



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

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**PROVINCIAL LEGAL OFFICE**

Item No.: **50**

Date: **09 2026 JUN**

PROVINCE OF LEYTE  
 LEGAL OFFICE

**RELEASED**

By: *[Signature]*  
 Date: *6.5.26* Time: *11:24*

**Sangguniang Panlalawigan**  
 Province of Leyte

**RECEIVED**

Date: **JUN 05 2026**  
 By: *[Signature]*

**2<sup>nd</sup> INDORSEMENT**  
 May 15, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 5 of the Sangguniang Panlungsod of Baybay City, Leyte.

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

- Ordinance No. 5 entitled: "An Ordinance revising City Ordinance No. 002, Series of 2009 etc."

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 458(5)(xiv)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160) and in line with RA 7610<sup>2</sup> and RA 9344<sup>3</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*

<sup>1</sup> xiv) Provide for the care of disabled persons, paupers, the aged, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age; and subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons;

<sup>2</sup> "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."

<sup>3</sup> "Juvenile Justice and Welfare Act of 2006."

PROVINCE OF LEYTE  
LEGAL OFFICE

RECEIVED

By: KENNEDY *[Signature]*  
Date: 5/14/26 Time: \_\_\_\_\_

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte  
-o0o-

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
13 May 2026

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **City Ordinance No. 05, S. 2026 of the City of Baybay, Leyte**, entitled: **An Ordinance revising City Ordinance No. 002, series of 2009, prescribing curfew hours for minors within the territorial jurisdiction of Baybay City, providing penalties for violations thereof, and for other related purposes.**

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



Republic of the Philippines  
 PROVINCE OF LEYTE  
**CITY OF BAYBAY**  
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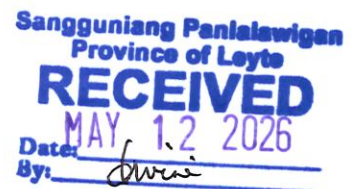


**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

3rd Floor City Hall, Diversion Road. Brgy. Gaas, Baybay City, Leyte 6521 \* sp.lgubaybaycity@gmail.com

MAY 12, 2026

The Sangguniang Panlalawigan  
 Province of Leyte  
 Tacloban City



To the Sangguniang Panlalawigan of the Province of Leyte:

I am pleased to transmit herewith the Hard copy of the City Ordinance of the Sangguniang Panlungsod of Baybay City:

1. City Ordinance No. 5, s. 2026 "AN ORDINANCE REVISING CITY ORDINANCE NO. 002, SERIES OF 2009, PRESCRIBING CURFEW HOURS FOR MINORS WITHIN THE TERRITORIAL JURISDICTION OF BAYBAY CITY, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER RELATED PURPOSES."

It is hoped that said Ordinance is in order and therefore, merits your kind consideration.

THANK YOU VERY MUCH.

ATTY. VIVIAN E. VIDALLON  
 SP Secretary



Republic of the Philippines  
 PROVINCE OF LEYTE  
**CITY OF BAYBAY**  
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**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

3rd Floor City Hall, Diversion Road. Brgy. Gaas, Baybay City, Leyte 6521 \* spbaybaycity.616@gmail.com

**7<sup>TH</sup> SANGGUNIANG PANLUNGSOD**

**ORDINANCE No. 05, S. 2026**  
 15<sup>th</sup> Regular Session

Sangguniang Panlalawigan  
 Province of Leyte  
**RECEIVED**  
 Date: MAY 12 2026  
 By: divine

**AN ORDINANCE REVISING CITY ORDINANCE NO. 002, SERIES OF 2009, PRESCRIBING CURFEW HOURS FOR MINORS WITHIN THE TERRITORIAL JURISDICTION OF BAYBAY CITY, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER RELATED PURPOSES.**

Sponsored by: Hon. Dominic Junie F. Murillo,  
 Co-sponsored by: Hon. Jules Lucas C. Cari, Hon. Edgardo R. Ompoy

**WHEREAS**, Section 16 of Republic Act No. 7160, or the Local Government Code of 1991, provides 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";

**WHEREAS**, Republic Act No. 7610, otherwise known as the Special protection of Children Against Abuse, Exploitation and Discrimination Act, mandates the government and local government units to protect the welfare and rights of children;

