



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Item No.: 25

Date: 08 2026 SEP

PROVINCE OF LEYTE
LEGAL OFFICE

RELEASED

By: [Signature]
Date: 08.28.26 Time: 2:00

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: AUG 28 2026
By: [Signature]

2nd INDORSEMENT

July 15, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2026-10 of the Sangguniang Bayan of Hilongos Leyte.

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

- Ordinance No. 2026-12 entitled: **“An Ordinance reclassifying parcel of Land covered by tax declaration No 08-14-0037-00589 etc.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is within the corporate powers of the local government unit particularly covered under Section 447(a)(2)(viii)¹ of the Local Government Code.

It must be noted however, that the power of the LGUs to reclassify agricultural lands is without prejudice to the authority of the DAR to approve conversion of agricultural lands covered by Republic Act No. 6657 to non-agricultural uses and has been validly recognized by Section 20 of Republic Act No. 7160 by explicitly providing therein that, *"nothing in this section shall be construed as repealing or modifying in any manner the provisions of Republic Act No. 6657."*

Furthermore, pursuant to DILG opinion No.22, S. 2020 dated January 31, 2020 citing the Supreme Court Decision in the case of “Chamber of Real Estate and Builders Associations, Inc. (CREBA), vs The Secretary of Agrarian Reform², reclassification alone will not suffice to use the agricultural lands for other purposes. Conversion is needed to change the current use of the reclassified lands.

Considering the foregoing, the proposed authority to reclassify is recommended for approval without prejudice to the conversion requirement to conform with the current and actual use of the reclassified land.

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

¹ (viii) Reclassify land within the jurisdiction of the municipality, subject to the pertinent provisions of this Code;

² G.R. No. 183409, June 18, 2010

without prejudice to the opinions rendered by higher and competent authorities and/or the courts.



ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
05 June 2026

PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED
By: *[Signature]*
Date: *8.14.26* Time: *2:26*

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2026-12** of the **Municipality of Hilongos, Leyte**, entitled: **An Ordinance reclassifying a parcel of land covered by Tax Declaration No. 08-14-0037-00589 identified as lot No. 12966, with an area of Five Thousand Four Hundred Ninety One (5,491) Square Meters more or less Located at Barangay San Roque, Hilongos, Leyte from Agricultural to Commercial Land owned by the heirs of Vicente Z. Balaga Represented by Sereno F. Balaga.**

[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Hilongos



OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN
Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: JUN 05 2026
By: [Signature]

04 June 2026

HON. LEONARDO M. JAVIER, JR.
Provincial Vice-Governor
Province of Leyte
Tacloban City

Sir:

Greetings!

Respectfully forwarding herewith fifteen (15) copies each of the following Municipal Ordinances for your review and approval:

1. **Municipal Ordinance No. 2026-10** – “An Ordinance Reclassifying a Parcel of Land Covered by Tax Declaration No. 08-14-0037-00653, Identified as Lot No. 12818, with an Area of One Thousand Three Hundred Ninety (1,390) Square Meters, More or Less, Located at Barangay San Roque, Hilongos, Leyte, from Agricultural to Commercial Land, Owned by Mr. Windel Lou C. Go.”
2. **Municipal Ordinance No. 2026-11** – “An Ordinance Reclassifying a Parcel of Land Covered by Tax Declaration No. 08-14-0037-00637, Identified as Lot No. 12965, with an Area of Fifteen Thousand Eight Hundred Sixteen (15,816) Square Meters, Located at Barangay San Roque, Hilongos, Leyte, from Agricultural to Commercial Land, Owned by Mr. Windel Lou C. Go.”
3. **Municipal Ordinance No. 2026-12** – “An Ordinance Reclassifying a Parcel of Land Covered by Tax Declaration No. 08-14-0037-00589, Identified as Lot No. 12966, with an Area of Five Thousand Four Hundred Ninety-One (5,491) Square Meters, More or Less, Located at Barangay San Roque, Hilongos, Leyte, from Agricultural to Commercial Land, Owned by the Heirs of Vicente Z. Balaga, Represented by Sereno F. Balaga.”
4. **Municipal Ordinance No. 2026-13** – “An Ordinance Reclassifying a Parcel of Land Covered by Tax Declaration No. 08-14-0037-00586, Identified as Lot No. 14958, with an Area of One Thousand One Hundred Eighteen (1,118) Square Meters, More or Less, Located at Barangay San Roque, Hilongos, Leyte, from Agricultural to Commercial Land, Owned by the Heirs of Vicente Z. Balaga, Represented by Sereno F. Balaga.”

