



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
September 23, 2026

Item No.: 19
Date: 23 2026 OCT

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: OCT 09 2026
By: Jani Vi

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 120-26 of the Sangguniang Bayan of Leyte, Leyte.

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

- Ordinance No. 120-26 entitled: "Water Source Protection 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(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;

Republic of the Philippines
PROVINCE OF LEYTE
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
23 September 2026

PROVINCE OF LEYTE
LEGAL OFFICE

RECEIVED

By: 
Date: 19. 11. 26 Time: 9:24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 120-26** of the **Municipality of Leyte, Leyte**, entitled: **An Ordinance declaring the Kamandag Water Source in Sitio Sudlon, Barangay Danus; Sitio Rimas Water Source in Barangay Palarao, and Sambulawan Water Sources in Barangay Sambulawan as critical protected areas, providing for their conservation, management and providing penalties for violation thereof.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
MUNICIPALITY OF LEYTE
LEYTE

OFFICE OF THE SANGGUNIANG BAYAN OF LEYTE

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION BY THE SANGGUNIANG BAYAN HELD
ON AUGUST 28, 2026 AT THE SB SESSION HALL, MUNICIPAL BUILDING, LEYTE, LEYTE

Present:

Hon. Arnold James M. Ysidoro,	-----	Mun. Vice Mayor/Presiding Officer
Hon. Asefa Gail V. Granados -Caña,	-----	SB Member
Hon. Lileth I. Gatchalian,	-----	-do-
Hon. Pedro B. Panis,	-----	-do-
Hon. Paquito D. Pelipel Jr.,	-----	-do-
Hon. Charito T. Gato,	-----	-do-
Hon. Rowil G. Batan	-----	-do-
Hon. Nellie Grace D. Dandan,	-----	SK Fed. President
Hon. Jerry G. Apacible,	-----	LMB President

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: SEP 23 2026
By: June 11:00 am

Absent:

Hon. Edward Jay A. Durante,	-----	SB Member(On Leave of Absence)
Hon. Evelyn V. Cabardo,	-----	-do-

MUNICIPAL ORDINANCE NO. 120-26

Author: Hon. Rowil G. Batan

AN ORDINANCE DECLARING THE KAMANDAG WATER SOURCE IN SITIO SUDLON, BARANGAY DANUS; SITIO RIMAS WATER SOURCE, IN BARANGAY PALARAO AND SAMBULAWAN WATER SOURCES IN BARANGAY SAMBULAWAN AS CRITICAL PROTECTED AREAS, PROVIDING FOR THEIR CONSERVATION, MANAGEMENT AND PROVIDING PENALTIES FOR VIOLATION THEREOF

WHEREAS, Section 16 of the 1987 Philippine Constitution provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

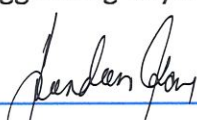
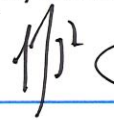
WHEREAS, Section 2 of Republic Act No. 9275 or the Philippine Clean Water Act of 2004, provides for the protection, preservation, and revival of the quality of our fresh, brackish and marine waters;

WHEREAS, the Kamandag Water Source situated at Sitio Sudlon, Barangay Danus, Leyte, Leyte, the Sitio Rimas Water Source situated at Sitio Rimas, Barangay Palarao, Leyte, Leyte and Sambulawan Water Source, Barangay Sambulawan, Leyte, Leyte are critical natural resources that provides water and supports the ecological and economic needs of the surrounding communities;

WHEREAS, there is a pressing need to ensure the sustainable management and protection of the said water sources against pollution, degradation, and sustainable activities;

THEREFORE, on motion of the Hon. Rowil G. Batan duly seconded by the Hon. Charito T. Gato and the Hon. Pedro B. Panis, be It

ORDAINED by the Sangguniang Bayan of Leyte, Leyte in session duly assembled that:



Section 1. Title . This Ordinance shall be known as "Water Source Protection Ordinance of the Municipality of Leyte "

Section 2. Declaration of Policy. It is hereby declared the Policy of the Local Government to conserve and protect the Kamandag, Sitio Rimas and Sambulawan Water sources from environmental degradation, pollution, and activities that may compromise its sustainability and water quality.