**WHEREAS**, Republic Act No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006, as amended by Republic Act No. 10630, establishes that children in conflict with the law or children at risk shall not be subjected to punitive measures but shall be afforded diversion, rehabilitation and other appropriate interventions;

**WHEREAS**, there is a continuing need to ensure that minors are protected from risks and hazards during late-night hours, while maintaining their rights and dignity as provided by existing national laws;

**WHEREAS**, Article 139 of Presidential Decree No. 603, also known as the Child and Youth Welfare Code, states that City or Municipal councils may prescribe curfew hours for children as may be warranted by local conditions;

**WHEREAS**, it is necessary to amend specific provisions of City Ordinance No. 002, Series of 2009, to align local legislation with prevailing conditions, national child protection laws, and contemporary policies aimed at upholding public safety and promoting the general welfare of the people of Baybay City;

**NOW, THEREFORE, BE IT ORDAINED BY THE 7<sup>th</sup> SANGGUNIANG PANLUNGSOD OF BAYBAY CITY, IN SESSION ASSEMBLED, THAT:**

**Section 1. Short Title and Scope.** This Ordinance shall be known as the "Revised Curfew Ordinance of Baybay City" and shall apply to all minors, as defined herein, found within the territorial jurisdiction of the City.

*[Signature]*  
 ROMULO B. ALCALA  
 SP Member

*[Signature]*  
 EDGARDO R. OMPLOY  
 SP Member

*[Signature]*  
 FULTON IKE C. ARRADAZA  
 SP Member

*[Signature]*  
 DOMINIC JUNIE F. MURILLO  
 SP Member

*[Signature]*  
 JOSE L. BACUSMO  
 SP Member

*[Signature]*  
 RAMON RONALD J. VELOSO  
 SP Member

*[Signature]*  
 EDUARDO MARINO R. GUINOCOR  
 SP Member

*[Signature]*  
 JULES LUCAS C. CARI  
 President, LIGA ng mga Barangay  
 Ex-Officio SPM

*[Signature]*  
 KYLA SHANNEN T. VIDAL  
 SK President/ City Federation  
 Ex-Officio SPM

**Section 2. Definition of Terms**

- a) Minor – refers to a person below 18 years of age.
- b) Holding facility – refers to the establishment(s) provided by the city government and manned by the City Social Welfare and Development Office (CSWDO) personnel where minors are temporarily sheltered during curfew hours.
- c) Authorities – refers to the persons authorized to enforce this ordinance.
- d) Child at risk – refers to children who are vulnerable to and at the risk of committing criminal offenses or becoming a victim of a crime or offense as defined under Republic Act No. 9344.
- e) Children in Conflict with the Law (CICL) – refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under Philippine laws as defined under Republic Act No. 9344

**Section 3. Curfew Hours**

- a) A curfew shall be imposed upon minors from 10:00 PM until 4:00 AM of the following day, unless otherwise amended by an executive order issued by the Local Chief Executive. Provided, however, that any curfew hours prescribed under such executive order shall remain effective only for a definite period not exceeding sixty (60) days.
- b) Exemptions:
  1. When the minor is accompanied by his/her parent(s), guardian(s), or an adult relative within the third degree of consanguinity or affinity;
  2. When the minor is outside his/her residence due to emergencies such as fire alarms, earthquakes, calamities, hospitalization, road accidents, law enforcement encounters, or similar incidents;
  3. When doing errand for emergency purpose(s), the enforcing authorities shall ascertain the validity of such emergency; if found untrue, the minor shall be dealt with in accordance with the provisions of this ordinance;
  4. When a minor is attending school or religious activities, the school administration, principal, or church elder shall, at least one (1) day prior to the event, notify in writing and coordinate with the host Punong Barangay regarding the location where the event is held to ensure safety and security to minors, and notify the Baybay City Police Station, specifying the nature of the activity, expected number of participants, duration, and supervision and security arrangements;
 