Attached herewith are the following supporting documents:

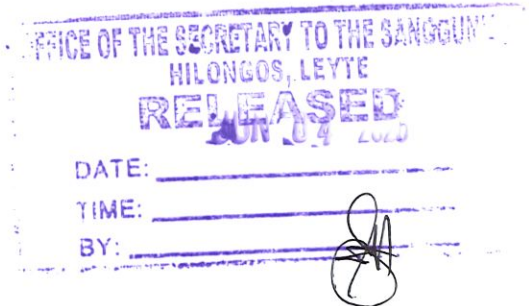
- a. Minutes of the Public Hearing;
- b. Attendance Sheet; and
- c. Certificate of Posting.

Hoping for your favorable consideration and approval of the foregoing ordinances.

Thank you very much.

Very respectfully yours,

[Signature]
CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian





Republic of the Philippines
Province of Leyte
Municipality of Hilongos

OFFICE OF THE SANGGUNIANG BAYAN



MUNICIPAL ORDINANCE NO. 2026-12

AN ORDINANCE RECLASSIFYING A PARCEL OF LAND COVERED BY TAX DECLARATION NO. 08-14-0037-00589 IDENTIFIED AS LOT NO. 12966, WITH AN AREA OF FIVE THOUSAND FOUR HUNDRED NINETY ONE (5,491) SQUARE METERS MORE OR LESS LOCATED AT BARANGAY SAN ROQUE, HILONGOS, LEYTE FROM AGRICULTURAL TO COMMERCIAL LAND OWNED BY THE HEIRS OF VICENTE Z. BALAGA REPRESENTED BY SERENO F. BALAGA

Authored by: **HON. JOSEPH F. FULACHE**

Chairperson, Committee on Laws, Rules, Privileges and Good Governance

WHEREAS, Section 20 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 authorizes local government units to reclassify agricultural lands when such lands are no longer economically feasible or agricultural purposes or when the land has greater economic value for residential, commercial or industrial purposes;

WHEREAS, a parcel of land identified as Lot No. 12966, with an area of 5,491 square meters more or less covered by Tax Declaration No. 08-14-0037-00589 located at Barangay San Roque, Hilongos, Leyte and owned by the Heirs Of Vicente Z. Balaga Represented by Sereno F. Balaga;

WHEREAS, the subject property is no longer economically viable for agricultural production due to the changing development patterns and increasing commercial activities within the area;

WHEREAS, the surrounding areas has gradually evolved into a mixed-use and commercial area, making the subject property more suitable for commercial development;

WHEREAS, the proposed reclassification is consistent with the approved Comprehensive Land Use Plan (CLUP) and Zoning Ordinance of the municipality;

WHEREAS, the re-classification of the subject property is expected to promote economic development, enhance business opportunities and increase local revenues for the municipality;

WHEREAS, the landowner has signified intent to utilize the property for commercial purposes and has complied with initial documentary requirements subject to applicable laws, rules and regulations;

NOW THEREFORE, on motion of Hon. Joseph F. Fulache, in unanimous accord;

BE IT ORDAINED by the 17th Sangguniang Bayan of Hilongos, Leyte in its 21st Regular Session assembled is hereby adopted:

SECTION 1. TITLE - This Ordinance Reclassifying A Parcel of Land Covered By Tax Declaration No. 08-14-0037-00589 Identified As Lot No. 12966, with an area of Five Thousand Four Hundred Ninety One (5,491) Square Meters more or

MANUEL R. VILLAHERMOSA
Municipal Mayor

BERNADETH M. NERVES
SB Member

JOSEPH F. FULACHE
SB Member

ALBERT R. VILLAHERMOSA
Municipal Vice-Mayor

CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian

RICHARD B. BENDICT V. OGARIO
Ex-Officio Member/President,
Liga ng mga Barangay

MANUEL M. GABISAN
SB Member

CRIS ANTONIO B. ONG
SB Member

MANUEL V. LORA
SB Member

CECILE ANTONIETTE C. SABRIDO
Ex-Officio Member / President, Pambayang Pederasyon ng
Sangguniang Kabataan

FRANCISCO M. ORTEGA
SB Member
(absent)

TRINIDAD V. ZARATE
SB Member

ALINE B. REOMA
SB Member

CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian

RICHARD BENEDICT V. OGARIO
Ex-Officio Member / President,
Liga ng mga Bata ng Bayan

MANUEL M. GABISAN
SB Member

CRIS ANTONIO B. ONG
SB Member

MANUEL V. LORA
SB Member

less located at Barangay San Roque, Hilongos, Leyte from Agricultural to Commercial Land Owned by the Heirs Of Vicente Z. Balaga Represented by Sereno F. Balaga.

