** – the MDRRMO, MSWDO, PNP, BFP, DepEd and other concerned agencies shall review the guidelines provided in this Ordinance every 3 years to ensure that the emergency responses are appropriate for natural and human-induced hazards or disasters.

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**SECTION 17. REPEALING CLAUSE-** Any ordinance, order, memorandum, rules and regulations which is inconsistent with the provisions of this Ordinance is hereby modified or repealed accordingly.

**SECTION 18. SEPARABILITY CLAUSE-** If, for any reason, section of this Ordinance is declared unconstitutional or invalid, other sections or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

**SECTION 19. EFFECTIVITY-** this ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation within the municipality.

**ENACTED** by the Sangguniang Bayan on their 120<sup>th</sup> Regular Session on **25 June 2025**.

**CONCURRED:**

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

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

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

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

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

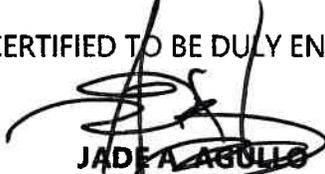
  
**COUN. BENVINEDO Y. CAMPOSANO**  
*SB Member*

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

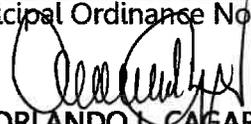
  
**PRES. MANUEL SIA QUE**  
*Liga ng mga Barangay*

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

CERTIFIED TO BE DULY ENACTED:

  
**JADE A. ABULLO**  
*Vice Mayor / Presiding Officer*

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

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

**APPROVED:** 26 JUN 2025, 2025

  
**ATTY. MILDRED JOY P. QUE, CPA**  
*Municipal Mayor*