Provided further, that during the curfew hours, the school administration, principal, or elder shall ensure that no participating minor departs the premises unaccompanied by a responsible adult and shall coordinate with barangay tanod(s) or police personnel to monitor the event, secure the safe dispersal of participants, and maintain the absolute safety and security of the minors throughout the duration of the activity.
  5. When the minor is on the way to or returning from a gathering, graduation ceremony, religious mass, peaceful assembly, or other extra-curricular activities of his/her school or legitimate organization such as Sangguniang Kabataan (SK) or other recognized civic groups, where attendance is voluntary or required, or when circumstances is beyond the minor’s control that prevents early return home, as verified by proper authorities;
  6. When the minor is engaged in authorized employment, or traveling to or from his/her place of work, provided that no detour or stop is made.
  7. In the instances mentioned in items 4, 5 & 6, it shall be the duty of the school, religious institution, legitimate organization and other recognized civic groups, or employers, to provide the minor involved of a certification (hard or electronic copy) showing the date and time of the school or religious activity/gathering together with the complete name of the minor participant, or a Certificate of Employment for employed minors. This certification shall be presented to the enforcing authorities mentioned in Section 5 of this ordinance if and when the minor is apprehended.

  
 ROMULO B. ALCALA  
 SP Member

  
 EDGARDO R. OMPLOY  
 SP Member

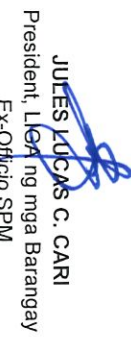
  
 FULTON IKE C. ARRADAZA  
 SP Member

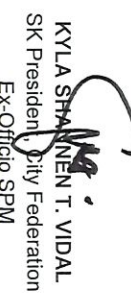
  
 DOMINGO JUWIEF MURILLO  
 SP Member

  
 JOSE B. BACUSMO  
 SP Member

  
 RAMON RONALD J. VELOSO  
 SP Member

  
 EDUARDO R. GUINOCOR  
 SP Member

  
 JULES LUCAS C. CARI  
 President, Liga ng mga Barangay  
 Ex-Officio SPM

  
 KYLA SHANMEN T. VIDAL  
 SK President, City Federation  
 Ex-Officio SPM



**Section 4. Non-Detention Policy**

No minor shall be detained in any jail, lock-up cell, or police station under this Ordinance; however, the minor shall be treated as a Child at Risk under R.A. 9344.

**Section 5. Enforcing Authorities.** The following are authorized to implement this Ordinance:

- a) Designated personnel of the City Social Welfare and Development Office (CSWDO);
- b) Members of the Philippine National Police (PNP) assigned at Baybay City;
- c) Punong Barangay, other elected barangay officials, and duly deputized Barangay Tanod.

**Section 6. Procedure Upon Contact**

a) **Mandatory turnover to CSWDO.** To ensure the immediate protection of the minor, turnover to the City Social Welfare and Development Office (CSWDO) or its designated facility is mandatory and shall take precedence under any of the following conditions:

- 1. The minor manifests signs or is suspected of being under the influence of liquor or prohibited drugs;
- 2. The minor manifests fear or strong refusal to return home due to domestic violence, an unsafe environment, and such other circumstances where the return of the minor would put him or her in danger or at risk;
- 3. The identity of the minor or the location and contact details of the parents or guardians cannot be immediately established.

b) **Safe Return to Residence.** In certain cases, and as an exemption to the Mandatory Turnover to CSWDO rule provided for in the immediately preceding subsection, an enforcing authority may transport a minor directly to their residence and into the custody of a parent or guardian, provided that ALL of the following conditions are met:

- 1. The identity and residence of the minor and his/her parents or guardians are personally known or verified by the enforcing authority;
- 2. The minor is sober and shows no signs of physical distress, intoxication, or immediate health risk; and
- 3. The incident shall be recorded in a separate confidential Barangay Juvenile Incident Logbook, and a written report shall be submitted to the CSWDO within twenty-four (24) hours for monitoring.

c) **Administrative and Humanitarian Safeguards.**

- 1. The enforcing authority shall ensure that all turnovers to the CSWDO are entered in the Barangay Juvenile Incident Logbook, recording the time of turnover, the child's name, and the name and designation of the receiving officer;
- 2. Under no circumstance shall the minor be left unattended, locked up, or subjected to custodial interrogation or disciplinary measures while awaiting retrieval or turnover;
- 3. All procedures shall be conducted with manifest respect and politeness, ensuring the child's dignity is protected in accordance with other existing laws and ordinances relative thereto, and with the Implementing Rules and Regulations (IRR) to be formulated under this Ordinance.