Section 3. Scope and Coverage. This ordinance shall cover the Kamandag (Sitio Sudlon , Barangay Danus) Sitio Rimas (Barangay Palarao) and Sambulawan (Barangay Sambulawan) water sources and their immediate watershed areas within 500 meter radius including all inflows, tributaries and riparian zones.

The MPDC together with the Municipal Agriculture Office and the Municipal Assessor shall conduct a survey to delineate the areas covered within the 500 meter radius and to come up with a map which shall form an integral part of the ordinance.

Section 4. Definition of Terms. For purposes of implementing this ordinance, the terms stated hereunder shall be defined as follows:

- a. Contamination – the introduction of substances not found in natural composition of water that make the water less desirable or unfit for intended use. It is the action or state of making or being made impure by polluting or poisoning.
- b. Dumping – means any unauthorized or illegal disposal into any body of water
- c. Hazardous Waste - is a waste with properties that make it potentially dangerous or harmful to human health or the environment. It can be a combination of wastes of solid, liquid, contained in gaseous or semi-solid form which causes or contribute to an increase in serious irreversible or to incapacitation reversible illness taking into account toxicity of such waste. It comes from industrial factories, hospitals, and everyday homes.
- d. Illegal logging - is the harvest, transportation, purchase, or sale of timber in violation of laws.
- e. Pollutant – refer to any substance , whether solid, liquid, gaseous or radioactive, which directly or indirectly alters the quality of any segment of the receiving water.
- f. Protected Area – is a designated geographical space -on land or water – that is set aside and managed through legal or other effective means to achieve the long-term conservation of nature, including ecosystem services and cultural values.
- g. Water Source- is a reservoir/intake where its center be the point of reference for establishing the 500 meter radius. The Water sources are Barangay Danus Watershed, Barangay Palarao Watershed, and Barangay Sambulawan Watershed and their centers are identified by their respective latitude and longitude dimension.

Section 5. The Protected Areas

1. Kamandag Water Source - is a spring and surface water source located at Sitio Sudlon, Barangay Danus, Leyte, Leyte
2. Sitio Rimas Water Source, - is a surface water source located at Sitio Rimas Barangay Palarao, Leyte, Leyte
3. Sambulawan Water Source - is also a surface water source located at Barangay Sambulawan, Leyte, Leyte

These areas are all located in the Forest Zones as indicated in the Zoning Ordinance of the Municipality.



5.1 There shall be a map attached to the Ordinance that specify the 500 meter radius of the water sources. The said map consisting of three (3) pages under the heading : Barangay Danus Watershed, Barangay Palarao Watershed, and Barangay Sambulawan Watershed, are herein incorporated and marked as Annex A, Annex B, and Annex C respectively of this ordinance.

5.2 The MPDC is directed to determine the metes and bound of the protected area and a sign board shall be installed for the information and guidance of the concerned barangay officials, residents of the barangay and the general public.

Section 6. Prohibited Acts. The following acts are strictly prohibited within the declared protected area.

- a. Dumping of garbage, sewage or any hazardous waste materials
- b. Illegal logging or cutting of trees;
- c. Quarrying, mining or soil extraction
- d. Use of Chemical pesticides or fertilizers and other pollutants within 500 meter radius of water sources
- e. Construction of permanent structures without environmental compliance certificate (ECC)
- f. Grazing of livestock directly on or near the water source
- g. Any activity that may lead to contamination or degradation of water quality

Section 7. Intervention. The LGU shall implement the following Program/Projects & Activities (PPAs) in support to the protection and conservation of the water source areas:

1. Tree Planting Activities
2. Conduct of Information and Education Campaigns

Section 8. Creation of a Local Protected Area Management Committee (LPAMC)- There is hereby created a Local Protected Area Management Committee composed of the following:

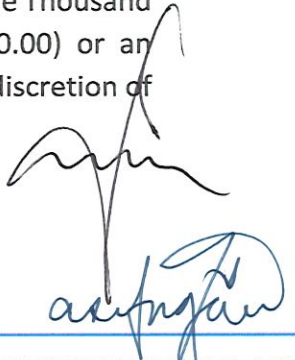
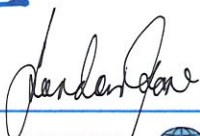
Chairman : Municipal Mayor

Vice Chairman: MENRO/Designated Environmental Protection Programs Focal Person

Members: Punong Barangay of Barangay Danus, Barangay Palarao, and Barangay Sambulawan,
Municipal Engineer,
Mun. Planning and Development Coordinator,
Municipal Health Officer,
Municipal Agriculturist,
Representative from the Water Works Office, and
Two (2) Representatives from the Civil Society Organizations

The Committee shall oversee implementation, monitoring and recommended policies related to protection and management of the water sources.

