



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

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PROVINCIAL LEGAL OFFICE

Item No.: 44
 Date: 07 2026 JUL

PROVINCIAL LEGAL OFFICE
RECEIVED

By: [Signature]
 Date: 6-26-26 Time: 1:00
Sangguniang Panlalawigan
Province of Leyte

2nd INDORSEMENT
 June 11, 2026

RECEIVED
 JUN 26 2026
 Date: JUN 26 2026
 By: Fanni

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 4 of the Sangguniang Bayan of Matalom, Leyte.

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

- Ordinance No. 4 entitled: “Water Source Protection Zone”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(5)(vii)¹. Hence, we recommend 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 vii) Subject to existing laws, provide for the establishment, operation, maintenance, and repair of an efficient waterworks system to supply water for the inhabitants; regulate the construction, maintenance, repair and use of hydrants, pumps, cisterns and reservoirs; protect the purity and quantity of the water supply of the municipality and, for this purpose, extend the coverage of appropriate ordinances over all territory within the drainage area of said water supply and within one hundred (100) meters of the reservoir, conduit, canal, aqueduct, pumping station, or watershed used in connection with the water service; and regulate the consumption, use or wastage of water;

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
10 June 2026

PROVINCE OF LEYTE
LEGAL OFFICE

RELEASED

By: 
Date: 6-10-26 Time: 2:24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 04, series of 2026 of the Municipality of Matalom, Leyte, entitled: An Ordinance establishing water source protection zones for the existing water system in Barangay Agbanga, and proposed Level II Water System in Sitio Nag-as, Barangay Pres. Garcia and Barangay San Vicente, Municipality of Matalom, Leyte, and prohibiting anthropogenic activities therein.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MATALOM
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OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

June 5, 2026

THE SANGGUNIANG PANLALAWIGAN
Leyte Provincial Government Complex
Palo, Leyte



Thru: FLORINDA JILL S. UYVICO
Sangguniang Panlalawigan Secretary
Leyte Provincial Government Complex
Palo, Leyte


Gentlemen/Ladies:

We are respectfully forwarding to the Sangguniang Panlalawigan for review, 16 copies of the following ordinances, to wit:

1. Municipal Ordinance No. 02-2026: An Ordinance Requiring All Private Child Development Centers/Learning Centers in the Municipality of Matalom, Leyte, To Secure A Permit to Operate, Providing Guidelines for Its Issuance, And for Other Purposes;
2. Municipal Ordinance No. 03-2026: An Ordinance Institutionalizing Gender and Development (GAD) Mainstreaming in the Municipality of Matalom, Leyte, Providing Funds Therefor, and for Other Purposes;
3. Municipal Ordinance No. 04-2026: An Ordinance Establishing Water Source Protection Zones for the Existing Water System in Barangay Agbanga, and Proposed Level II Water System in Sitio Nag-As, Barangay Pres. Garcia and Barangay San Vicente, Municipality of Matalom, Leyte, and Prohibiting Anthropogenic Activities Therein.

Kindly acknowledge receipt hereof.

Very truly yours,


IRISH C. GUIGUE
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUN 09 2026
By:

MUNICIPAL ORDINANCE NO. 04
Series of 2026

AN ORDINANCE ESTABLISHING WATER SOURCE PROTECTION ZONES FOR THE EXISTING WATER SYSTEM IN BARANGAY AGBANGA, AND PROPOSED LEVEL II WATER SYSTEM IN SITIO NAG-AS, BARANGAY PRES. GARCIA AND BARANGAY SAN VICENTE, MUNICIPALITY OF MATALOM, LEYTE, AND PROHIBITING ANTHROPOGENIC ACTIVITIES THEREIN.

Sponsored by Hon. Ronald P. Gilo
Co-Sponsor: Aureliano P. Lapasanda

WHEREAS, access to safe, adequate, and potable water is a basic necessity and a fundamental public service which the local government is mandated to ensure for the welfare of its constituents;

WHEREAS, the sustainability, safety, and quality of the proposed water supply system depend largely on the protection and preservation of its water source from contamination, degradation, and other adverse human-induced activities;

WHEREAS, existing national policies, including but not limited to Presidential Decree No. 1067 (Water Code of the Philippines), Republic Act No. 9275 (Philippine Clean Water Act of 2004), and Republic Act No. 7160 (Local Government Code of 1991), empower local government units to adopt measures to protect water resources within their territorial jurisdiction;

WHEREAS, there is a need to establish a clearly defined water source protection zone and to regulate and prohibit anthropogenic activities within the vicinity of the proposed project in order to prevent pollution, ensure public health, and guarantee the long-term viability of Potable Water System;

WHEREAS, to strengthen the implementation of the ordinance, the Water Source Protection Zone for the proposed Level II Potable Water System in Sitio Nag-as Barangay Pres. Garcia and Barangay San Vicente, this hereby adopts, integrates, and applies the relevant provision of Presidential Decree No. 856, otherwise known as the Code on Sanitation of the Philippines, dated December 23, 1975, particularly those governing water supply and sanitation;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Matalom, Leyte, in session assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as the "Water Source Protection Zone Ordinance".

