

Item No.: 07  
Date: 03 2026 FEB



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

PROVINCE OF LEYTE  
LEGAL OFFICE  
**RELEASED**

By: [Signature]  
Date: 1.26.26 Time: 9:24

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**PROVINCIAL LEGAL OFFICE**

Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
JAN 27 2026  
[Signature]

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**2<sup>nd</sup> INDORSEMENT**  
January 22, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 25-63 of the Sangguniang Bayan of Burauen, Leyte.

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

- Ordinance No. 25-63 entitled: “An Ordinance amending Municipal Ordinance No. 12-04, series of 2012”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution<sup>1</sup>. 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]

<sup>1</sup> (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

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

LEGAL OFFICE

RECEIVED

By: Adriana  
Date: 1-22-26 Time: 10:00 am

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**

21 January 2026

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 25-63, series of 2025**, of the **Municipality of Burauen, Leyte**, entitled: **An Ordinance amending Municipal Ordinance No. 12-04, series of 2012, otherwise known as "An Ordinance creating the Municipal Tricycle Franchising and Regulatory Board for regulating the requirements in granting of franchise to operate a motorized tricycle-for-hire in the Municipality of Burauen, Leyte.**

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



Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF BURAUEN



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OFFICE OF THE SANGGUNIANG BAYAN

January 21, 2026

THE HONORABLE MEMBERS  
Sangguniang Panlalawigan  
Province of Leyte

ATTENTION: FLORINDA JILL S. UYVICO  
Secretary to the Sanggunian  
Province of Leyte  
Palo, Leyte

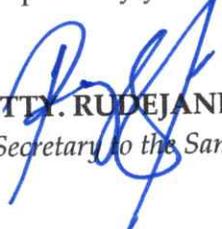
Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
Date: JAN 21 2026  
By: [Signature]

Ladies/Gentlemen:

We transmit herewith 13 copies of **Municipal Ordinance No. 25-63**, Series of 2025 of the Sangguniang Bayan of Burauen, Leyte, entitled "*An Ordinance Amending Municipal Ordinance No. 12-04, Series of 2012, Otherwise Known as "An Ordinance Creating the Municipal Tricycle Franchising and Regulatory Board for Regulating the Requirements in Granting of Franchise to Operate a Motorized Tricycle-for-Hire in the Municipality of Burauen, Leyte"*", for review and approval of the body.

Thank you and please acknowledge receipt hereof.

Respectfully yours,

  
ATTY. RUDEJANE S. TAN  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
Municipality of Burauen



OFFICE OF THE SANGGUNIANG BAYAN

Sangguniang Panlalawigan  
Province of Leyte

**RECEIVED**

JAN 21 2025

Date: \_\_\_\_\_  
By: J. Ferrer

MUNICIPAL ORDINANCE NO. 25-63  
Series of 2025

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 12-04, SERIES OF 2012, OTHERWISE KNOWN AS "AN ORDINANCE CREATING THE MUNICIPAL TRICYCLE FRANCHISING AND REGULATORY BOARD FOR REGULATING THE REQUIREMENTS IN GRANTING OF FRANCHISE TO OPERATE A MOTORIZED TRICYCLE-FOR-HIRE IN THE MUNICIPALITY OF BURAUEN, LEYTE"

Authored by: Hon. Andres Rey L. Cagara

**EXPLANATORY NOTE**

Justification for Amendment

This amendment is introduced to comply with the Ease of Doing Business and Efficient Government Service Delivery Act (RA 11032), which directs local government units to remove redundant and overlapping requirements in business and franchise transactions.

The following items were removed for the reasons stated:

1. *Business Permit* – The Business Permit is issued after the applicant has secured a Municipal Franchise. Requiring it as a prerequisite to obtaining the franchise creates a circular process that delays transactions.
2. *Community Tax Certificate (CTC)* – The CTC is already a mandatory component in the application for a Business Permit; hence, its inclusion here would result in double payment by the applicant, contrary to the principle of cost-efficiency under RA 11032.
3. *Income Tax Return (ITR)* – Many tricycle operators and drivers belong to the marginalized and informal sector, often recognized under DOLE Department Order No. 173-17 (Guidelines Governing the Employment of Workers in the Informal Economy). Requiring an ITR would be burdensome and exclusionary to low-income individuals not covered by formal employment or registered enterprises.
4. *Barangay Clearance* – This is already an embedded requirement in the issuance of Business Permit, as per the Department of the Interior and Local Government (DILG) and Department of Trade and Industry (DTI) Joint Memorandum Circular No. 01, Series of 2016, thus making its separate submission redundant.

