



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

June 3, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2026-03 of the Sangguniang Bayan of Javier, Leyte.

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

- Ordinance No. 2026-03 entitled: "Javier San and Gravel Hauling Ordinance ."

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)¹ of the Local Government Code of 1991 (R.A 7160). However certain activities in the proposed Ordinance is akin to activities already vested in the Provincial Government and with its own SAG task force. Hence, further review of the Ordinance is recommended.

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 (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code

Item No.: 40
Date: 07 2026 JUL

PROVINCE OF LEYTE
LEGAL OFFICE

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Date: 6-26-26 Time: 1:24

Sangguniang Panlalawigan
Province of Leyte

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Date: [Signature]

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

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
26 May 2026

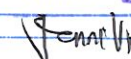
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2026-03** of the **Municipality of Javier, Leyte**, entitled: **An Ordinance regulating the hauling or transporting of sand, gravel, and other quarry resources with the territorial jurisdiction of the Municipality of Javier, Leyte, irrespective of source, imposing fees, and providing penalties for violations thereof.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

original

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JAVIER
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Sangguniang Bayan

Sangguniang Panlalawigan
Province of Leyte
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By: 

EXCERPT FROM MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF JAVIER, LEYTE HELD AT THE MUNICIPAL SESSION HALL ON APRIL 13, 2026

Present:

- Mun. Vice-Mayor Christopher T. Javier, presiding officer
- SB Member Emma M. Abueva
- SB Member Guilbert M. Lanoy
- SB Member Nora G. Maballo
- SB Member Stephen Mark I. Papalid
- SB Member Romeo C. Malinao
- SB Member Marino C. Merilo
- SB Member Michelle O. Moreno
- SB Member Schubert A. Riños
- SK Fed. President Ericka T. Cabangunay
- Liga President Andy L. Dingal

Absent: None

ORDINANCE No. 2026-03

Authored by : ALL SB MEMBERS

AN ORDINANCE REGULATING THE HAULING OR TRANSPORTING OF SAND, GRAVEL, AND OTHER QUARRY RESOURCES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF JAVIER, LEYTE, IRRESPECTIVE OF SOURCE, IMPOSING FEES, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, under Section 17 of the Local Government Code of the Philippines under the Republic Act No. 7160, Local Government Units (LGUs) are mandated to provide basic services and facilities, including the regulation of environmental and infrastructure concerns;






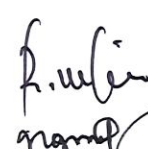
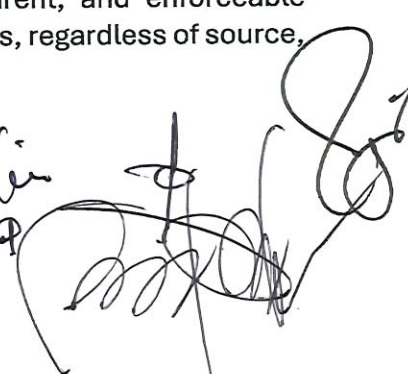
WHEREAS, Section 447(a)(5)(v) of the same Code authorizes the Sangguniang Bayan to regulate the use of public roads and bridges within its territorial jurisdiction;

WHEREAS, Republic Act No. 7942, otherwise known as the Philippine Mining Act of 1995, provides for the sustainable management of mineral resources and empowers LGUs to implement regulations consistent with national policies;

WHEREAS, Article 2189 of the Civil Code of the Philippines declares that provinces, cities, and municipalities may be held liable for damages caused by defective conditions of roads, bridges, and public works under their control;

WHEREAS, the Municipality of Javier, Leyte recognizes the detrimental effects of unregulated hauling of sand, gravel, and quarry resources, including accelerated road deterioration, public safety hazards, environmental degradation, and loss of local revenue;

WHEREAS, there is a necessity to establish a uniform, transparent, and enforceable regulatory framework governing the hauling and transport of quarry materials, regardless of source, to ensure accountability, traceability, and sustainability;

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NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Javier, Leyte, **THAT :**

SECTION 1. TITLE. This Ordinance shall be known as the “**Javier Sand and Gravel Hauling Regulation Ordinance of 2026**”.

