



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 30, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 8 of the Sangguniang Panlungsod of Baybay City, Leyte.

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

- Ordinance No. 8 entitled: "Preemptive and Emergency Evacuation Ordinance of the City of Baybay."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Sections 447(a)(1)(iv)¹ of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for 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 ((iv) Adopt measures to protect the inhabitants of the municipality from the harmful effects of man-made or natural disasters and calamities and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and their return to productive livelihood following said events;

Item No.: 23
Date: 03 2026 NOV

PROVINCE OF LEYTE
LEGAL OFFICE
RELEASED

By: [Signature] Date: 10.26.26 Time: 9:24

Sangguniang Panlalawigan
Province of Leyte

RECEIVED
OCT 26 2026

Date: [Signature]
By: [Signature]

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
13 August 2026

PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED
By: 
Date: 8-13-26 Time: 11:12

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **City Ordinance No. 08, S. 2026 of the City of Baybay, Leyte**, entitled: **An Ordinance establishing an integrated preemptive and emergency evacuation system in case of emergencies in the City of Baybay and providing penalties thereof.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
-0000000-



OFFICE OF THE SANGGUNANG PANLUNGSOD

3rd Floor City Hall, Diversion Road. Brgy. Gaas, Baybay City, Leyte 6521 * sp.lgubaybaycity@gmail.com

August 13, 2026

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: AUG 13 2026
By: Laine 8:57am

The Sangguniang Panlalawigan
Province of Leyte
Tacloban City

To the Sangguniang Panlalawigan of the Province of Leyte:

I am pleased to transmit herewith the Hard copy of the City Ordinance of the Sangguniang Panlungsod of Baybay City:

1. City Ordinance No. 8, s. 2026 "AN ORDINANCE ESTABLISHING AN INTEGRATED PREEMPTIVE AND EMERGENCY EVACUATON SYSTEM IN CASE OF EMERGENCIES IN HE CITY OF BAYBAY AND PROVIDING PENALTIES THEREOF"

It is hoped that said Ordinance is in order and therefore, merits your kind consideration.

THANK YOU VERY MUCH.

ATTY. VIVIAN E. VIDALLON
SP Secretary



Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
-0000000-



OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road. Brgy. Gaas, Baybay City, Leyte 6521 * spbaybaycity.616@gmail.com

7th SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 08, S-2026
29th Regular Session

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: AUG 13 2026
By: [Signature]

AN ORDINANCE ESTABLISHING AN INTREGATED PREEMPTIVE
AND EMERGENCY EVACUATION SYSTEM IN CASE OF EMERGENCIES
IN THE CITY OF BAYBAY AND PROVIDING PENALTIES THEREOF

Authored by:
HON. EDUARD MARQUE R. GUINOCOR &
HON. JOSE ROMMEL A. PENARANDA

PREFATORY STATEMENTS

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, Section 2 of R.A. No. 10121, otherwise known as the Philippine Disaster Risk Reduction Management Act of 2010, provides that the State shall endeavor to recognize the local risk patterns across the country, strengthen the capacity of LGUs for disaster risk reduction and management through decentralized powers, responsibilities, and resources at the regional and local levels, and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters.

WHEREAS the present emergency evacuation protocols in the City is not well integrated which somehow creates confusion as to the measures that need to be imposed, thus, there is a need to establish an integrated preemptive emergency evacuation system in the City of Baybay;

NOW THEREFORE, BE IT ORDAINED, as it is hereby ordained by the 7th Sangguniang Panlungsod of the City of Baybay, Province of Leyte, in its 29th Regular Session duly assembled that:

SECTION 1. Title. This Ordinance shall be referred to as "THE PREEMPTIVE AND EMERGENCY EVACUATION ORDINANCE OF THE CITY OF BAYBAY".

SECTION 2. Declaration of Policy. It is the declared policy of the City Government of Baybay to protect the lives and properties of its residents at all times, and, whenever possible, mitigates the effects of any man-made and natural disasters or hazards within its locality.