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the Municipality of Matalom, Leyte, to protect, conserve, and sustainably manage its water resources to ensure the continuous provision of safe, clean, and potable water to its constituents.

Consistent with Presidential Decree No. 856, all drinking water sources shall be safeguarded from contamination and unsanitary conditions. The Municipality adopts this as a local mandate to protect public health and preserve water sources for present and future generations.

[Signatures of officials]
Municipal Ordinance No. 04, series of 2026
Page 1 of 5



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SECTION 3. COVERAGE AND LOCATION. This Ordinance shall cover the water source for the existing water system in Barangay Agbanga and the water sources identified for the proposed Level II Potable Water System in Sitio Nag-as, Barangay Pres. Garcia and Barangay San Vicente, including its immediate surroundings, as delineated in the approved project plans, technical descriptions, and maps prepared by the concerned implementing agencies.

SECTION 4. ESTABLISHMENT OF THE WATER SOURCE PROTECTION ZONE. A Water Source Protection Zone is hereby established within the vicinity of the identified water sources. The protection zone shall include:

- (a) Core Protection Zone - the immediate area surrounding the water source, the radius of which shall be determined by the Municipal Waterworks System in coordination with the Municipal Environment and Natural Resources Office (MENRO) and other concerned agencies; and
- (b) Buffer Zone – the area beyond the core protection zone intended to provide an added layer of protection against potential sources of contamination.

SECTION 5. SANITARY PROTECTION OF WATER SOURCE. Consistent with Chapter II of PD 856, all water sources intended for drinking and domestic use shall be adequately protected against pollution, contamination, and unsanitary practices. The Water Source Protection Zone established under the principal ordinance shall be considered a sanitary control area, where activities that may degrade water quality are strictly regulated or prohibited.

SECTION 6. PROHIBITED ANTHROPOGENIC ACTIVITIES. Pursuant to the Code on Sanitation, the following activities are hereby strictly prohibited within the Core Protection Zone and, where applicable, within the Buffer Zone:

- (a) Dumping or disposal of solid waste, sewage, wastewater, chemicals, hazardous or toxic substances.
- (b) Construction of residential, commercial, industrial, agricultural, or institutional structures, except those directly related to the operation and maintenance of the water system.
- (c) Construction or operation of toilets, septic tanks, animal pens, slaughter areas, piggeries, poultry farms or similar facilities that may contaminate the water source.
- (d) Washing, bathing, laundering, or any activity that introduces physical, chemical, or biological contaminants into the water source.
- (e) Use, storage, or application of pesticides, herbicides, fertilizers, and other chemical inputs.
- (f) Cutting of trees, clearing of vegetation, or any activity that may cause soil erosion or siltation.
- (g) Disposal of human and animal wastes, garbage, chemicals, pesticides, fertilizers, or any hazardous or toxic substances.



OFFICE OF THE SANGGUNIANG BAYAN

- (h) Any other anthropogenic activity that may directly or indirectly contaminate, degrade, or adversely affect the quality and quantity of the water source.

SECTION 7. OTHER PROTECTED MEASURES as stated in Section 13 of Presidential Decree No. 856 dated December 23, 1975, otherwise known as Code Sanitation of the Philippines. To protect drinking water from contamination, the following measures shall be observed:

- (a) Washing clothes or bathing within a radius of 25 meters from any well or other source of drinking water is prohibited.
- (b) No artesian, deep, or shallow well shall be constructed within 25 meters from any source of pollution.
- (c) No radioactive sources or materials shall be stored within a radius of 25 meters from any well or source of drinking water unless the radioactive source is adequately and safely enclosed by proper shielding.
- (d) No person charged with the management of a public water supply system shall permit any physical connection between its distribution system and that of any water supply unless the latter is regularly examined as to its quality by those in charge of the public supply to which the connection is made and found to be safe and potable.
- (e) The installation of a booster pump to boost water directly from the water distribution line of a water supply system, where low-water pressure prevails is prohibited.

SECTION 8. SANITARY CLEARANCE AND MONITORING. In accordance with PD 856, the Municipal Health Officer, in coordination with the Municipal Waterworks System, and the Barangay Council of Barangay Agbanga, Pres. Garcia and San Vicente shall exercise sanitary supervision over water source and protection zones. Regular water quality testing, sanitary inspections, and monitoring shall be conducted to ensure compliance with national and local sanitation standards.

SECTION 9. ALLOWED ACTIVITIES. Only activities necessary for development, operation, maintenance, monitoring, and protection of the existing and proposed potable water system, as authorized by the Municipal Government and concerned implementing agencies, shall be allowed within the protection zone.

SECTION 10. ROLES AND RESPONSIBILITIES.

- (a) The Municipal Waterworks System, in coordination with the MENRO, Municipal Health Office, and Barangay Council of Agbanga, Pres. Garcia and San Vicente, shall oversee the implementation and enforcement of this Ordinance.
- (b) The Barangay Government of Agbanga, Pres. Garcia and San Vicente shall assist in information dissemination, monitoring, and reporting of violations within its jurisdiction.
- (c) The Philippine National Police (PNP) – Matalom and other law enforcement units shall provide assistance in the enforcement of this Ordinance when necessary.