SECTION 2. SUBJECT FOR RECLASSIFICATION - A parcel of land designated as Lot No. 12966 located in Barangay San Roque, Hilongos, Leyte under Tax Declaration No. 08-14-0037-00589 declared in the name of Heirs of Vicente Z. Balaga represented by Sereno F. Balaga containing an area of 5,491 square meters more or less:

Further, the subject area is classified as agricultural land which has the following boundaries:

North - S - Ass. Lot # 015 (12965)
East - SW - Ass. Lot # 022 (12959) 006 (12956)
South - W - Ass. Lot # 099 (12958)
West - N - Ass. Lot # 010 (14960); E - Ass. Lot # 012 (12971)

SECTION 3. COVERAGE - This ordinance covers the entirety of the stated parcel of agricultural land to be reclassified for commercial purposes.

SECTION 4. LIMITATIONS/JUSTIFICATIONS - The entirety of the parcel of land ceases to be economically feasible and sound for agricultural purposes as justified on the supporting documents to wit:

- 1) Certification issued by the Office of the Municipal Agriculturist by Ms. Paulitte P. Lagbas, Acting Municipal Agriculturist;
- 2) Certification issued by the Department of Agrarian Reform by its Municipal Agrarian Reform Program Officer, Mr. Ruben A. Rebato, Enp, J.D.

SECTION 5. SEPARABILITY CLAUSE - If any provisions of this ordinance is held invalid or unconstitutional, the same shall not affect the validity and effectivity of other provisions hereof.

SECTION 6. REPEALING CLAUSE - Pertinent provisions of all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 7. EFFECTIVITY CLAUSE- This Ordinance shall take effect after review of the Sangguniang Panlalawigan, posting and publication of a newspaper of regional circulation.

ENACTED this 25th day of May, 2026 during the 21st Regular Session of the 17th Sangguniang Bayan.

MANUEL R. VILLAHERMOSA
Municipal Mayor

BERNADETTE M. NERVES
SB Member

JOSEPH E. FULACHE
SB Member

ALBERT R. VILLAHERMOSA
Municipal Vice-Mayor

CECILLE ANTONETTE C. SABRIDO
Ex-Officio Member / President, Pambayang Pederasyon ng Sangguniang Kabataan

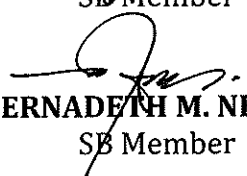
FRANCISCO M. ORTEGA
SB Member
(absent)

TRINIDAD V. ZARATE
SB Member

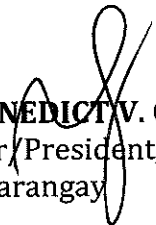
ALINE B. REOMA
SB Member


MANUEL M. GABISAN
Sangguniang Bayan Member


CRIS ANTONIO B. ONG
SB Member


BERNADETH M. NERVES
SB Member

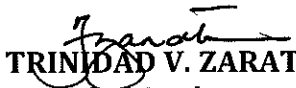
FRANCISCO M. ORTEGA
SB Member (*absent*)


RICHARD BENEDICT V. OGARIO
Ex-Officio Member/President, Liga ng mga
Barangay


JOSEPH E. FULACNE
SB Member

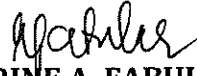

MANUEL V. LORA
SB Member

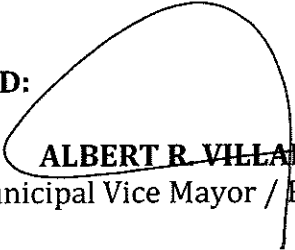

ALINE B. REOMA
SB Member

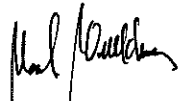

TRINIDAD V. ZARATE
SB Member


CECILLE ANTONIETTE C. SABRIDO
Ex-Officio Member/President,
Pambayang Pederasyon ng Sangguniang
Kabataan