ROMULO B. ALCALA  
SP Member

EDGARDO R. OMIPOY  
SP Member

FULTON IKE C. ARRADAZA  
SP Member

DOMINIC F. MURILLO  
SP Member

JOSE L. BACUSMO  
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SP Member

EDUARDO R. GUINOCOR  
SP Member

JULIUS L. CAS C. CARI  
President, Lida ng mga Barangay  
Ex-Oficio SPM

KYLA SHANNEN T. VIDAL  
SK President, City Federation  
Ex-Oficio SPM



**Section 7. Other Offenses Committed by Minors During Curfew Hours**

If a minor commits any punishable offense defined and prescribed under the Revised Penal Code or special laws during curfew hours, he or she shall be treated as a Child in Conflict with the Law (CICL) and shall be handled in accordance with applicable laws, rules, and regulations. The minor shall be immediately turned over to the City Social Welfare and Development Office (CSWDO) for proper disposition.

**Section 8. Employment of Minors During Curfew Hours**

Minors shall not be permitted to work or render services during curfew hours, except as allowed under Republic Act No. 9231 and other applicable child labor laws, rules, and regulations, and subject to the regulations of the Department of Labor and Employment (DOLE).

All business establishments, employers, and organizations operating during curfew hours shall ensure full compliance with applicable laws and regulations. Any violation of this provision shall be reported immediately to the CSWDO for the protection of the minor, and to the Department of Labor and Employment (DOLE) or its authorized representative for proper investigation and appropriate action.

**Section 9. Holding Facility and Temporary Protective Custody of Minors**

a) **Primary Custodial Facility.** Minors who are subject of turnover under Section 6.a of this Ordinance, or those who cannot be immediately and safely returned to their residence pursuant to Section 6.b, shall be placed under protective custody in a Child-Friendly Holding Area designated and managed by the City Social Welfare and Development Office (CSWDO), in accordance with Republic Act No. 9344, as amended by Republic Act No. 10630.

b) **Barangay-Level Temporary Protective Care.** The Punong Barangay, other elected barangay officials, and duly deputized Barangay Tanod, may provide temporary protective care for a minor apprehended in violation of this Ordinance by placing the minor in a safe and non-restrictive area, such as the Barangay Hall or any suitable facility within the Barangay, ensuring continuous supervision and safeguarding the child's welfare and dignity at all times. The Punong Barangay shall immediately notify the CSWDO for the prompt retrieval of the minor and proper documentation of the incident.

c) **Custody Duration and Confidentiality.** Custody shall be strictly temporary and limited to the shortest time necessary for the child's safety and lawful coordination, and shall be done as soon as practicable considering distance, accessibility, and availability of the CSWDO or parents/guardians.

In cases that the Child cannot be turned over or released to his parents or his guardians, he/she shall remain under the supervision and care of CSWDO for further disposition under existing laws.

All records of minors shall be kept strictly confidential and disclosed only for official coordination with the CSWDO or other competent authorities.

**Section 10. Presumption of Minority of Age**

If any of the enforcing authorities has reasonable grounds to believe that a person is a minor based on physical appearance or reliable information, he/she with manifest respect and politeness, intervenes and ask searching questions to verify and ascertain their age which include the presentation of identification cards;

If the person could not prove that he/she is of legal age, the person shall be presumed a minor for purposes of this Ordinance and shall be proceeded

ROMULO B. ALCALA  
SP Member

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SP Member

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JOSE L. BACUSMO  
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SP Member

EDUARDO R. GUINOCOR  
SP Member

JULES LUCAS C. CARI  
President, LIGANG mga Barangay  
Ex-Officio SPM

KYLA SHANNEN T. VIDAL  
SK (President) City Federation  
Ex-Officio SPM

upon in accordance hereto. Such verification shall be conducted without harassment, coercion, or unnecessary exposure of the person to humiliation.

Provided, however, that if the apprehended person is later found to be of legal age, he or she shall be immediately released and any record as a curfew violator shall be removed. Any enforcing authority who knowingly and maliciously apprehends a person of legal age shall be held administratively liable in accordance with Section 11 of this Ordinance.

**Section 11. Penalties**

- a) **Enforcing Authority.** Any enforcing authority who violates the provisions of Sections 6 and 10 of this Ordinance, or any rule or regulation issued pursuant thereto, shall be penalized with a fine of Three Thousand Pesos (P3,000.00). In cases where the violator is a public officer or employee, such fine shall be imposed without prejudice to administrative or criminal prosecution under Republic Act No. 9344 and such other laws or ordinances relative hereto.
- b) **Parent/Guardian and Minor Accountability.** Parents or guardians of minors found to have violated the curfew hours shall undergo parental counselling and community-based interventions together with the minor, as may be determined by the (CSWDO).

