

Item No.: 05

Date: 16 2026 FEB



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

PROVINCE OF LEYTE
LEGAL OFFICE
RELEASED
By: [Signature]
Date: 2.12.24 Time: 9M

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: FEB 12 2026
By: [Signature]

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
February 9, 2026

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: FEB 12 2026
By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 13 of the Sangguniang Bayan of Capooacan, Leyte.

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

- Ordinance No. 13 entitled: "An Ordinance amending the Plantilla position from Admin Aide 3 (Clerk 1) to Admin Aide 3 (Driver 1) Sg 3, under the Municipal Treasurers Office in Municipal Ordinance No. 355 s. 2018 "

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 resolution¹. 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 (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

PROVINCE OF LEYTE
LEGAL OFFICE

RECEIVED

1ST INDORSEMENT
06 February 2026

By: 
Date: 2.9.26 Time: 9:10

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 13, series of 2025 of the Municipality of Capoocan, Leyte, entitled: An Ordinance amending the Plantilla position from Admin Aide 3 (Clerk I) to Admin Aide 3 (Driver 1), SG 3, under the Municipal Treasurer's Office in Municipal Ordinance No. 355, s. 2018,**

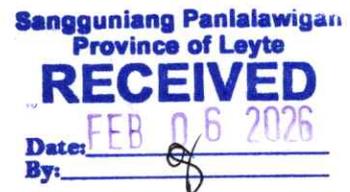

FLORINDA J. S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan

✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com
☎ 09976874138

February 5, 2026



THE HONORABLE BODY

Sangguniang Panlalawigan
4th Floor, Provincial Government Complex
West Bypass Road, Campetic
Palo, Leyte

Dear Gentlemen / Mesdames:

Good Day!

Submitting **Municipal Ordinance No. 13, Series of 2025** of the Sangguniang Bayan of Capoocan, Leyte entitled, ***"AN ORDINANCE AMENDING THE PLANTILLA POSITION FROM ADMIN AIDE 3 (CLERK I) TO ADMIN AIDE 3 (DRIVER I), SG 3, UNDER THE MUNICIPAL TREASURER'S OFFICE IN MUNICIPAL ORDINANCE NO. 355, S. 2018"***, for review of the Honorable Body.

Earliest and favorable action shall be gratefully acknowledged.

Respectfully yours,


JUDEN R. DELA TORRE
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan
✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com
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Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: FEB 06 2026
By:

SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 26th REGULAR SESSION
HELD ON **DECEMBER 23, 2025** AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING

MUNICIPAL ORDINANCE NO. 13 SERIES OF 2025

AN ORDINANCE AMENDING THE PLANTILLA POSITION FROM ADMIN AIDE 3 (CLERK I) TO ADMIN AIDE 3 (DRIVER I), SG 3, UNDER THE MUNICIPAL TREASURER'S OFFICE IN MUNICIPAL ORDINANCE NO. 355, S. 2018

WHEREAS, Section 76 of Republic Act 7160 otherwise known as the Local Government Code of 1991, states that "Every Local Government Unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirement and financial capability subject to the minimum standard and guidelines provided by the Civil Service Commission";

WHEREAS, Section 447 (a)(1)(VIII) of the same Code grants the Local Government Unit the authority to create, modify or transfer positions as may be necessary for the efficient and effective governance of the LGU;

WHEREAS, the Sangguniang Bayan of Capoocan, Leyte approved **Ordinance No. 355, S. 2018** last December 4, 2018, entitled, "ORDINANCE RECTIFYING THE PLANTILLA POSITION OF CASH CLERK SG 3 FOR MTO TO ADMIN AIDE III (CLERK I) SG 3, AS PROVIDED IN THE MUNICIPAL ORDINANCE NO. 352, S. 2018 TO RECONCILE WITH THE PERSONNEL SCHEDULE OF THE ANNUAL GENERAL FUND BUDGET FOR CY 2019";