Section 9. Penalties: Any person or Officers of any juridical entities found violating or have violated any provision of this ordinance shall be penalized by a fine of not less that One Thousand Pesos (PHP1,000.00) but not more than Five Thousand Five Hundred (PHP2,500.00) or an imprisonment of not less than 1 month but not more than 6 months, or both at the discretion of the court.



Section 9.1 The penalty imposed under this ordinance is without prejudice to the filing of a separate criminal, administrative or civil cases in violation of other pertinent laws.

Section 10. Responsibilities of the Barangays Concerned. The Sangguniang Barangay of Barangay Palarao, Barangay Danus and Barangay Sambulawan, this municipality shall ensure pollution control and conduct regular monitoring on the declared protected areas and submit to the MENRO or Environmental Protection Programs Focal Person a monitoring report.

Section 11. Funding and Support. The LGU shall allocate funds for the implementation of this ordinance, including information campaigns, conservation of the areas, monitoring activities, and support for the LPAMC.

SECTION 12. Separability Clause. In the event that a part of this ordinance be declared invalid, the remaining provisions not declared so shall stand effective.

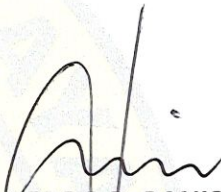
SECTION 13. Repealing Clause. Any ordinance or measure found to be inconsistent with the provisions of this ordinance shall be deemed repealed and modified.

SECTION 14. Effectivity. This Ordinance shall take effect 10 days after compliance with the posting and publication requirements.

ENACTED this 28th day of August, 2026 at Leyte, Leyte, Philippines.

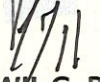

ASEFA GAIL G. CAÑA
SB Member

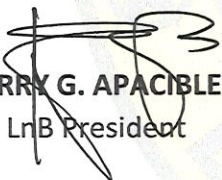

LILETH I. GATCHALIAN
SB Member

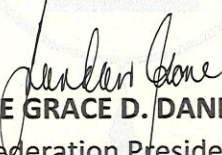

PEDRO B. PANIS
SB Member


PAQUITO D. PELIPEL, JR.
SB Member


CHARITO T. GATO
SB Member


ROWEL G. BATAN
SB Member


JERRY G. APACIBLE
LnB President


NELLIE GRACE D. DANDAN
SK Federation President

Certified True and Correct:


VILMA D. COMBATE
MGDH 1 (Secretary to the Sanggunian)

Attested:


ARNOLD JAMES M. YSIDORO
Municipal Vice Mayor
Presiding Officer

Approved:


JED C. GRANADOS
Municipal Mayor
9/21/26

Pinoy "A"



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF LEYTE



BRGY. DANUS WATERSHED



Legend:

- Water Source
- 500m radius from Water Source
- Brgy. Danus Watershed
- Brgy. Danus Watershed Channels
- Barangay Boundary