CARMELA CARI
SP Member

RONULO B. ALCALA
SP Member

EDUARDO R. OMPOY
SP Member

FULTON K. C. ARRADAZA
SP Member

SIMOUNE L. ASTORGA
SP Member

DOMINIC J. MURILLO
SP Member

JOSE L. BACUSIMO
SP Member

RAMON RONALD J. VELOSO
SP Member

ATTY. JOSE ROMMEL A. PENARANDA
SP Member

EDUARDO MARQUE R. GUINOCOR
SP Member

JULES LUCAS C. CARI
President, UGAY mga Barangay
Ex-Officio SPM

KYLE SHANNEN T. VIDAL
SK President, City Federation
Ex-Officio SPM

SECTION 3. Definition of Terms. As used in this Ordinance, the following terms are hereby defined:

A. Accredited Community Disaster Volunteers (ACDV)- are individuals or organized volunteers who possess the requisite qualifications, as stipulated in the guidelines currently utilized by the City Disaster Risk Reduction and Management Office (CDRRMO), and whose names were submitted as officially included in the CDRRM Council's List of Community Disaster Volunteers, and/or the National Roster of ACDVs maintained by the Office of the Civil Defense (OCD) and have the following roles:

- a. Provide voluntary service to Local Government Units and communities for DRRM-related activities.
- b. Ensure that services rendered are done in a professional manner and does not compromise the safety of the volunteers and communities they are assisting.

B. Community Volunteer Responders (CVR) - a group of responders in the community that perform response activities.

C. Disaster- a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. For purposes of this Ordinance, disaster shall include both natural calamities and man-made disasters.

D. Disaster Prevention - the outright avoidance of adverse impacts of hazards and other related disasters.

E. Disaster Victims - persons or group of persons who have been adversely affected by a natural or human-induced hazard who have to leave their habitual places of residence due to existing or impending threats, damaged shelter units, with casualty among immediate family members or those who remained in their habitual places of origin when still habitable but whose main source of income or livelihood had been damaged and are experiencing hopelessness and difficulty in coping or responding to the onslaught of the hazardous events on their own resources.

F. Early Warning System (EWS) - refers to the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities, and organizations threatened by a hazard to prepare and act appropriately and insufficient time to reduce the possibility of harm or loss.

G. Emergency - an unforeseen or sudden occurrence, especially danger, and demanding immediate action.

H. Emergency Evacuation - means an evacuation ordered by competent authority when an unforeseen disaster has suddenly occurred which requires immediate evacuation of the affected area/s.

I. Evacuation - means an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and which is considered dangerous to the health and safety of the general public.


CARMEN L. CARI
SP Member


ROMULO B. ALCALA
SP Member


EDGARDO R. ONOFRE
SP Member

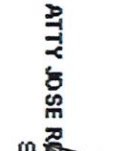

FULTON IKE C. ARRADAZA
SP Member


SMOUG L. ASTORGA
SP Member


DOMINIC JUNIE F. MURILLO
SP Member


JOSE L. BACUSMO
SP Member


RAMON RONALD J. VELOSO
SP Member


ATTY. JOSE RAMON A. PENARANDA
SP Member


EDUARDO M. GUINOCOR
SP Member


JULES LUCIAS C. CARI
President, UCA ng mga Barangay
Ex-Officio SPM


MYLA SHARMEN T. VIDAL
Sik President, City Federation
Ex-Officio SPM



- J. **Evacuation Area, Evacuation Center, or Evacuation Place** - a place where the Disaster Victims and Internally Displaced Persons are brought before, during, and after calamities or disasters such as, but not limited to, typhoons, floods, landslides, earthquakes or fire, for care, safety and protection.
- K. **Hazard** - a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts property damage, loss of livelihood and services, social and economic disruption, or environmental damage.
- L. **Imminent Danger** - means any condition in any place such that a danger exist which could reasonably be expected to cause death or serious physical harm immediately upon or before the occurrence of any human-induced or natural disasters.
- M. **Indigenous Early Warning System (IEWS)** - a community's traditional way of giving Early Warning, such as *batingaw* and observing animal behavior, celestial bodies, etc., in determining possible weather disturbances. Whatever works for the barangay is acceptable as long as the meaning and the recommended action are properly disseminated to the community and constantly practiced through the conduct of drill and other skills enhancement exercises.
- N. **Internally Displaced Person or Group of Person/s (IDP)** - refers to any person or group of persons who has or have been forced or obliged to flee or to leave their homes or places of habitual residence within the territorial jurisdiction of the City, as a result of or in order to avoid or minimize the effects of armed conflict, situations of generalized and/or organized violence, violations of human rights, implementation of development projects, or natural and human-induced or human-made hazards or disasters expect upon lawful order of a competent court.
- O. **Preemptive Evacuation** - means an evacuation ordered as a resort when a disaster has been declared and danger or loss of life is imminent, and conditions exist that may critically imperil or endanger the lives of those in a defined area.
- P. **Public Alert and Warning System (PAWS)** - a system used to give warning to the public, such as a Siren, to alert the public of impending disaster occurrence. PAWS is usually science-based technology and mostly, those that are state-of-the-art devices that have wider coverage in terms of monitoring and alerting, which benefits responsiveness to emergency management and public safety officials, and build trust, equity and confidence.
- Q. **Recognized Volunteer Groups (RVG)**- are volunteer groups not included under the definition of ACDVs but are recognized by the City Government.
- R. **Reconstruction**- the medium and long-term rebuilding and sustainable restoration of resilient critical infrastructures, services, housing facilities and livelihoods required for the full functioning of a community or a society affected by a disaster, aligning with the principles of sustainable development and "build back better", to avoid or reduce future disaster risk.
- S. **Recovery** - the restoring or improving of livelihoods and health, as well as economic, physical, social, cultural and environmental assets, systems and activities of a disaster-affected community or society.