WHEREAS, the amendment of the plantilla position aims to promote efficiency in government operations, rationalize personnel deployment and enhance public service delivery;

WHEREFORE, on motion of Honorable Federico P. Carolino, Jr., duly seconded by Honorable Teresa C. Balquin, Honorable Jaime A. Dalde, Jr. and Honorable Dave A. Nidera, be it:

RESOLVED, as it is hereby resolved that in session assembled, the Sangguniang Bayan of the Municipality of Capoocan, Leyte, enact the following:

Section 1. Plantilla Position **ADMIN AIDE 3 (CLERK I)** in MUNICIPAL ORDINANCE NO. 355, S. 2018 is hereby amended to **ADMIN AIDE 3 (DRIVER I), SG 3**, under the MUNICIPAL TREASURER'S OFFICE.

Section 2. Plantilla Position ADMIN AIDE 3 (DRIVER I), SG 3, shall perform functions aligned with the mandate of the Municipal Treasurer's Office, in accordance with Civil Service Commission (CSC) rules and regulations, Civil Service Commission (CSC) and Department of Budget and Management (DBM) and other issuances.

Section 3. Repealing Clause. Any ordinance found inconsistent hereof, in whole or in part, is hereby repealed or modified accordingly.

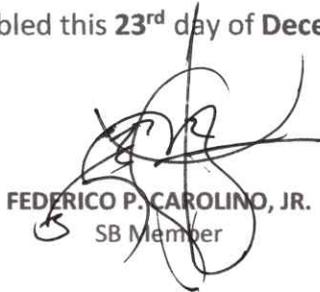
Section 4. Separability Clause. If for any reason or reasons, any part of this Ordinance is declared unconstitutional or invalid, other parts or provisions thereof not affected thereby shall continue to be in full force and effect.

Section 5. Effectivity. This ordinance shall take effect immediately upon its approval and upon compliance of the posting requirements as prescribed under the Local Government Code.

ENACTED by the Sangguniang Bayan, in session assembled this 23rd day of **December, 2025** at Capoocan, Leyte.


GRACIA G. PIGAR
SB Member


VONLITO O. VALLAR
SB Member


FEDERICO P. CAROLINO, JR.
SB Member


JAIME A. DALDE, JR.
SB Member

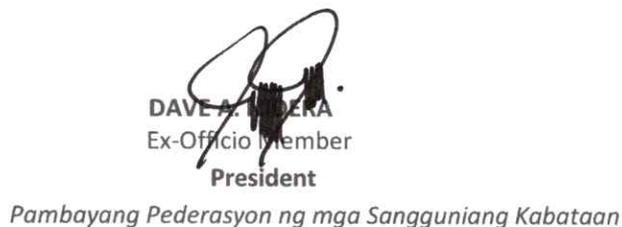
ARNOLD A. CAING
SB Member
(On Leave)

LANDER JAKE D. ABILLAR
SB Member
(On Leave)

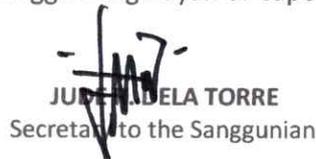

TERESA C. BALQUIN
SB Member


JOJO N. NEPOMUCENO
SB Member

FLORENCE R. CAROLINO-MISAGAL
Ex-Officio Member
Municipal Chapter President
*Liga ng mga Barangay
(On Official Business)*


DAVE A. RIVERA
Ex-Officio Member
President
Pambayang Pederasyon ng mga Sangguniang Kabataan

I HEREBY CERTIFY to the correctness of the foregoing Ordinance of the Sangguniang Bayan of Capoocan, Leyte.