WHEREAS, Section 2 of Republic Act No. 11032, otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018", declares it the policy of the State to simplify requirements and procedures to reduce bureaucratic red tape and expedite transactions with the public;

WHEREAS, the Local Government Code of 1991 (RA 7160) grants the municipality the power to regulate the operation of tricycles-for-hire, but likewise mandates the adoption of policies that are transparent, responsive, and citizen-friendly;

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WHEREAS, the Municipal Government of Burauen recognizes the need to streamline the application process for the issuance of a municipal franchise for tricycles-for-hire to promote efficiency, reduce redundancy, and ensure compliance with the principles of good governance;

WHEREAS, the current Section 8 of Municipal Ordinance No. 12-04 prescribes multiple documentary requirements, some of which are redundant and already incorporated in other regulatory processes such as the issuance of a Business Permit;

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

**SECTION 1. AMENDMENT to Section 8. DOCUMENTARY REQUIREMENTS.** Together with the filled-up Registration form the following documents shall also be submitted for compliance:

- a. Business Permit;
- b. Community Tax Certificate as proof of residency;
- c. Income Tax Return;
- d. Barangay Clearance;
- e. Original and photocopies of the Certificate of Registration (CR) and latest Official Receipt (OR) of the motorized tricycle-for-hire issued by the Land Transportation Office (LTO);
- f. Certificate of Good Standing form the accredited Tricycle Operator Driver's Association (TODA).

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Section 8 of Municipal Ordinance No. 12-04 is hereby amended to read as follows:

*Section 8. DOCUMENTARY REQUIREMENTS. Together with the filled-up registration form, the following documents shall be submitted for compliance:*

- a. *Original and photocopy of the Certificate of Registration (CR) and latest Official Receipt (OR) of the motorized tricycle-for-hire issued by the Land Transportation Office (LTO);*
- b. *Certificate of Good Standing from the accredited Tricycle Operators and Drivers Association (TODA).*

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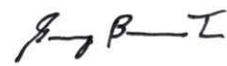
**SECTION 2. SEPARABILITY CLAUSE.** Should any part of this ordinance be held unconstitutional and declared invalid by competent court, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

**SECTION 3. REPEALING CLAUSE.** Section 8 of Municipal Ordinance No. 12-04, series of 2012 is hereby replaced.

**SECTION 4. EFFECTIVITY.** This ordinance shall take effect immediately upon approval and compliance with the posting and publication requirements prescribed under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

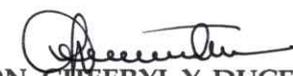
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ENACTED, this 21<sup>st</sup> day of October 2025, at the Municipality of Burauen, Leyte, Philippines.

  
HON. GEORGE BENSEN S. TAN  
Sangguniang Bayan Member

  
ATTY. LEO S. APOSTOL  
Sangguniang Bayan Member

  
HON. JUANITO E. RENOMERON  
Sangguniang Bayan Member

  
HON. CHEERYL Y. DUCENTES  
Sangguniang Bayan Member

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Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF BURAUEN



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## OFFICE OF THE SANGGUNIANG BAYAN

### CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **Municipal Ordinance No. 25-63**, Series of 2025 of the Sangguniang Bayan of Burauen, Leyte, entitled, *"An Ordinance Amending Municipal Ordinance No. 12-04, Series of 2012, Otherwise Known as "An Ordinance Creating the Municipal Tricycle Franchising and Regulatory Board for Regulating the Requirements in Granting of Franchise to Operate a Motorized Tricycle-for-Hire in the Municipality of Burauen, Leyte"'*", was enacted on October 27, 2025, and has been posted in two (2) conspicuous and publicly accessible places of the municipality from *October 29, 2025 to November 18, 2025*, in compliance with Section 59, paragraph (b) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991".

Burauen, Leyte, November 24, 2025.

  
ATTY. RUDEJANE S. TAN  
Secretary to the Sanggunian