CARMEN L. CARI
SP Member

ROMULO B. ALCALA
SP Member

EDGARDO R. OMPLOY
SP Member

FULTON IKE C. ARRADAZAA
SP Member

SMOUMEL L. ASTORGA
SP Member

DOMINIC JUNIE F. MURILLO
SP Member

JOSE L. BACUSIMO
SP Member

RAMON ROMALDO J. VELOSO
SP Member

ATTY JOSE ROMMEL A. PEÑARANDA
SP Member

EDUARDO JUAN R. GUINOCOR
SP Member

JULES LUCAS C. CARI
President, UGALA ng mga Barangay
Ex-Officio SPM

KYLA SHAMMEN T. VIDAL
SK President, City Federation
Ex-Officio SPM

T. **Rehabilitation** - the restoration of basic services and facilities for the functioning of a community or a society affected by a disaster.

U. **Standard Operating Procedure (SOP)** - a set-by-step instructions complied by an organization to help workers carry out routine operations. SOPs aim to achieve efficiency, quality output, and uniformity or performance while reducing miscommunication and failure to comply with the organization's regulations.

V. **Vulnerable Groups** - includes individuals or groups of people that face higher exposure to disaster risk and poverty including, but not limited to, women, especially pregnant and lactating mothers, children and youth, especially orphans and unaccompanied children, elderly, differently-abled people, and people with chronic illness.

SECTION 4. Establishment of a Public Alert Warning System (PAWS) and its Standard Operating Procedures (SOP). The CDRRMO is mandated to establish a common PAWS and SOP for all types of disasters or hazards to be used by the City Government and all its Barangay Units in order to provide a uniform early warning to communities at risk. The following shall be considered in establishing a common PAWS in the City:

- A. Electronic Siren;
- B. Manual Bell;
- C. Manual Water Level Marker on different river systems, taking into account the following warning signals as adopted by the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA);
 - a. Green- Safe Level
 - b. Yellow- Alert Level
 - c. Orange- Warning Level
 - d. Red- Critical Level
- D. Alert through SMS-Mobile used to communicate and inform all residents in imminent danger;
- E. Recorda, used to reinforce the alarm signals sounded by the City; and
- F. IEWS with respect to the cultural norms and practices of the communities where some indigenous ways of early warning systems are being accepted and recognized to alert communities of an impending disaster.
- G. Declaration of work and school suspension;

SECTION 5. Preemptive Evacuation. The following protocols shall be observed in the implementation of preemptive evacuation:

- A. Upon the assessment and monitoring relative to imminent danger caused by weather disturbances and other hazards, the CDRRMO shall immediately inform the City Mayor and seek clearance for the implementation of evacuation procedures and protocols.
- B. On the basis of such recommendation, the City Mayor may declare the implementation and enforcement of preemptive evacuation, which shall be guided by the following factors:
 - a. Conditions for Evacuation;
 - b. Chain of Command;
 - c. Evacuation Procedures;
 - d. Emergency Standards; and
 - e. Early Warning System.
- C. The preemptive evacuation shall be enforced in three different levels, as follows:
 - a. Level 1, which refer to a voluntary evacuation during Green Warning Signal;

- b. Level 2, which refer to the evacuation of vulnerable sectors within four (4) hours, and enforced during Yellow Warning Signal; and
- c. Level 3, which refer to complete evacuation within four (4) hours, and enforced during Orange and Red Warning Signal. In this level, the residents or would-be disaster victims are forcibly evacuated in view of an imminent danger against their life.