SECTION 2. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms are hereby defined:

a. **Hauling or Transporting** refers to the act of carrying, conveying, or moving sand, gravel, and other quarry or river resources by means of any vehicle within, passing through, or utilizing the municipal and barangay roads of the Municipality of Javier, Leyte.

b. **Quarry or River Resources** refer to sand, gravel, earth, soil, aggregates, and other similar materials extracted from rivers, streams, lands, or other natural sources.

c. **Municipal and Barangay Roads** refer to all roads, streets, bridges, and access routes under the jurisdiction, control, or supervision of the Municipality of Javier, Leyte, including those maintained by barangays.

d. **Operator or Hauler** refers to any person, partnership, corporation, or entity engaged in the hauling or transporting of quarry or river resources, including the owner, lessee, or driver of the vehicle used.

e. **Authorized Vehicle Sticker** refers to the official sticker issued by the Municipality indicating that a vehicle is duly registered and authorized to engage in hauling activities under this Ordinance.

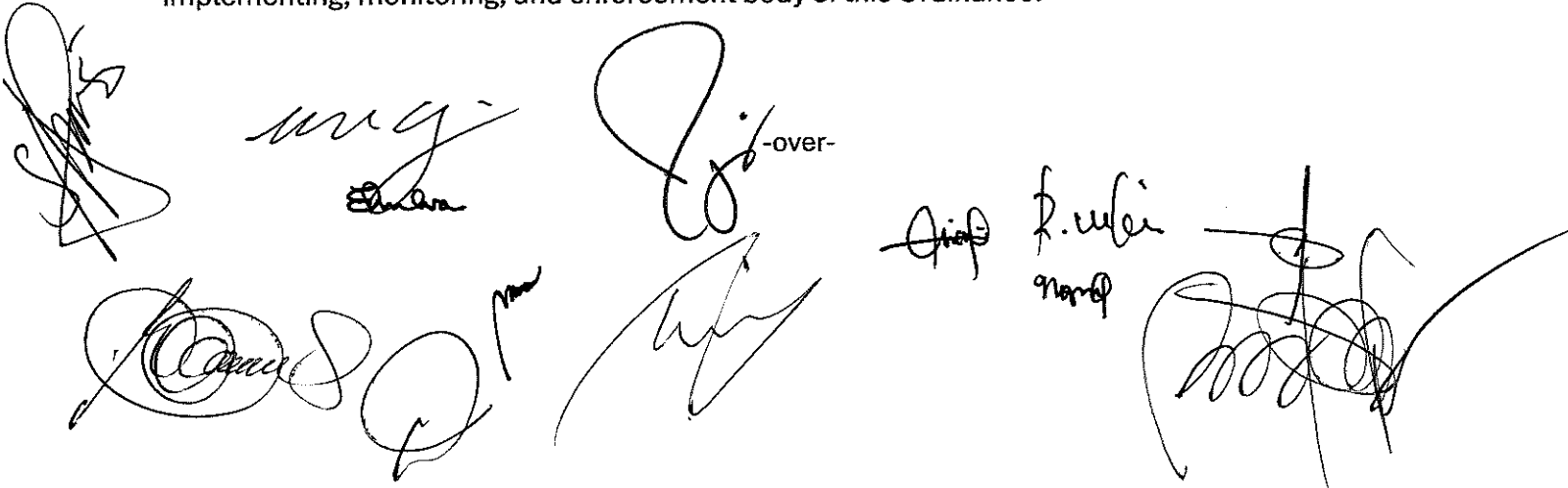
f. **Trip Ticket** refers to the official document issued by the Municipality authorizing a specific hauling activity, containing details such as the vehicle, operator, capacity, validity period, and control number, and which is non-transferable and valid only for a single trip unless otherwise provided.

g. **Overloading** refers to the act of loading quarry or river resources beyond the authorized or declared carrying capacity of a vehicle as indicated in its registration and Authorized Vehicle Sticker.

h. **Checkpoint** refers to any designated location established by the Municipality for the purpose of inspection, monitoring, and enforcement of this Ordinance.

i. **SAG Task Force** refers to the Javier Sand and Gravel Task Force created under this Ordinance, tasked with implementation, monitoring, and enforcement.

SECTION 3. CREATION OF THE JAVIER SAND AND GRAVEL (SAG) TASK FORCE. There is hereby created a **JAVIER SAND AND GRAVEL (SAG) TASK FORCE**, which shall serve as the primary implementing, monitoring, and enforcement body of this Ordinance.



The bottom of the page contains several handwritten signatures in black ink. From left to right, there are approximately seven distinct signatures, some appearing to be initials or full names in cursive. The signatures are arranged in two rows, with some overlapping. The word 'over-' is written in the middle of the second row.