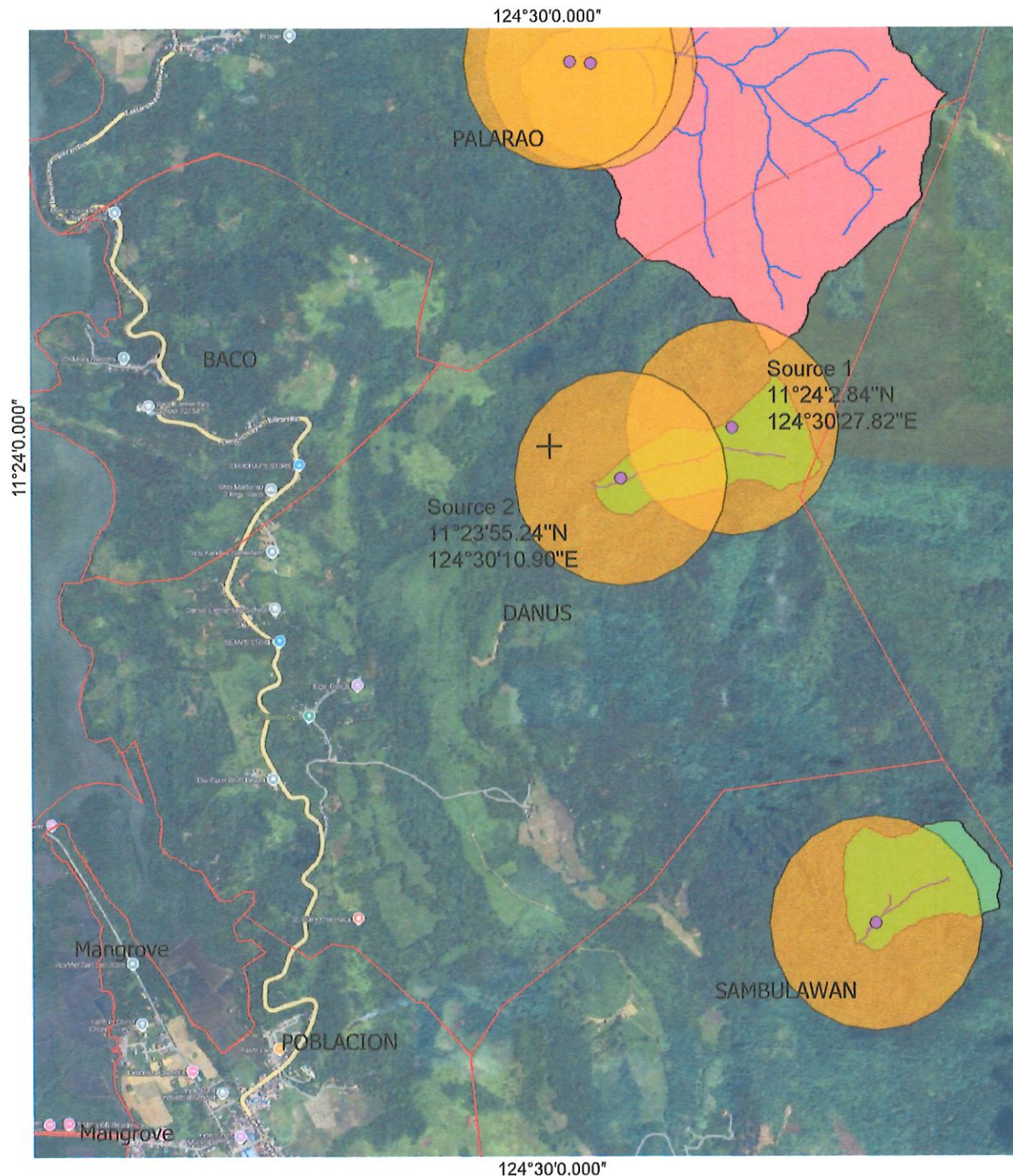
Produced by:

MARK THEODORICK D. SULLA
MFDC-Designate

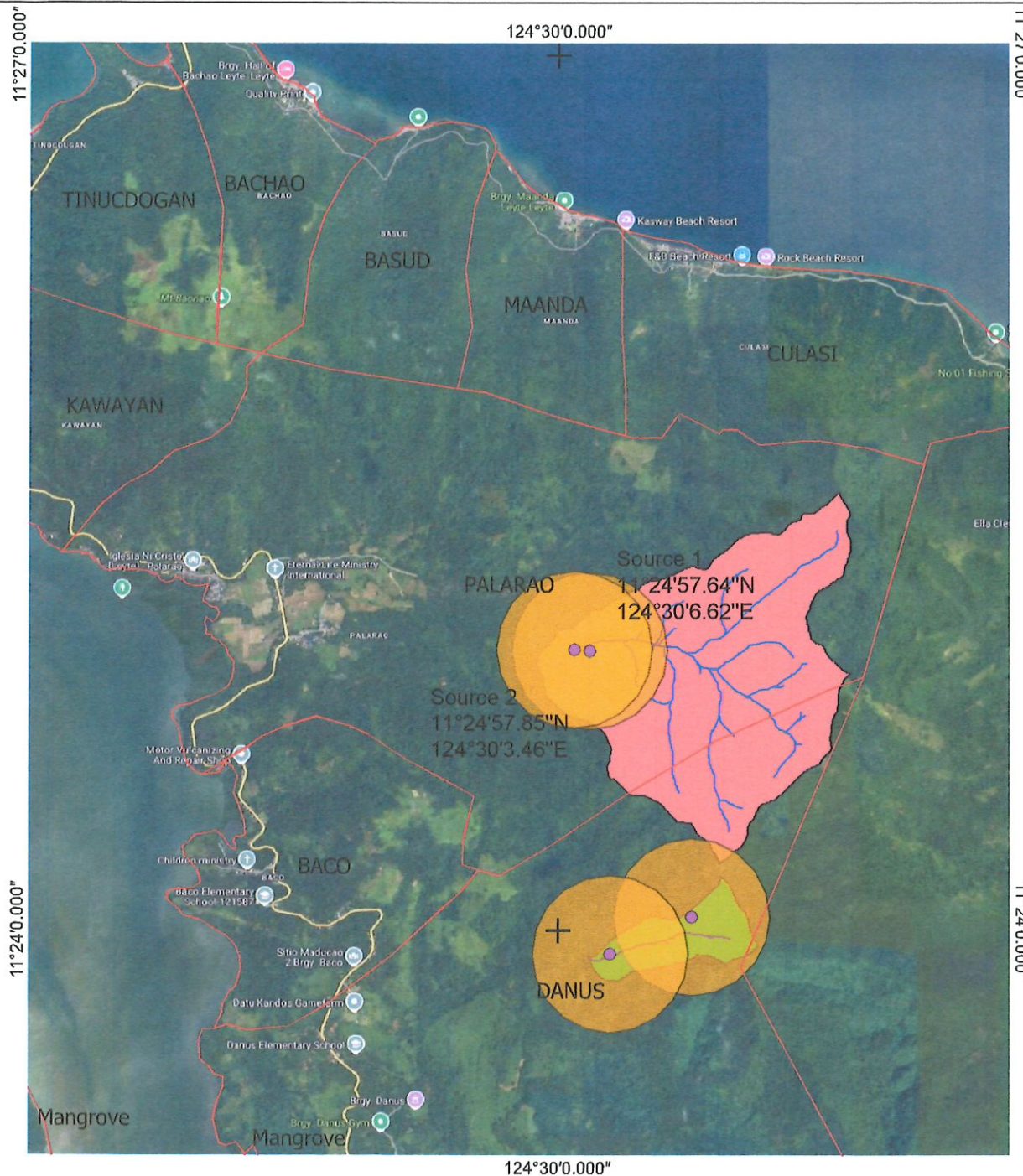
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Approved:

ENGR. JED C. GRANADOS
Municipal Mayor



Annex n^o 3



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF LEYTE



BRGY. PALARAO WATERSHED



Legend:

- Water Source
- 500m radius from Water Source
- Brgy. Palarao Watershed
- Brgy. Palarao Watershed Channels
- Barangay Boundary

Produced by:

MARK THEODORICK D. SULLA
MPDC-Designate

Data Source: NAMRIA, DENR 2026
CRS: WGS84 UTMZone51N

Approved:

ENGR. JED O. GRANADOS
Municipal Mayor

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Republic of the Philippines
Province of Leyte
MUNICIPALITY OF LEYTE



BRGY. SAMBULAWAN WATERSHED



Legend:

- Water Source
- 500m radius from Water Source
- Brgy. Sambulawan Watershed
- Brgy. Sambulawan Watershed Channels
- Barangay Boundary