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian

ATTESTED:

ALBERT R. VILLAHERMOSA
Municipal Vice Mayor / Presiding Officer

APPROVED:

MANUEL R. VILLAHERMOSA
Municipal Mayor
Date: June 3, 2024



Republic of the Philippines
Province of Leyte
Municipality of Hilongos



OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that a copy of **Municipal Ordinance No. 2026-12: "An Ordinance Reclassifying A Parcel Of Land Covered By Tax Declaration No. 08-14-0037-00589 Identified As Lot No. 12966, with an area of Five Thousand Four Hundred Ninety One (5,491) Square Meters More or Less Located At Barangay San Roque, Hilongos, Leyte From Agricultural To Commercial Land Owned By The Heirs Of Vicente Z. Balaga Represented By Sereno F. Balaga"** was posted in three (3) conspicuous places within the Municipality of Hilongos pursuant to paragraph (a) of Article 114 of RA 7160 also known as the Local Government Code of 1991.

FURTHER, this certify that the undersigned has duly complied the said provision from May 25, 2026 up to June 04, 2026.

ISSUED this 4th day of June, 2026 in Hilongos, Leyte, Philippines.

CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Hilongos

OFFICE OF THE SANGGUNIAN BAYAN

ATTENDANCE SHEET

Public Hearing on the Proposed Ordinances, to wit:

1. Proposed Creation of Plantilla Positions at the Local Government of Hilongos
2. Reclassification of Lots from Agricultural to Commercial Land in Barangay San Roque, Hilongos, Leyte owned by Mr. Windel Lou C. Go
3. Reclassification of Lots from Agricultural to Commercial Land to Barangay San Roque, Hilongos, Leyte owned by Heirs of Vicente Z. Balaga represented by Sereno F. Balaga

Date: April 14, 2026, Tuesday

Place : Loreto Lora's Hall, Legislative Building

Name	Position	Sex		Office/ Agency	Signature
		Male	Female		
1. TERESA L. CISTO	Pres. Kagawad		-	BRGY. SAN ROQUE	
2. CIRILA M. SEPE	PUNONG BARANGAY		✓	BRGY. SAN ROQUE	
3. JULITO L. LOSETTE	BRGY. KAGAWAD	✓		BRGY. SAN ROQUE	
4. MERCEDITA B. MORNOCESALO	BRGY. KAGAWAD		✓	BRGY. SAN ROQUE	
5. HERMILIO M. LASQUITE	BRGY KAGAWAD		✓	BRGY SA ROQUE	
6. BENARD T. DABINO	MEMRO	✓		MEMRO	
7. MARTA A. NUNAKENOSA	REPRESENTATIVE		✓	CENTRAL BRGY Hilongos, Leyte	
8. BENJIE R. NATIVIDAD	MT	✓		MTB	
9. JOSEPH F. FULACHA	SP Munlun	-		SP	
10. LETRER JAN NERVES	MUN-ADM	✓		MUN. MAYOR'S OFFICE	

VERIFIED TRUE COPY FROM THE ORIGINAL
CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian
DATE: _____

Name	Position	Sex		Office/ Agency	Signature
		Male	Female		
11. LEVI L. MEDRADO JR.	MPDC	✓		MPDC	
12. JOSEPA ANDREU O. VELAS	ACTING MUNICIPAL ENGINEER	✓		MED	
13. PAVILITE P. LAGBANA	Acting - Mun. Agriculturist		✓	ISMA	
14. ERILINDA M. RAIZ	MARSA		✓	MARSA	
15. JANIE LORREDO	HUMAN		✓	HUMAN	
16. CATHERINE A. FABULAR	Sec. to the SB		✓	Sec. to the SB	
17. DANIEL KRISTIE M. ORTIZ	J.O		✓	SB	
18. DION GREEN ZAMORA	GIP	✓		SB	
19. RIZALDO INYANG	GIP	✓		SB	
20. ARLINE B. REANA	SB MEMBER		✓	SB	
21. X — —	— — NOTHING FOLLOWS	—	—	— —	— — X
22.					
23.					
24.					
25.					