The Task Force shall be composed of:

1. **Chairperson** – Municipal Mayor
2. **Vice-Chairperson** – Municipal Vice Mayor
3. **Members:**
 - a. Municipal Treasurer
 - b. Chief of Police, Javier PNP
 - c. Municipal Planning and Development Coordinator (MPDC)
 - d. Municipal Environment and Natural Resources Officer (MENRO)
 - e. Municipal Administrator
 - f. Liga ng mga Barangay President
4. **Ex-Officio Member** – who shall assist in coordination, monitoring, and documentation as may be assigned by the Task Force.

The Task Force shall have the following powers and functions:

1. To formulate and recommend implementing rules and regulations for the effective enforcement of this Ordinance;
2. To supervise and coordinate enforcement operations within the Municipality;
3. To designate, establish, and modify checkpoint locations as may be necessary;
4. To monitor compliance and recommend policy improvements to the Sangguniang Bayan.

SECTION 4. OBJECTIVES. This Ordinance seeks to regulate and monitor hauling activities involving sand, gravel, and other quarry resources; prevent damage to municipal and barangay roads; promote environmental protection and responsible transport practices; and establish a system of accountability and traceability for all transported materials within the Municipality.

SECTION 5. COVERAGE. This Ordinance shall apply to all hauling or transporting of sand, gravel, and other quarry or river resources, irrespective of source, whether such materials are extracted from within or outside the territorial jurisdiction of the Municipality of Javier, Leyte, insofar as such hauling or transport utilizes, passes through, or in any manner makes use of municipal and barangay roads within the jurisdiction of the Municipality of Javier, Leyte.

This Ordinance shall **expand the coverage of Ordinance No. 2024-17**, which previously limited the regulation of hauling activities to quarry or river resources sourced within the Municipality of Javier, Leyte. Accordingly, all hauling activities passing through, entering, or utilizing the roads within the Municipality, regardless of origin, shall now be subject to regulation under this Ordinance.

All previous impositions under Section 5H.01 of the Local Revenue Code of Javier, Leyte, as well as all provisions inconsistent herewith, are hereby repealed, superseded, or modified accordingly.

All haulers, operators, or transporters, whether operating on a small-scale or large-scale basis, shall be subject to uniform inspection, monitoring, and regulatory fees, without exception, in order to promote fairness, eliminate ambiguity, and ensure full compliance with this Ordinance.



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SECTION 6. PROHIBITED ACTS. It shall be unlawful for any person or entity to:

1. Operate hauling vehicles exceeding twelve (12) cubic meters capacity within barangay and municipal roads of Javier, Leyte;
2. Haul quarry or river resources between 5:00 PM and 8:00 AM daily;

Except: Unloaded vehicles may travel beyond the prescribed hours under the following conditions:

- i. Vehicles exiting the Municipality to source quarry materials outside Javier may be allowed, provided that the vehicle is completely unloaded, the source is outside the Municipality, and all other provisions of this Ordinance are complied with.
 - ii. Vehicles returning to their base or residence within Javier after completion of operations may likewise be allowed, provided that the vehicle is unloaded, the return is directly connected to the conclusion of operations, and all provisions of this Ordinance are complied with.
3. Transport quarry materials without a proper covering sufficient to prevent spillage;
 4. Overload vehicles beyond authorized capacity;
 5. Operate without a valid authorized vehicle sticker or without a duly issued trip ticket.
 6. Any public official who knowingly aids, abets, tolerates, or fails to act against violations of this Ordinance shall, without prejudice to liability under existing laws, be subject to appropriate administrative, civil, or criminal proceedings.

SECTION 7. REGISTRATION AND ACCREDITATION. All haulers and operators must register with the **SAG Office** prior to engaging in hauling activities. Registration shall require submission of a valid business permit, vehicle details including plate number and capacity, operator identification, and such other requirements as may be required by the Municipality.

Each registered vehicle shall be issued an Authorized Vehicle Sticker, indicating its classification and maximum allowable capacity, which must be displayed at all times.

No registration shall mean no hauling shall be allowed within the Municipality.

SECTION 8. TRIP TICKET SYSTEM. No hauling activity shall be allowed without a valid Trip Ticket issued by the SAG Office. The SAG Office shall issue an Order of Payment signed by the Municipal Mayor or his duly-authorized officer, which shall be forwarded to the Municipal Treasurer. Each Trip Ticket shall contain the plate number, operator name, declared capacity, validity period, and a unique security code.

Advance Payment System: Haulers may purchase multiple Trip Tickets in advance. However, all Trip Tickets shall be valid only for three (3) months from the date of issuance, and shall not be carried over to the succeeding calendar year.