JUSTINA DELA TORRE
Secretary to the Sanggunian

ATTESTED:


ATTY. FE CLAIRE P. CAROLINO-PARAGATOS
Municipal Vice-Mayor/Presiding Officer

APPROVED:


ATTY. FEDERICO H. CAROLINO, SR.
Municipal Mayor
Date: 2.4.26



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan

EXCERPTS FROM THE MINUTES OF THE SANGGUNIANG BAYAN OF CAPOOCAN, LEYTE IN ITS 125th REGULAR SESSION
HELD ON DECEMBER 4, 2018 AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING

MUNICIPAL ORDINANCE NO. 355, S. 2018

ORDINANCE RECTIFYING THE PLANTILLA POSITION OF CASH CLERK SG 3 FOR MTO TO ADMIN AIDE III (CLERK I) SG 3, AS PROVIDED IN THE MUNICIPAL ORDINANCE NO. 352, S. 2018 TO RECONCILE WITH THE PERSONNEL SCHEDULE OF THE ANNUAL GENERAL FUND BUDGET FOR CY 2019

WHEREAS, a request from the Office of the Municipal Mayor was received by the Sangguniang Bayan, requesting to RECTIFY THE PLANTILLA POSITION OF CASH CLERK SG 3 FOR MTO TO ADMIN AIDE III (CLERK I) SG 3, AS PROVIDED IN THE MUNICIPAL ORDINANCE NO. 352, S. 2018 TO RECONCILE WITH THE PERSONNEL SCHEDULE OF THE ANNUAL GENERAL FUND BUDGET FOR CY 2019;

WHEREAS, Municipal Ordinance No. 352, S. 2018, based on the request of the Office of the Local Chief Executive and after due deliberation, was enacted. Mentioned Ordinance is entitled AN ORDINANCE CREATING THE FOLLOWING PLANTILLA POSITIONS:

- a. ADMIN. AIDE II (MESSENGER), SG 2 for MEO
- b. ADMIN. AIDE II (MESSENGER), SG 2 for MSWDO
- c. CASH CLERK, SG 3 for MTO
- d. RCC III, SG 9 for MTO
- e. RECORD OFFICER I, SG 10 for MO;

WHEREFORE, premises considered and on motion of Hon. Jongie Q. Madriaga, duly seconded by Hon. Jaime A. Dalde, Jr., Hon. Gliceria D. Apuya, Hon. Roberta C. Peñaranda and Hon. Lani D. Cantalejo, be it;

RESOLVED, as it is hereby resolved to pass an ORDINANCE RECTIFYING THE PLANTILLA POSITION OF CASH CLERK SG 3 FOR MTO TO ADMIN AIDE III (CLERK I) SG 3, AS PROVIDED IN THE MUNICIPAL ORDINANCE NO. 352, S. 2018 TO RECONCILE WITH THE PERSONNEL SCHEDULE OF THE ANNUAL GENERAL FUND BUDGET FOR CY 2019.

RESOLVED FURTHER, to let copies of this ordinance be furnished to all the concerned agencies and entities.

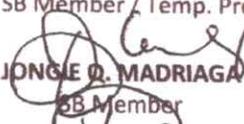
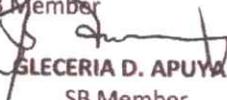
Approved unanimously.

I HEREBY CERTIFY to the correctness of the afore-quoted ordinance.


JUDE DELA TORRE
Secretary to the Sanggunian

ATTESTED 
EMMANUEL D. ARBOSO

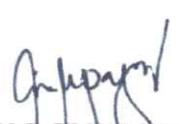
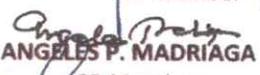
SB Member / Temp. Presiding Officer


JONGIE Q. MADRIAGA
SB Member

GLENERIA D. APUYA
SB Member


LANI D. CANTALEJO
SB Member


ROBERTA C. PENARANDA
SB Member


JAIME A. DALDE, JR.
SB Member


LINA B. EGANO-LIPASANA
SB Member

ANGELES P. MADRIAGA
SB Member

FLORENCE R. CAROLINO-MISAGAL
ABC President (On Official Travel)

JUNO ALLAN EVE B. APOSTOL
SK Federation President

APPROVED:


FE CLAIRE P. CAROLINO-PARAGATOS
Municipal Mayor
DATE: 12-12-18