Moreover, the curfew violation of any minor may result to the suspension of or withholding from any city government funded assistance including honorarium, school allowance, and other similar financial support extended to the parents and minors through an ordinance or executive order.

**Section 12. Implementing Rules and Regulations (IRR).**

Within sixty (60) days from the effectivity of this Ordinance, the City Social Welfare and Development Office (CSWDO), in coordination with the Philippine National Police Women and Children Protection Desk (PNP-WCPD), the Liga ng mga Barangay President, the Sangguniang Kabataan (SK) Federation President and the City Legal Office, shall formulate and issue the necessary Implementing Rules and Regulations (IRR) for its effective implementation.

The IRR shall define standardized turnover procedures and documentation, security and humanitarian standards for holding areas and non-restrictive spaces, medical assessment protocols for intoxicated minors, and guidelines for parental counseling and community-based interventions.

**Section 13. Separability Clause.**

If any part or provision of this Ordinance shall be declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall remain in full force and effect.

**Section 14. Repealing Clause.**

All executive orders, memorandum orders, memorandum circulars, administrative orders, ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby deemed repealed or modified accordingly.

**Section 15. Effectivity Clause.**

This Ordinance shall take effect after due compliance with all the requirements provided under RA 7160, otherwise known as the Local Government Code.

Enacted: April 16, 2026  
Baybay City, Leyte, Philippines.

*Ami*

*[Signature]*  
ROMULO B. ALCALA  
SP Member

*[Signature]*  
EDGARDO R. OMBROY  
SP Member

*[Signature]*  
FULTON IKE C. ARRADAZA  
SP Member

*[Signature]*  
DOMINIC J. MURILLO  
SP Member

*[Signature]*  
JOSE L. BACUSIMO  
SP Member

*[Signature]*  
RAMON RONALD J. VELOSO  
SP Member

*[Signature]*  
EDUARDO MARCO R. GUINOCOR  
SP Member

*[Signature]*  
JESUS L. CAS C. CARI  
President, Liga ng mga Barangay  
Ex-Oficio SPM

*[Signature]*  
KYLA SHANNEN T. VIDAL  
SK President, City Federation  
Ex-Oficio SPM

*[Handwritten mark]*

CARRIED BY ALL OF THE MEMBERS PRESENT:

CARMEN L. CARI - **ON LEAVE**  
SP Member

  
ROMULO B. ALCALA  
SP Member

  
EDGARDO R. OMPOY  
SP Member

  
DR. FULTON IKE C. ARRADAZA  
SP Member

SIMOUNE L. ASTORGA  
SP Member - **OB**


  
DOMINIC JUNIE F. MURILLO  
SP Member

  
JOSE L. BACUSMO -  
SP Member

  
RAMON RONALD J. VELOSO  
SP Member

ATTY. JOSE ROMMEL A. PEÑARANDA  
SP Member - **OB**


  
EDUARD MARQUE R. GUINOCOR  
SP Member

  
JULES LUCAS C. CARI -  
President, LIGA Ng Mga Barangay  
Ex-Officio SPM

  
KYLA SHANNEN T. VIDAL  
SK President, City Federation  
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Florante Cayunda Jr.; City Legal Officer, Atty. Avito C. Cahig, Jr.; OIC City Budget Officer, Noel V. Managbanag; City Accountant Jay Ryan Austero; City Treasurer Alberta A. Manatad, City Agriculture Officer, CLGOO, CSWDO Mr. Manuel Icon P. Donaire, DPA and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

  
ATTY. VIVIAN C. ENARIO-VIDALLON  
Secretary to the Sanggunian

ATTESTED & CERTIFIED  
TO BE DULY ADOPTED

CONFORME:

  
ATTY. ERNESTO M. BUTAWAN  
City Vice Mayor / Presiding Officer

  
ENGR. JOSE CARLOS L. CARI  
City Mayor

Date: 05/11/2024



Republic of the Philippines  
PROVINCE OF LEYTE  
**CITY OF BAYBAY**  
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## **OFFICE OF THE SANGGUNIANG PANLUNGSOD**


3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 \* sp.lgubaybaycity@gmail.com