[Handwritten signatures and notes]

Embros mgj -over- *[Signature]*

[Signature] *R. Rubin* *[Signature]*

[Signature] *[Signature]* *[Signature]*

All Trip Tickets shall be presented at checkpoints and shall be stamped, signed, and cancelled upon inspection. A daily reconciliation system shall be implemented to collect and verify used tickets.

SECTION 9. LIMITED LENIENCY FOR FIRST-TIME VIOLATIONS. As an exception to the penalties provided under Section 13, and as a matter of administrative discretion, first-time violators who are not previously registered with the SAG Office and who have no prior record of violation under this Ordinance, particularly those entering the Municipality of Javier for the first time or coming from outside its territorial jurisdiction and who may not have been reasonably aware of this ordinance, may be given a one-time opportunity to comply, provided that the vehicle does not exceed the allowable capacity and that no other violation is committed. For this purpose, the apprehending personnel shall direct the violator to immediately proceed to the SAG Office for registration and payment of the required fees prior to the continuation of any hauling activity. No further hauling shall be allowed unless full compliance is first secured.

The SAG Office may, in such instances, advise and encourage the violator to purchase multiple Trip Tickets in advance if the operator intends to conduct future hauling operations within the Municipality, in order to facilitate convenience, minimize delays, and ensure continuous compliance with this Ordinance. The grant of this one-time consideration shall be strictly limited to a single instance per operator or vehicle, and any subsequent violation shall be dealt with in accordance with the penalties prescribed herein.

SECTION 10. CHECKPOINT AND MONITORING SYSTEM. The Municipality shall establish checkpoints in all major entry and exit points, including municipal roads, barangay roads, and quarry access routes. Such designation shall not be exclusive, and the Municipality reserves the right to modify or expand checkpoint locations as necessary.

Each checkpoint shall be manned by PNP personnel, Job Order personnel, and Barangay Tanods responsible for inspection, recording, verification, confiscation of invalid documents, and issuance of violation reports.

All inspections shall be limited to regulatory compliance and conducted in accordance with existing laws and jurisprudence on lawful checkpoints.

SECTION 11. OVERNIGHT WATCH AND 24-HOUR MONITORING. A 24-hour monitoring system shall be implemented through rotational duty assignments composed of PNP personnel, barangay personnel, and authorized watchers.

Monitoring stations shall be equipped with logbooks, communication devices, and other necessary tools. The Municipality may install CCTV systems and establish community reporting hotlines, subject to budget availability.

SECTION 12. FEES STRUCTURE. An inspection fee of Fifty Pesos (₱50.00) per cubic meter, which shall be computed based on the assigned maximum vehicle capacity, regardless of actual load, and a monitoring fee of One Hundred Fifty Pesos (₱150.00) per truckload are hereby imposed.

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To ensure practicality and uniformity in enforcement, all hauling vehicles shall be assigned fixed maximum capacities, which shall serve as the basis for computing the applicable fees, as follows:

1. **Multicab / Tricycle** – 1.5 cubic meters (m³)
 - Inspection Fee: ₱ 75.00
 - Monitoring Fee: ₱150.00
 - **Total per Trip: ₱225.00**

2. **4-Wheeler (Elf / Canter)** – 4 cubic meters (m³)
 - Inspection Fee: ₱ 200.00
 - Monitoring Fee: ₱150.00
 - **Total per Trip: ₱350.00**

3. **6-Wheeler (Forward / Dump Truck)** – 8 cubic meters (m³)
 - Inspection Fee: ₱ 400.00
 - Monitoring Fee: ₱150.00
 - **Total per Trip: ₱550.00**

4. **10-Wheeler (Standard Dump Truck)** – 12 cubic meters (m³)
 - Inspection Fee: ₱600.00
 - Monitoring Fee: ₱150.00
 - **Total per Trip: ₱750.00**

The foregoing classification is **not exclusive**, and the Municipality, through the SAG Task Force, is hereby authorized to classify, reclassify, or include other vehicle types and corresponding capacities as may be necessary for effective implementation of this Ordinance.

For avoidance of doubt, 10-wheeler large dump trucks or similar heavy vehicles with a carrying capacity of approximately twenty (20) cubic meters or more are strictly prohibited from hauling or transporting sand, gravel, or quarry resources within the barangay and municipal roads of Javier, Leyte, regardless of actual load. Vehicles exceeding twelve (12) cubic meters are strictly prohibited.

The assigned capacity of each vehicle shall be indicated in its corresponding Authorized Vehicle Sticker, which shall serve as the official basis for inspection, monitoring, and fee computation under this Ordinance.

SECTION 13. PENALTIES. Violations of this Ordinance shall be penalized as follows:

First Offense: Fine of ₱1,000.00 and warning, without prejudice to the application of Section 9 (Limited Leniency for First-Time Violations), where applicable.