ATTACHED TRUE COPY FROM THE ORIGINAL

CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian
DATE: _____



Republic of the Philippines
Province of Leyte
Municipality of Hilongos

VERIFIED TRUE COPY FROM THE ORIGINAL
CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian

OFFICE OF THE SANGGUNIANG BAYAN

COMMITTEE ON HOUSING, LAND USE, PLANNING AND DEVELOPMENT, LEYTE

MINUTES OF THE PUBLIC HEARING ON HOUSING, LAND USE, PLANNING AND DEVELOPMENT ON TUESDAY, APRIL 14, 2026 AT THE LORETO P. LORA'S HALL, GROUND FLOOR OF THE LEGISLATIVE BUILDING, HILONGOS, LEYTE.

OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN
RECEIVED
DATE: APR 20 2026
TIME: 8:30am
BY: [Signature]

In attendance:

Hon. Joseph F. Fulache	- SB Member/Chairperson, Committee on Housing, Land Use, Planning and Development
Ms. Catherine A. Fabular	- Secretary to the SB
Engr. Levi L. Mendros Jr.	- Municipal Planning Development Coordinator, MPDO
Ms. Paulitte P. Lagbas	- OIC, Office of the Municipal Agriculturist
Engr. Joseph Andrew O. Velos	- OIC, Office of the Municipal Engineer
Ms. Erlinda M. Ruiz	- Municipal Assessor
Atty. Lemuel Jan M. Nerves	- Municipal Administrator
Hon. Cirila M. Sepe	- Barangay Captain, Brgy. San Roque
Hon. Julito L. Rosete	- Barangay Kagawad, Brgy. San Roque
Hon. Teresa L. Gisto	- Barangay Kagawad, Brgy. San Roque
Hon. Mercelita B. Wenceslao	- Barangay Kagawad, Brgy. San Roque
Mr. Hermilo M. Lasquite	- Barangay Kagawad, Brgy. San Roque
Ms. Marta A. Villahermosa	- Representative of Mr. Windel Lou Go and Heirs of Vicente, Balaga, R.V. Villaflores St. Hilongos, Leyte

X-----X

The Public Hearing convened at 9:26 in the morning with a prayer led by the SB Secretary. Thereafter, Hon. Joseph F. Fulache, Chairperson of the Committee, acknowledged the presence of the resource persons, representatives, the Barangay Captain, and the Barangay Councilors from Brgy. San Roque. He then proceeded to discuss and evaluate the following applications for land classification submitted to the Sangguniang Bayan:

- **Re-classification of Lots from Agricultural to Commercial Land in Barangay San Roque, Hilongos, Leyte owned by Mr. Windel Lou C. Go:**
 - **Lot No. 12818** Tax Declaration No. 08-14-0037-00653 with an area of **1,390** located at Brgy. San Roque, Hilongos, Leyte owner Windel Lou C. Go.
 - **Lot No. 12965** Tax Declaration No. 08-14-0037-00637 with an area of **15,816** located at Brgy. San Roque, Hilongos, Leyte owner Windel Lou C. Go.

- **Re-classification of Lots from Agricultural to Commercial Land in Barangay San Roque, Hilongos, Leyte owned by Heirs of Vicente Z. Balaga:**
 - **Lot No. 14958** Tax Declaration No. 08-14-0037-00586 with an area of **1,118** located at Brgy. San Roque, Hilongos, Leyte owner Heirs of Vicente Balaga.
 - **Lot No. 12966** Tax Declaration No. 08-14-0037-00589 with an area of **5,491** located at Brgy. San Roque owner Heirs of Vicente Balaga.
- Hon. Fulache presented and read the following attached documents:
 - 1) Zoning Certification from the Office of MPDC
 - 2) Certification from Department of Agrarian Reform (DAR)
 - 3) Certification from Office of Municipal Agriculturist
 - 4) Certification from Office of National Irrigation Administration (NIA)
 - 5) Photocopy of (3) Original Certificate of Land Titles for Lot Nos. 12965, 14958, & 12966, (the title for Lot No. 12818 is not release yet).
 - 6) Photocopy of Tax Declaration for the four (4) lots.
 - 7) Sketch Plan of the lots.

Hon. Fulache stated that, as far as the Sangguniang Bayan is concerned, the requirements have been met; however, they may still elicit comments or statements from the department concerned. He then called on Engr. Levi L. Mendros Jr., the Municipal Planning and Development Coordinator, to give his comment or statement on the matter.