- D. If anyone within the affected area does not adhere to the order of evacuation during a Level 2 or Level 3 preemptive evacuation, the person may be compulsorily taken as a means of ensuring his/her safety, if the situation warrants;
- E. The CDRRMO shall mobilize all search and rescue teams to ensure that no residents are duly accounted for during an emergency.

SECTION 6. Emergency Evacuation. These protocols shall be observed in the implementation of emergency evacuation:

- A. Emergency evacuation is a full evacuation of all residents and occupants within the hazard or disaster area and will be resorted to in cases where the forecasted impact of the hazard or disaster is within less than two (2) hours or in any incidents that are about to occur, are already occurring, or have already occurred, such as in the case of fire, earthquake, typhoon, storm surge, terrorist attack, or criminal activity within an area;
- B. Emergency evacuation shall be carried out in a manner that is humane, respectful of the dignity of a person, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors, prioritizing children, pregnant women, the elderly, Persons with Disabilities (PWDs) and those with chronic illnesses;
- C. Personnel and volunteers carrying out the emergency evacuation shall make sure that all measures are taken to inform the evacuees, in a manner and language that they can understand, of the need for a hasty and orderly evacuation, and the lack of other alternatives for their evacuation;
- D. If anyone within the affected area does not adhere to the order of emergency evacuation or is found within the danger or target area beyond the above-mentioned time frame, the person may be compulsorily taken, if the situation warrants, as a means of ensuring his or her safety;

SECTION 7. Barangay Evacuation Plan. It shall be incumbent upon the Barangay to prepare its Emergency and Evacuation Plan (EEP) in their respective localities or areas of jurisdiction and identify a Permanent Evacuation Center (PEC) or Temporary Evacuation Centers (TEC) to be utilized in case of emergencies or disasters. Copies of the EEPs shall be posted in conspicuous places of the Barangay.

The Barangay shall, from time to time, conduct emergency and evacuation orientation, education, and drills to better prepare its constituents in case of emergency or disaster. All EEPs adopted shall be approved by the CDRRMO to ensure that the plan is doable and effective. The CDRRMO shall ensure that the identified PECs or TECs are safe prior to, during and after the occurrence of disasters.

SECTION 8. Establishment of City-Wide Evacuation Sites. In case of disasters or hazards, whether forecasted or unforeseen, which affect the entire City, or a majority of its territory, there shall be designated evacuation sites within the City in areas not affected by the disaster, and areas outside of the City when majority of the city area is affected, in coordination with other LGUs, as determined by the City Mayor. These areas will be confirmed

CARMEN L. BARI
SP Member

KOMULO B. ALCALA
SP Member

EDGARDO R. OMPOY
SP Member

FULTON I. C. ARRADAZA
SP Member

SIMONE L. ASTORGA
SP Member

DOMINIC J. MURILLO
SP Member

JOSE L. BACUSMO
SP Member

RANON RONALD J. VELOSO
SP Member

ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member

EDUARDO MARQUE R. GUINOCOR
SP Member

JULES LOUIS C. CARI
President, UGAP mga Barangay
Ex-Officio SPM

KYLA SHARIN T. VIDAL
SK President, City Federation
Ex-Officio SPM

by the City Government, through the appropriate act, agreement, order, resolution, or ordinance, as warranted by law.

SECTION 9. Establishment of Evacuation Sites at the Barangay Level. There shall be established evacuation sites, both permanent and temporary, in every Barangay or clustered Barangays to be utilized by the affected area/s during hazards or disasters. These evacuation sites shall be determined by the Barangay concerned in coordination with the City Government through the CDRRMO. All identified evacuation sites must be evaluated and approved by the CDRRMO prior to its establishment. Once approved, the Barangay and the CDRMMO shall conduct regular checking and inspection of the said evacuation sites to maintain its access and use thereof in case of emergency.

In case the identified evacuation centers are public schools or privately owned property, the Barangay shall have the authority to contract with the owners of said private properties, or the principal or head teacher of the said public schools for its use in case of emergency. Provided, that a Memorandum of Agreement (MOA) shall be entered into by and between the Barangay and the owner of the private property, or the principal or head teacher of the said public school.

The Barangay, in identifying the evacuation centers, may utilize the following in the order of preference, as follows:

- A. Public gymnasiums, auditoriums and other open spaces situated within the Barangay;
- B. Public chapels situated within the Barangay;
- C. Public schools, child development centers or other places of worship within the Barangay;
- D. Private establishments within the Barangay; and
- E. Permanent or Alternative Evacuation Sites of neighboring Barangays.

