



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
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OFFICE OF THE SANGGUNANG BAYAN

Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

Item No.: 22
Date: 25 2026 AUG



BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 56TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON AUGUST 3, 2026

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RESOLUTION NO. 2026-367

A RESOLUTION REQUESTING THE MUNICIPAL MAYOR, HONORABLE EDUARDO T. ONG, JR., TO CAUSE THE FULL IMPLEMENTATION AND STRICT ENFORCEMENT OF MUNICIPAL ORDINANCE NO. 2026-054, SERIES OF 2026, AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133, ENTITLED, "AN ORDINANCE GRANTING A COCKPIT FRANCHISE TO MR. PATRICK V. MAKABENTA TO ESTABLISH, OPERATE, AND MAINTAIN A COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE", PURSUANT TO SECTION 56 (d) OF REPUBLIC ACT NO. 7160

WHEREAS, the Sangguniang Bayan of Carigara, Leyte, enacted Municipal Ordinance No. 054, Series of 2026, entitled, "An Ordinance Revoking or Cancelling Municipal Ordinance No. 2022-133, entitled, 'An Ordinance Granting a Cockpit Franchise to Mr. Patrick V. Makabenta to Establish, Operate, and Maintain a Cockpit Arena in the Municipality of Carigara, Leyte'";

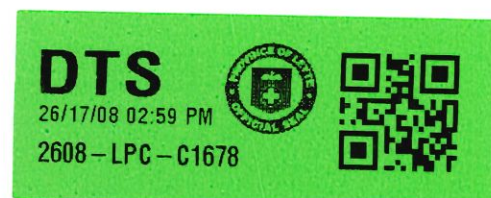
WHEREAS, pursuant to Section 56 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", the said Municipal Ordinance was submitted on 11 June 2026 to the Sangguniang Panlalawigan of Leyte for review;

WHEREAS, the said Municipal Ordinance was calendared during the session of the Sangguniang Panlalawigan held on 16 June 2026 and was thereafter referred to the Sangguniang Panlalawigan's Committee on Games and Amusement and to the Committee on Rules;

WHEREAS, more than thirty (30) calendar days have elapsed from the submission of the said Municipal Ordinance to the Sangguniang Panlalawigan for review;

WHEREAS, as stated in DILG Opinion No. 151, Series of 2010, the thirty (30)-day period prescribed under Section 56(d) of Republic Act No. 7160 is reckoned in calendar days;

[Signature]





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Page 2/3 – Res. No.2026-367 dated August 3, 2026–

“A RESOLUTION REQUESTING THE MUNICIPAL MAYOR, HONORABLE EDUARDO T. ONG, JR., TO CAUSE THE FULL IMPLEMENTATION AND STRICT ENFORCEMENT OF MUNICIPAL ORDINANCE NO. 2026-054, S. 2026...”

WHEREAS, under Section 56(d) of Republic Act No. 7160, if the Sangguniang Panlalawigan fails to take action on a municipal ordinance within thirty (30) days from its submission, the ordinance is presumed consistent with law and therefore valid;

WHEREAS, in DILG Opinion No. 20, Series of 2019, the Department of Interior and Local Government opined that the phrase “take action” in Section 56 (d) as opined by the Department of Interior and Local Government should mean that the Sangguniang Panlalawigan, within 30 days upon receipt of the copy of the ordinance, should have issued its legislative action in the form of a Resolution containing their disapproval in whole or in part any ordinance or resolution submitted to them for review;

WHEREAS, accordingly, the referral of the subject Municipal Ordinance to a committee of the Sangguniang Panlalawigan, without the issuance of a resolution approving or disapproving the same in whole or in part within the thirty (30)-day period prescribed by law, does not constitute the legislative action contemplated under Section 56(d) of Republic Act No. 7160;

WHEREAS, by operation of law, and upon the lapse of the thirty (30)-day period prescribed under Section 56(d) of Republic Act No. 7160 without the Sangguniang Panlalawigan having taken final action on the said Municipal Ordinance, the same is presumed consistent with law and therefore valid;

WHEREAS, the Sangguniang Bayan deems it appropriate to formally recognize the legal status of the said Municipal Ordinance and to ensure that the records of the Municipality accurately reflect the operation of the statutory presumption provided under Section 56(d) of Republic Act No. 7160;

NOW, THEREFORE, on motion of Hon. Mildred C. Modesto, duly seconded by Hon. Myla L. Aguilar, be it

RESOLVED, AS IS HEREBY RESOLVED, that the Sangguniang Bayan of Carigara, Leyte, hereby requests the Municipal Mayor, Hon. Eduardo T. Ong, Jr., to cause the full implementation and strict enforcement of Municipal

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Page 3/3 – Res. No.2026-367 dated August 3, 2026–

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ENFORCEMENT OF MUNICIPAL ORDINANCE NO. 2026-054, S. 2026...”

Ordinance No. 2026-054, Series of 2026, An Ordinance Revoking or Cancelling Municipal Ordinance No. 2022-133, entitled, “An Ordinance Granting a Cockpit Franchise to Mr. Patrick V. Makabenta to Establish, Operate, And Maintain a Cockpit Arena in the Municipality of Carigara, Leyte”, pursuant to Section 56 (d) of Republic Act No. 7160.

RESOLVED FURTHER, that the Sangguniang Bayan recognizes the presumed validity of Municipal Ordinance No. 054, series of 2026, unless and until it is declared invalid by a court of competent jurisdiction.

RESOLVED FINALLY, that copies of this excerpt, together with the relevant records of submission and review, be furnished to the Sangguniang Panlalawigan of Leyte, the Office of the Provincial Governor, the Office of the Municipal Mayor, and all other concerned offices for their information and appropriate action.

APPROVED this 3rd day of August 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

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I HEREBY CERTIFY to the correctness of the foregoing excerpt.


PAULINO T. MARQUEZ
Legal Assistant II

Acting-Secretary to the Sanggunian

Attested:


JIMMY A. CAMPOSANO
Municipal Vice Mayor/Presiding Officer