

Item No.: 30
Date: 28 2026 JUL



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

PROVINCE OF LEYTE
LEGAL OFFICE
RELEASED

By: [Signature]
Date: 7.7.26 Time: 9:44

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: 21 2026
By: [Signature]

2nd INDORSEMENT
June 30, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 26-104 of the Sangguniang Bayan of Burauen, Leyte.

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

- Ordinance No. 26-104 entitled: “ **Ordinance dropping and cancelling from the roll of franchises the motorized tricycle-for-hire franchise previously granted to Roy Diaz within the territorial jurisdiction of the Municipality of Burauen, Leyte.**”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Section 447(a)(3)(vi)¹ 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 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 (vi) Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and other vehicles and grant franchises for the operation thereof within the territorial jurisdiction of the municipality;

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

1ST INDORSEMENT
26 June 2026

PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED
By: 
Date: 6.27.26 Time: 4:20

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 26-104 of the Municipality of Burauen, Leyte, entitled: An Ordinance dropping and cancelling from the Roll of Franchises the motorized tricycle-for-hire franchise previously granted to Roy A. Diaz within the territorial jurisdiction of the Municipality of Burauen, Leyte.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



MUNICIPAL ORDINANCE NO. 26-104

"An Ordinance Dropping and Cancelling from the Roll of Franchises the Motorized Tricycle-for-Hire Franchise Previously Granted to Roy A. Diaz Within the Territorial Jurisdiction of the Municipality of Burauen, Leyte"

BURAUE, LEYTE



OFFICE OF THE SANGGUNIANG BAYAN

June 23, 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: JUN 23 2026
By: _____

Ladies/Gentlemen:

We transmit herewith 12 copies of Municipal Ordinance No. 26-104, Series of 2026 of the Sangguniang Bayan of Burauen, Leyte, entitled "*An Ordinance Dropping and Cancelling from the Roll of Franchises the Motorized Tricycle-for-Hire Franchise Previously Granted to Roy A. Diaz Within the Territorial Jurisdiction of 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



OFFICE OF THE SANGGUNIAN BAYAN

MUNICIPAL ORDINANCE NO. 26-104
Series of 2026

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUN 23 2026
By: _____

AN ORDINANCE DROPPING AND CANCELLING FROM THE ROLL OF FRANCHISES THE MOTORIZED TRICYCLE-FOR-HIRE FRANCHISE PREVIOUSLY GRANTED TO ROY A. DIAZ WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BURAUEN, LEYTE

WHEREAS, Section 447(a)(3)(vi) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empowers the Sangguniang Bayan to regulate the operation of tricycles-for-hire and grant franchises for their operation within the municipality;

WHEREAS, well-settled is the rule that the power to grant includes the corollary power to withhold or recall;

WHEREAS, Article XI, Section 20 of Municipal Ordinance No. 12-04, series of 2012, provides that an operator wishing to stop service completely shall report such termination in writing to the Sangguniang Bayan;

WHEREAS, Roy A. Diaz has submitted to the Office of the Sangguniang Bayan a written application for the dropping or cancellation of the Motorized Tricycle-for-Hire Franchise previously granted to him;

WHEREAS, the Committee on Transportation, Public Utilities, and General Services favorably recommended the granting of the said franchise;

NOW, THEREFORE, upon the motion duly made and seconded, be it enacted by the Sangguniang Bayan of Burauen, Leyte, in session assembled:

Section 1. DROPPING AND CANCELLATION OF FRANCHISE. The Motorized Tricycle-for-Hire Franchise previously granted to **ROY A. DIAZ** is hereby dropped and cancelled from the official roll of active franchises of the Municipality of Burauen, Leyte.

Section 2. VEHICLE SUBJECT TO FRANCHISE CANCELLATION. The cancellation pertains to the following motorized tricycle unit previously authorized under the said franchise:

Make: HONDA
Engine No.: KSW00E349873
Chassis No.: KSW00348220
LTO Plate No.: HY1350

Upon approval of this Ordinance, the above-described unit shall no longer be authorized to operate as a tricycle-for-hire within the Municipality of Burauen, Leyte.

Section 3. EFFECTIVITY. This Ordinance shall take effect immediately upon approval.

ENACTED, this 2nd day of February 2026, at the Municipality of Burauen.

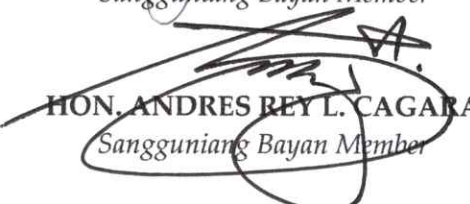

ATTY. LEO S. APOSTOL
Sangguniang Bayan Member


HON. JUANITO E. RENOMERON
Sangguniang Bayan Member


HON. CHEERYL Y. DUCENTES
Sangguniang Bayan Member

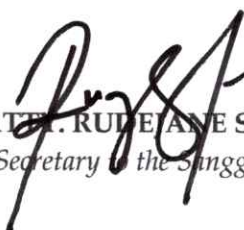

HON. HERMENIA C. CAMASIN
Sangguniang Bayan Member


HON. SEAN T. CORDERO
Sangguniang Bayan Member

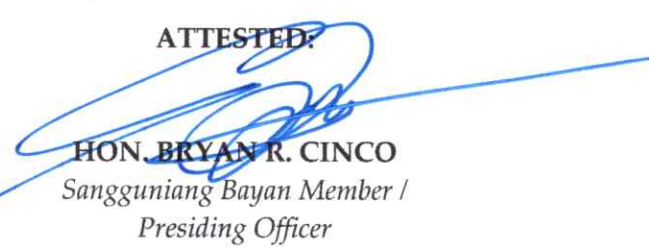

HON. ANDRES REY L. CAGARA
Sangguniang Bayan Member

SECRETARY'S CERTIFICATE

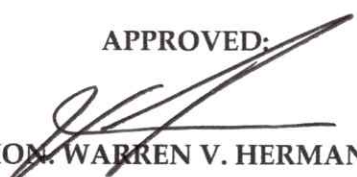
I HEREBY CERTIFY that the foregoing Ordinance was duly enacted by the Sangguniang Bayan of Burauen, Leyte, during its 31th Regular Session held on February 02, 2026, at the Municipal Session Hall.


ATTY. RUDEANE S. TAN
Secretary to the Sanggunian

ATTESTED:


HON. BRYAN R. CINCO
Sangguniang Bayan Member /
Presiding Officer

APPROVED:


HON. WARREN V. HERMANO
Acting Municipal Mayor

Feb 09, 2024
Date



OFFICE OF THE SANGGUNANG BAYAN

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **Municipal Ordinance No. 26-104**, Series of 2026 of the Sangguniang Bayan of Burauen, Leyte, entitled, ***"An Ordinance Dropping and Cancelling from the Roll of Franchises the Motorized Tricycle-for-Hire Franchise Previously Granted to Roy A. Diaz Within the Territorial Jurisdiction of the Municipality of Burauen, Leyte"***, was approved on February 9, 2026, and has been posted in two (2) conspicuous and publicly accessible places of the municipality from *February 12, 2026 to February 22, 2026* in compliance with Section 59, paragraph (b) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991".

Burauen, Leyte, March 9, 2026.


ATTY. RUDEIANE S. TAN
Secretary to the Sanggunian