Second Offense: Fine of ₱2,000.00 and suspension of hauling operations for seven (7) days

Third Offense: Fine of ₱2,500.00 and suspension for fourteen (14) days

Fourth Offense: Revocation of registration, blacklisting within the Municipality, and filing of appropriate cases provided that prior to the imposition of such suspension, revocation, or blacklisting, the concerned party shall be given notice and opportunity to be heard.

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The Task Force is authorized to impound vehicles used in violation of this Ordinance until compliance and payment of penalties and in accordance with existing laws.

SECTION 14. COMMUNITY INVOLVEMENT. Barangays shall actively participate in the implementation and enforcement of this Ordinance. Each barangay shall maintain an updated logbook of reported violations, incidents, and suspected illegal hauling activities within its jurisdiction, and shall immediately coordinate, report, or endorse the same to the SAG Task Force for appropriate action.

Barangay officials, Barangay Tanods, and other community-based personnel are hereby encouraged to assist in monitoring hauling activities, particularly in quarry routes, interior roads, and other areas not regularly covered by checkpoints, in order to strengthen grassroots enforcement and real-time reporting.

The Municipality, through the SAG Task Force, shall conduct sustained information and education campaigns to ensure that all haulers, operators, business establishments, and the general public are fully informed of the provisions of this Ordinance, including registration requirements, trip ticket system, prohibited acts, and penalties.

The Municipality shall install, maintain, and regularly update visible and strategic signage in key areas such as municipal entry and exit points, barangay roads, quarry routes, checkpoints, and other high-traffic areas. Such signage shall include, but not be limited to, the following:

- **“NO TRIP TICKET, NO ENTRY”**
- **“NO STICKER, NO HAULING”**
- **“STRICTLY NO OVERLOADING”**
- **“HAULING HOURS: 8:00 AM – 5:00 PM ONLY”**
- **“REPORT ILLEGAL HAULING TO YOUR BARANGAY OR SAG TASK FORCE”**

The Municipality may also establish a community reporting mechanism, such as a hotline number, text line, social media page, or other communication platforms, to facilitate prompt reporting of violations by the public. All information campaigns and community engagement activities shall be continuous and adaptive, in order to promote awareness, voluntary compliance, and shared responsibility in protecting public infrastructure and the environment.

SECTION 15. TRANSITORY PROVISION. A grace period of one (1) month from effectivity is hereby granted to allow registration and compliance.

After the lapse of said period, strict enforcement shall be implemented.

SECTION 16. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared invalid, the remaining provisions shall remain in full force and effect.

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SECTION 17. REPEALING CLAUSE. All ordinances, rules, and regulations inconsistent herewith are hereby repealed or modified accordingly.

SECTION 18. EFFECTIVITY. This Ordinance shall take effect upon approval .


APPROVED UNANIMOUSLY :


APRIL 13, 2026

CERTIFIED CORRECT :

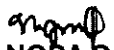
ERVON DANIEL B. LAJARA
SB Secretary

ATTESTED :


HON. MARK CHRISTOPHER T. JAVIER
Municipal Vice-Mayor
Presiding Officer


HON. EMMA M. ABUEVA
SB Member


HON. GUILBERT M. LANOY
SB Member


HON. NORA G. MABALLOS
SB Member



HON. STEPHEN MARK I. PAPALID
SB Member


HON. ROMEO C. MALINAO
SB Member


HON. MARINO C. MERILO
SB Member


HON. MICHELLE O. MORENO
SB Member


HON. SCHUBERTA A. RIÑOS
SB Member


HON. ERICKAT. CABANGUNAY
SK Fed. President


HON. ANDY L. DINGAL
Liga President

APPROVED :


HON. MICHAEL DRAGON T. JAVIER
Municipal Mayor

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JAVIER

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Office of the Sangguniang Bayan

April 23, 2026

CERTIFICATION

TO WHOM IT MAY CONCERN :

THIS IS TO CERTIFY that **ORDINANCE No. 2026-03**, "AN ORDINANCE REGULATING THE HAULING OR TRANSPORTING OF SAND, GRAVEL, AND OTHER QUARRY RESOURCES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF JAVIER, LEYTE, IRRESPECTIVE OF SOURCE, IMPOSING FEES, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF", is posted in the entrance of the Municipal Hall and two (2) conspicuous places in the Municipality since April 23, 2026 and shall remain posted for three (3) consecutive weeks.


HON. MARK CHRISTOPHER T. JAVIER
Municipal Vice-Mayor