In all evacuation sites, there must be an established option for transitional shelters prioritizing vulnerable groups. Transitional shelters shall be designed by the City Government, taking into consideration the following parameters;

- A. Gender-specific emergency latrines, bathing cubicles, and hand washing facilities specifically designed for children;
- B. Mother and child-friendly spaces where children can take part in child activities;
- C. Provisions for maternal and newborn;
- D. Provisions for infant care and rooms to protect, feed, provide personal care, and ensure the right to privacy;

Existing transitional shelters shall be modified to the extent possible to comply with the foregoing considerations.

The City Health office (CHO) shall ensure that all disaster victims and IDPs are provided with the proper and necessary assistance in accordance with existing ordinance promoting and protecting the rights of IDPs. The CHO shall also enhance and implement policies and programs to be enforced during preemptive and emergency evacuation in order to guide and protect humanitarian aid workers, communities, health professionals, government aid agencies, and donors.

The CSWDO shall create and enforce evacuation policies within the evacuation camp and its vicinity to ensure that the needs of the disaster victims or IDPs are properly provided in accordance with existing ordinance promoting and protecting the rights of IDPs.

The Baybay City PNP shall established security and safety protocols in evacuation centers in line with the existing ordinance on the promotion and protection of the IDPs.

SECTION 10. Return, Rehabilitation and Reconstruction (RRR). The City Government, in coordination with the Barangay Units, shall implement the following post-disaster/ post-emergency guidelines:

- A. The City Government shall craft and formulate an Early Recovery Plan which may include the putting up of specific infrastructure for temporary shelters in accordance with existing applicable laws. The Early Recovery Plan shall ensure the eventual integration of the disaster victims or IDPs back to their normal condition prior to the disaster or displacement. The City Government shall likewise ensure that in the formulation of the plan, the disaster victims or IDPs affected shall be involved and consulted.
- B. Safety of the place. Provided that the affected area is not or has not been declared a "No Build Zone", "High Risk Area", "Danger Zone" or "Hazard Prone Area" after the disaster or hazard, the CDRRMO shall inform the City Mayor that the disaster or hazard has already subsided and that the affected areas are declared safe for habitation. In case the affected area is or has been declared a "No Build Zone", "High Risk Area", "Danger Zone" or "Hazard Prone Area", no person may return to the area without the proper authorization. Any occupant in such an area may be removed by the City Government in accordance with existing laws.
- C. Safety of the disaster victims or IDPs to return. The CSWDO shall likewise evaluate, assess and determine if the disaster victims or IDPs are ready to be integrated back to normalcy. In the event that the disaster victims or IDPs are already able and ready to be integrated, the CSWDO shall submit a report to the City Mayor of such fact. The City Mayor, upon receipt of the reports of both the CDRMMO and the CSWDO, and after consultation with the Local IDP Council, shall issue an order terminating the displacement.
- D. The Barangay, in coordination with the Baybay City PNP and other law enforcement agencies, shall ensure the orderly return of the disaster victims or IDPs to their residences within the affected areas only after the Notice of Return has been issued.
- E. Rehabilitation - The City Planning and Development Office (CPDO) and the City Engineering Office (CEO), in coordination with other concerned agencies, shall strengthen their rehabilitation plans and processes, and focus on pre-disaster activities to prevent or mitigate the occurrence of future disasters, whether natural or man-made, as well as post-disaster activities. The CDRRMO and the CSWDO shall assist the residents of areas affected by a natural or man-made disasters in conducting intervention and rehabilitation activities in accordance with existing ordinance.
- F. Reconstruction - The CPDO and CEO, in coordination with other concerned agencies, shall promote the cooperation of diverse institutions, government agencies, and related stakeholders at all levels, including affected communities and businesses, in view of the complex and costly nature of post-disaster reconstruction. In this regard, the principle of "Build Back Better" shall be incorporated, where post-disaster reconstruction shall not only be restoration to its pre-disaster condition, but incorporate a higher level of resiliency standards, as well as climate change and mitigation measures in all post-disaster recovery interventions.

SECTION 11. Persons in authority in case of evacuation. The following shall be authorized to initiate or assist a preemptive or emergency evacuation in

a particular area, provided that they properly identify themselves to the affected persons and explain the reason for the evacuation:

- A. City Officials;
- B. Barangay Officials; and
- C. Law Enforcement officers as Agents of Persons in Authority;

Persons in Authority in case of preemptive and emergency evacuations shall have the presumption of regularity in the performance of their official duties, and shall not be held responsible for any damage inflicted upon any person or property during the conduct of such duties that aids to the effective and unhampered administration of government functions, as a state of necessity and in view of avoiding a greater evil or injury, unless such damage was inflicted in a willful or malicious manner.