Engr. Mendros confirmed to Hon. Fulache that there are four (4) certifications issued by the Office of the Municipal Planning and Development Coordinator, which state that the said parcel of land is currently for reclassification from **Agricultural** to **Commercial** as allowable use, as indicated in the Zoning Ordinance and aligned with the **2024-2034 Comprehensive Land Use Plan (CLUP)**.

Then, Hon. Fulache read the certification from the **Department of Agrarian Reform (DAR)**, which states that the four lands/lots has no issued Emancipation Patent (EP)/Certificate of Land Ownership Award (CLOA) nor had been covered under PD27/RA 6657, nor any agrarian reform program and this was confirmed by Ms. Marta A. Villahermosa through the presentation of the original copy of the said certification.

On the Certification of **National Irrigation Administration (NIA)**, Hon Fulache stated that the four parcels of land are not irrigated and not covered by service area of any Communal Irrigation System and not included in the Masterlists owned by **WINDEL LOU C. GO** married to **SUNSHINE S. GO**, Represented by **MARTA ALCUINO VILLAHERMOSA** issued on 10th day of MARCH, 2026 at National Irrigation Administration (NIA), Hindang-Hilongos Irrigation System (HHIS), Hindang, Leyte, Philippines. This was prepared by Mr. Concepcion N. Albarillo, Clerk Processor B and checked by Mr. Rogelio F. Ballesteros, Senior Water Resources Facilities Technician and which was also confirmed by Ms. Marta A. Villahermosa through the presentation of the original copy of the said certification.

After presenting the Original Certificates of Land Title (OCLTs) for the four (4) lots, along with their corresponding Tax Declarations and the sketch plans of the lots, Hon.

Fulache asked about the purpose of reclassifying the lands/lots from agricultural to commercial.

Ms. Marta A. Villahermosa, representative of Mr. Windel Lou Go and the Heirs of Vicente Balaga, stated that the proposed reclassification is from agricultural to institutional, for the purpose of constructing a hospital. Engr. Mendros added that an application for the reclassification of the subject lot had already been filed in 2009, but it was denied because the area was then covered by the TAGBAWTO Irrigation System. He further explained that their Comprehensive Land Use Plan (CLUP) was amended in 2024 to include the subject lot in the areas excluded from the coverage of the National Irrigation Administration (NIA), on the ground that it is no longer suitable for irrigation. Consequently, during their public hearing with the NIA, it was confirmed that the lot could already be converted, as it had been removed from the irrigable area. Thus, it was subsequently reflected in their CLUP that the lot may now be classified as a commercial area instead of institutional.

Ms. Villahermosa objected, stating that she used the classification "institutional" as it was advised by the Department of Agrarian Reform (DAR) Regional Office during her processing of the land use conversion. Engr. Mendros, however, clarified that pursuant to the amended CLUP and the existing Zoning Ordinance, the subject lot is classified as commercial rather than institutional, and that land conversion may proceed after reclassification.

Hon. Fulache called on the Municipal Assessor to share her views on the matter. Ms. Erlinda M. Ruiz, Municipal Assessor, stated that land classifications include residential, agricultural, commercial, industrial, mineral, and institutional. She further explained that, in this case, they are referring to reclassification from agricultural to commercial. From the Assessor's perspective, this classification is for taxation purposes and not necessarily for development use. Based on the reclassification, the property is classified as commercial; however, its actual use is institutional for taxation purposes.

Hon. Fulache called on the Municipal Administrator to share his views on the matter. Atty. Lemuel Jan M. Nerves, Municipal Administrator, stated that there is no need for the Sangguniang Bayan to pass a reclassification measure on the matter, as there is already an existing Zoning Ordinance. He further added that he has concerns regarding discussions with the **Civil Aviation Authority of the Philippines (CAAP)** about the future expansion of the airport runway. He noted that there is a designated radius affecting surrounding properties, which may be impacted and could become a potential constraint for the construction of high-rise or similar establishments.

Hon. Fulache asked Ms. Villahermosa if the proposed hospital would be a high-rise structure. Ms. Villahermosa responded that they were initially considering it; however, their current plan is to construct a three-storey hospital. She further stated that, in view of the discussions regarding the possible future expansion of the airport, the structure may be limited to two storeys, due to applicable height restrictions.