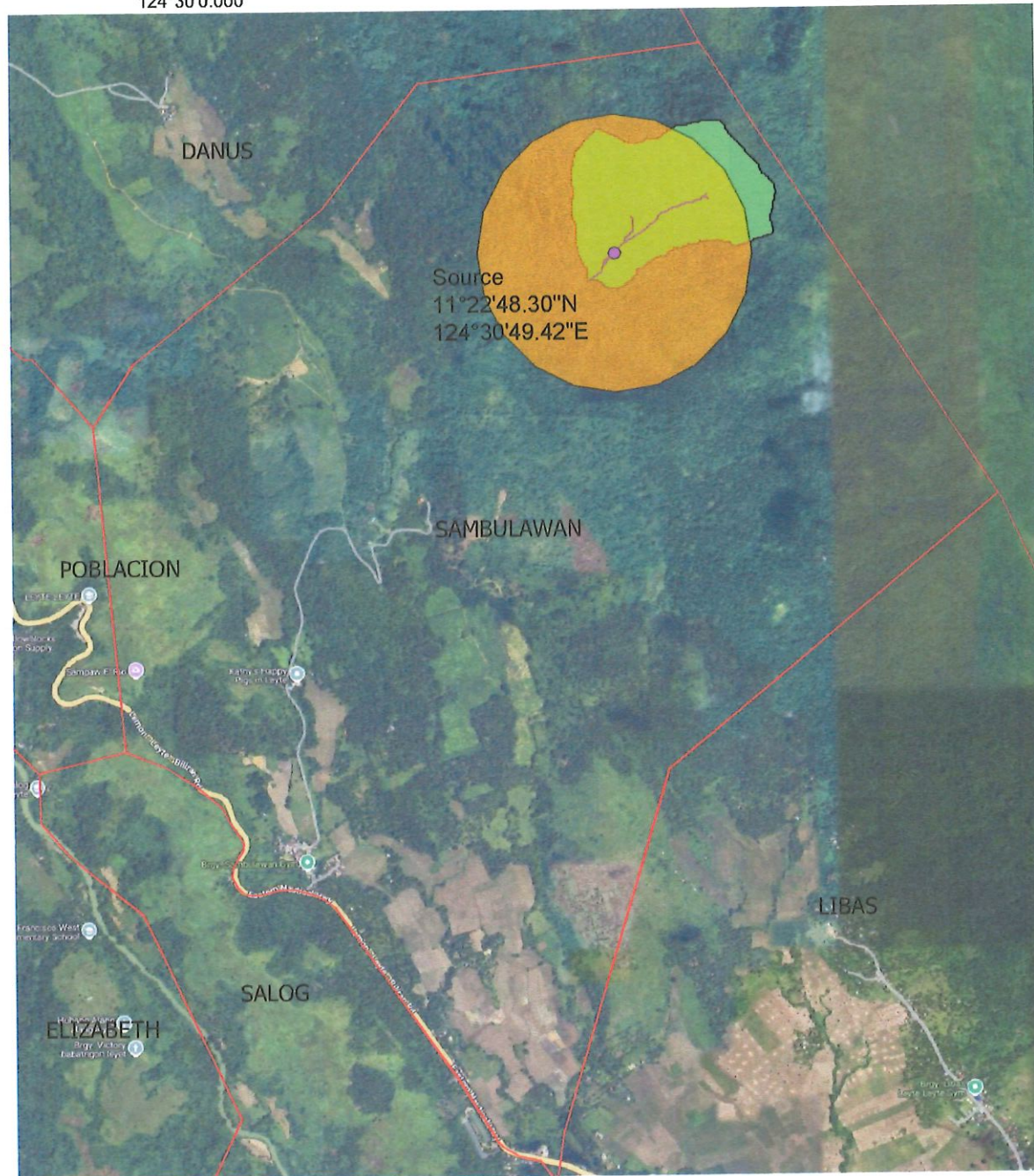
Produced by:

MARK THEODORICK D. SULLA
MPDC-Designate

Data Source: NAMRIA, DENR 2026
CRS: WGS84 UTMZone51N

Approved:

ENGR. JED C. GRANADOS
Municipal Mayor



124°30'0.000"



BAGONG PILIPINAS

Republic of the Philippines
MUNICIPALITY OF LEYTE
L E Y T E

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Office of the Sangguniang Bayan



CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Municipal Ordinance No. 120-26: "AN ORDINANCE DECLARING THE KAMANDAG WATER SOURCE IN SITIO SUDLON, BARANGAY DANUS; SITIO RIMAS WATER SOURCE, IN BARANGAY PALARAO AND SAMBULAWAN WATER SOURCES IN BARANGAY SAMBULAWAN AS CRITICAL PROTECTED AREAS, PROVIDING FOR THEIR CONSERVATION, MANAGEMENT AND PROVIDNG PENALTIES FOR VIOLATION THEREOF", was posted and shall remain posted in three (3) conspicuous places in this Municipality.

This certification is issued this 21st day of September 2026 at Leyte, Leyte, Philippines.

VILMA D. COMBATE
Secretary to the Sangguniang Bayan