SECTION 12. Prohibited Acts. - Any person who commits any of the following prohibited acts shall be held liable and be subjected to the penalties as prescribed in Section 13 of this Ordinance:

- A. Conducting relief operation without prior coordination with the City Government and/or the Barangay, thereby causing havoc and commotion in the affected areas. Violation hereof shall authorized the City Government and/or the Barangay to immediately stop the relief operation being undertaken.
- B. Accessing or returning to the declared hazard site despite an outstanding order by competent authorities still being an off-limit area to any human activity except government authorities doing assessment or evaluation and the like;
- C. Preventing the entry of government-owned equipment units, tools and accessories, including key personnel to disaster-stricken areas by any individual;
- D. Dereliction of duties or refusal of key government employees to respond and act during times of calamities;
- E. Diverting the use of government equipment, tools, and resources to other uses other than their intended usage;
- F. Maliciously damaging or destroying fences, barrier or any enclosure of the disaster affected areas which are purposely mounted for public security;
- G. Willfully and forcefully causing delay in the conduct of rescue operations, resisting or refusing to be evacuated despite imminent danger, or the declaration of preemptive or emergency evacuation;
- H. Tampering, damaging, or stealing hazard monitoring and early warning equipment and other related equipment and paraphernalia;
- I. Threatening, harassing, abusing, or harming any person in authority or its agents, camp managers and other personnel in evacuation camps and its vicinity implementing the evacuation procedures;
- J. Spreading false information regarding the occurrence of any emergency resulting in panic and confusion in the community;
- K. Maliciously causing delay in the conduct of rescue operations by obstructing the streets, sidewalks, or general vicinity where the disaster occurred;
- L. Maliciously damaging or destroying the buildings, fixtures, fences, barrier, or any enclosure, and other equipment found and used in disaster affected areas and evacuation areas;
- M. Deliberate failure or refusal to follow the rules and policies established in evacuation camps and its vicinity;
- N. Continuing to reside or occupy a portion of land identified as a "No Build Zone", "High Risk Area", "Danger Zone" or "Hazard Prone Area", despite due process and notice from the City Government.

SECTION 13. Penalty Clause. Any person found violating the prohibited acts or any provision hereof shall be subjected to the following penalties:

- A. A fine Three Thousand Pesos (P3,000)) for committing the acts under subsections (b), (c), (d), (e), and (f) of Section 12;
- B. A fine of Five Thousand Pesos (P5,000) and/or imprisonment not exceeding one (1) month at the discretion of the court for committing the acts under subsections (g), (h), (i), (j), (k), (l), (m) and (n) of Section 12.

In case of juridical persons, the President, the General Manager, or the individual entrusted with the administration thereof at the time of the commission of the violation shall be held responsible thereto.

SECTION 14. No contest provision. Any person cited for violation of this Ordinance who does not wish to contest the same and is willing to pay voluntarily within three (3) days the fine imposed under this Ordinance, prior to the filing of a complaint before the Office of the City Prosecutor, shall be allowed to do so, and shall pay the corresponding administrative fine as cited in Section 13 hereof to the Office of the City Treasurer. Availment of the non-contest provision shall exempt a person from criminal liability under this Ordinance. All provisions from the payment of the herein imposed fine shall be allocated as follows:

- A. Sixty percent (60%) of the amount collected per apprehension shall accrue to the apprehending barangay; and
- B. Forty percent (40%) shall accrue to the General Fund of the City.

SECTION 15. Planning, training and orientation on Disaster Risk Reduction and Management. The City Government shall plan and carry out trainings and orientations on disaster risk reduction and management in the Barangay against natural and man-made hazards, vulnerabilities, and climate change risk.

SECTION 16. Information and Education Campaign. There shall be an information drive regarding the implementation of this Ordinance. All plans and strategies mandated in this Ordinance must be established within six (6) months from the approval of this Ordinance.

SECTION 17. Implementing Office. The CDRMO and the CSWDO shall promulgate the rules and regulations of this Ordinance within sixty (60) days from its approval. This Ordinance and its implementing rules and regulations shall be reviewed every three (3) years thereafter to ensure that they still adapt to prevailing circumstances of time.

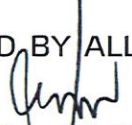
SECTION 18. Separability Clause. If any part or provision of this Ordinance shall be declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall remain in full force and effect.