### C E R T I F I C A T I O N

TO WHOM THIS MAY CONCERN:

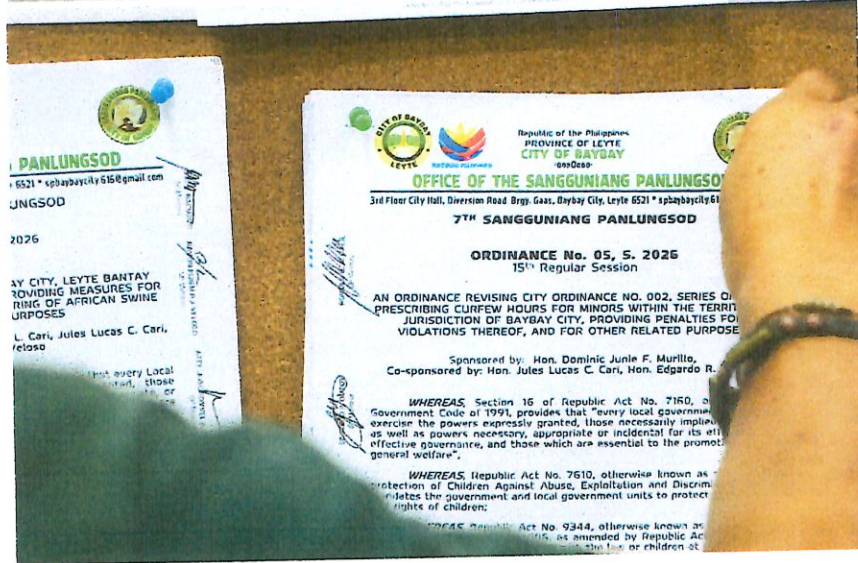
THIS IS TO CERTIFY that the City Ordinance No. 05 s. 2026 "AN ORDINANCE REVISING CITY ORDINANCE NO. 002, SERIES OF 2009, PRESCRIBING CURFEW HOURS FOR MINORS WITHIN THE TERRITORIAL JURISDICTION OF BAYBAY CITY, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER RELATED PURPOSES." was posted in the bulletin board at the Legislative Department, New City Hall, Diversion Road, the Public Market and Baybay City Bus and Terminal immediately upon approval.

Issued this 11<sup>th</sup> day of May 2026, at Baybay City, Leyte.

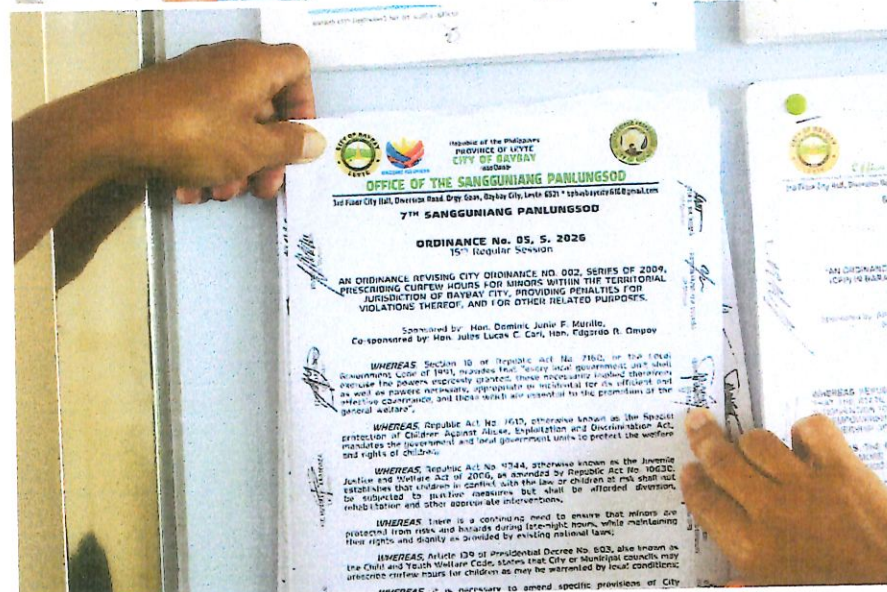
for: 

ATTY. VIVIAN E. VIDALLON  
SP Secretary

# LEGISLATIVE BUILDING OFFICE



# NEW CITY HALL



# BAYBAY BUS TERMINAL