Atty. Nerves expressed concern regarding the potential noise that may be generated by the Philippine Air Force, considering that Hilongos Airport may be utilized as a main base for operations within the surrounding area, as they are withdrawing from Tacloban Air Base due to its conversion for national airport operations.

Hon. Fulache stated that Ms. Villahermosa will consider the relevant factors in the development of her proposed hospital. He then called on the Acting Municipal Engineer to give his opinion on the matter.

Engr. Joseph Andrew O. Velos, Officer-in-Charge of the Office of the Municipal Engineer, emphasized that it is important to ensure that the proposed project remains compliant with the current Zoning Ordinance and the Comprehensive Land Use Plan (CLUP). He further stated that the necessary clearances, including approval from the Civil Aviation Authority of the Philippines (CAAP), must also be secured prior to development.

Engr. Mendros suggested that, should they proceed with the construction of the building, they must hire the appropriate professionals, as these experts are knowledgeable about the factors and limitations involved in constructing such an establishment.

Ms. Villahermosa added that they plan to construct the ground floor first, with the possibility of expanding to a second floor at a later stage. However, she noted that they are also considering the limitations related to the airport, and therefore, they will hold another meeting to further discuss the matter.

Thereafter, the sketch plan of the proposed hospital was also discussed. According to Hon. Fulache, as far as the Sangguniang Bayan is concerned, since the area applied for reclassification is within the CLUP 2024–2034, he believes that the applicant has complied with all the requirements; thus, a reclassification ordinance should be enacted.

Hon. Cirila M. Sepe, Barangay Captain of Brgy. San Roque, shared her views on the matter, stating that she has no objection to the proposed reclassification. Hon. Fulache then stated that, as Chairman of the Committee on Laws, it is his firm opinion that the requirements have been satisfied, thereby supporting the applicant's request to have the four (4) lot areas reclassified from agricultural to commercial.

Ms. Catherine A. Fabular, Secretary to the Sangguniang Bayan, clarified the earlier statement of Atty. Nerves regarding the Comprehensive Land Use Plan (CLUP). She stated that the CLUP has already been enacted by the Sangguniang Bayan and that, based on the certification presented—which served as the basis for Ms. Villahermosa—the area is already classified as commercial. She further clarified that, while the certification indicates reclassification from agricultural to commercial, the CLUP likewise reflects the area as commercial. Thus, she raised the question of whether a separate reclassification ordinance is still necessary on the part of the Sangguniang Bayan.

According to Ms. Ruiz, if the subject property is already included in the approved Comprehensive Land Use Plan (CLUP), there is no need for a reclassification ordinance; instead, a copy of the approved CLUP may be attached as the basis for updating the classification and the Tax Declaration. However, if the property is not included in the approved CLUP, an ordinance reclassifying the land from agricultural to commercial is required.

Ms. Ruiz also added the following proposed Tax Rate for 2027 General Reversion:

- **Commercial-** 25,000.00 per square meters (proposed for the Year 2028)

- **Residential**- 15,000.00 per square meters
- **Agricultural**- 200.00 per square meters

Hon. Fulache stated that, in response to the query of the Sangguniang Bayan Secretary on whether a reclassification ordinance is still necessary despite the CLUP designating the four (4) lot areas as commercial, he read a statement from Atty. Respicio of the **Department of Human Settlements and Urban Development (DHSUD)**, stating that the CLUP establishes zoning classifications such as commercial, agricultural, residential, and others. He further read that, although the CLUP designates the subject properties as commercial, it serves as the basis for rezoning and the enactment of reclassification ordinances.

At the end of the discussion on whether a reclassification ordinance is necessary, it was concluded by the body that such an ordinance is still required as part of the process of converting land use from agricultural to commercial.

Subsequently, Hon. Fulache stated that the opinion of Atty. Nerves—to have both a Reclassification Ordinance and a Zoning Ordinance at the same time, as they essentially serve similar purposes—would be considered and endorsed for **Second Reading**, to be discussed further with the SB Members during the plenary session.

With no other items left for deliberation, the Public Hearing was adjourned at 10:30 in the morning.

I hereby certify to the correctness of the foregoing minutes.

Prepared by:


DARRYL KRISTIE M. OBTIAR
Secretariat

Concurred by:


HON. JOSEPH F. FULACHE
SB Member/Chairperson, Committee on Housing,
Land Use, Planning and Development