SECTION 19. Repealing Clause. All executive orders, memorandum orders, memorandum circulars, administrative orders, ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby deemed repealed or modified accordingly.

SECTION 20. Effectivity Clause. This Ordinance shall take effect after due compliance with all the requirements provided under RA 7160, otherwise known as the Local Government Code.

Enacted: July 23, 2026
Baybay City, Leyte, Philippines.

CARRIED BY ALL OF THE MEMBERS PRESENT:


CARMEN L. CARI
SP Member

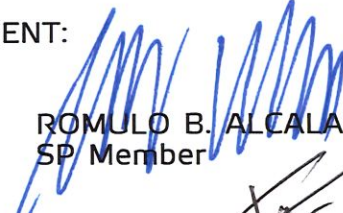

EDGARDO R. OMPOY
SP Member

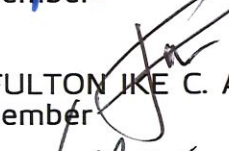

SIMONE L. ASTORGA
SP Member


JOSE L. BACUSMO -
SP Member


ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member

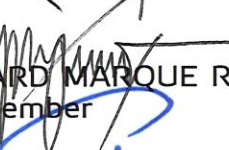

JULES LUCAS C. CARI
President, LIGA Ng Mga Barangay
Ex-Officio SPM


ROMULO B. ALCALA
SP Member


DR. FULTON IKE C. ARRADAZA
SP Member


DOMINIC JUNIE F. MURILLO
SP Member


RAMON RONALD J. VELOSO
SP Member


EDUARD MAROUE R. GUINOCOR
SP Member


KYLA SHANNEN T. VIDAL
SK President, City Federation
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Florante Cayunda Jr.; City Legal Officer, Atty. Avito C. Cahig, Jr.; OIC City Budget Officer, Noel V. Managbanag; City Accountant Jay Ryan Austero; City Treasurer Alberta A. Manatad, CLGOO Jesica J. Josol, CDRMO Engr. Rhyse M. Austero and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

I HEREBY CERTIFY the correctness of the foregoing Ordinance.


ATTY. VIVIAN C. ENARIO-VIDALLON
Secretary to the Sanggunian

ATTESTED & CERTIFIED
TO BE DULY ADOPTED

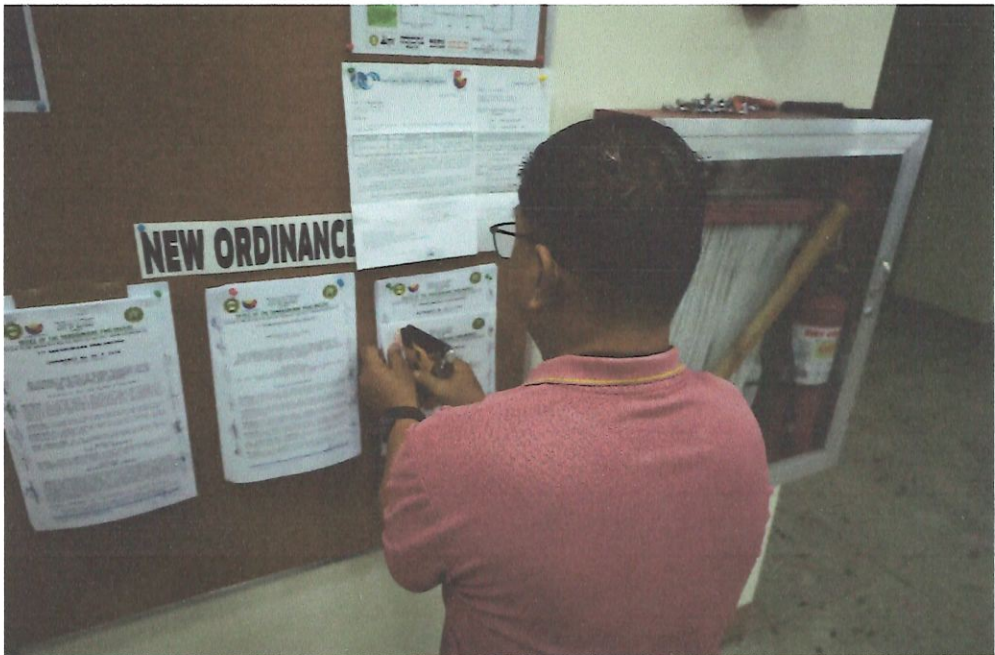
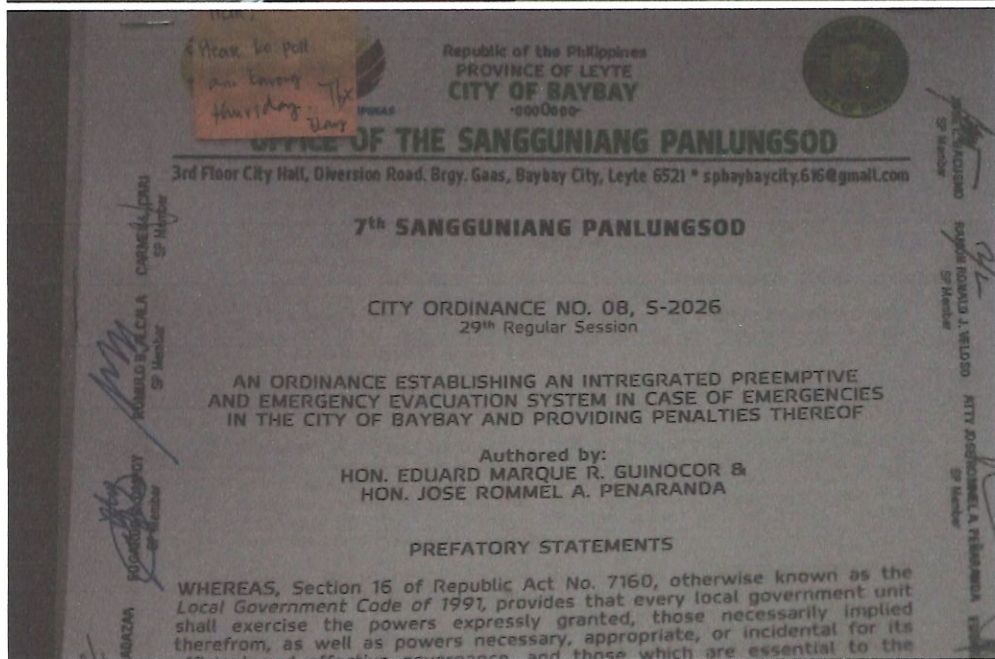