SECTION 11. PENALTIES. Any person found violating any provisions of this Ordinance shall, upon due process, be penalized as follows:



OFFICE OF THE SANGGUNIANG BAYAN

- (a) First Offense – Written warning and immediate cessation of the prohibited activity.
- (b) Second Offense – A fine not less than One Thousand Pesos (₱1,000.00) but not more than One Thousand Five Hundred Pesos (₱1,500.00), or community service as may be existing national laws.
- (c) Third and Subsequent Offense – A fine of not less than Two Thousand Five Hundred Pesos (₱2,500.00), and/or filing of appropriate legal action, without prejudice to liability under existing national laws.

SECTION 12. SUPPLETORY APPLICATION. The provision of Presidential Decree 856 shall have suppletory application to this ordinance. In cases where this ordinance is silent, the relevant provisions of the Code on Sanitation and its Implementing rules and regulations shall govern.

SECTION 13. SEPARABILITY CLAUSE

If for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.


SECTION 14. REPEALING CLAUSE.

All ordinances, resolutions, or parts thereof that are inconsistent with this Ordinance are hereby repealed or modified accordingly.

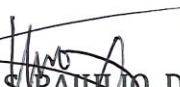
SECTION 15. EFFECTIVITY. This Ordinance shall take effect upon approval and compliance with the mandatory posting and publication requirement prescribed under R.A. 7160 otherwise known as the Local Government Code of 1991.

ENACTED this 4th day of May, 2026, at the Municipality of Matalom, Leyte.

X-----X
I HEREBY CERTIFY THAT THIS IS A
TRUE AND ACCURATE COPY OF THE ORDINANCE DULY ENACTED BY
THE SANGGUNIANG BAYAN ON MAY 4, 2026.


IRISH C. GUIGUE
Secretary to the Sanggunian

ATTESTED:



HON. ERIC S. PAJULIO, D.M.D.
Municipal Vice-Mayor / Presiding Officer

APPROVED:





OFFICE OF THE SANGGUNIANG BAYAN


HON. ELVIRA A. PAJULIO
Municipal Mayor
Date of Approval: 05-14-2026


HON. RICARDO MEINRADO D. PUDA
SB Member


HON. MARIA PAMELA P. GADO
SB Member

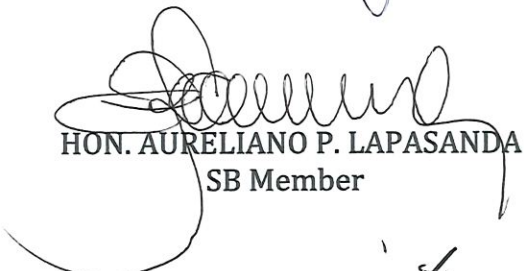

HON. JOSELEO W. DANCES
SB Member

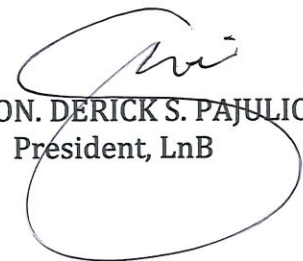

HON. ROLANDO P. IGUT
SB Member

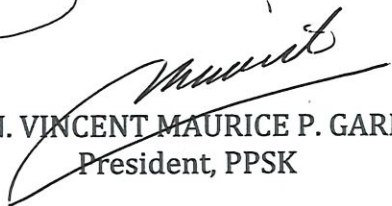

HON. VERONICA T. TAN
SB Member


HON. FAUSTO P. GARIN JR.
SB Member

ON OFFICIAL BUSINESS
HON. RONALD P. GILO
SB Member


HON. AURELIANO P. LAPASANDA
SB Member


HON. DERICK S. PAJULIO
President, LnB


HON. VINCENT MAURICE P. GARDE
President, PPSK



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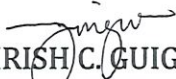
OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

CERTIFICATION

THIS IS TO CERTIFY that Municipal Ordinance No. 04, s. 2026 entitled, AN ORDINANCE ESTABLISHING WATER SOURCE PROTECTION ZONES FOR THE EXISTING WATER SYSTEM IN BARANGAY AGBANGA, AND PROPOSED LEVEL II WATER SYSTEM IN SITIO NAG-AS, BARANGAY PRES. GARCIA AND BARANGAY SAN VICENTE, MUNICIPALITY OF MATALOM, LEYTE, AND PROHIBITING ANTHROPOGENIC ACTIVITIES THEREIN, has been posted in three (3) conspicuous places in the Municipality since May 20, 2026 and will remain posted for three (3) consecutive weeks.

This certification is issued in compliance with the pertinent provisions of the Local Government Code of 1991.

ISSUED this 20th day of May, 2026 at Matalom, Leyte, Philippines.


IRISH C. GUIGUE
Secretary to the Sanggunian