ATTY. ERNESTO M. BUTAWAN
Vice Mayor / Presiding Officer

CONFORME:


ENGR. JOSE CARLOS L. CARI
City Mayor

Date: August 12, 2024

LEGISLATIVE OFFICE



NEW CITY HALL



  Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
6521

OFFICE OF THE SANGGUNIANG PANLUNGSOD
3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 * spbaybaycity516@gmail.com

7th SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 08, S-2026
29th Regular Session

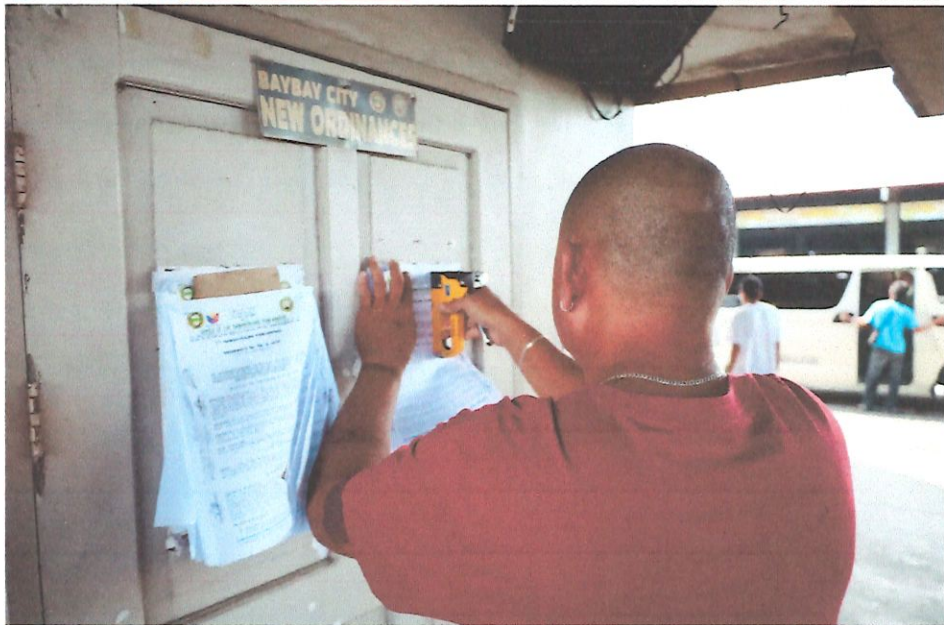
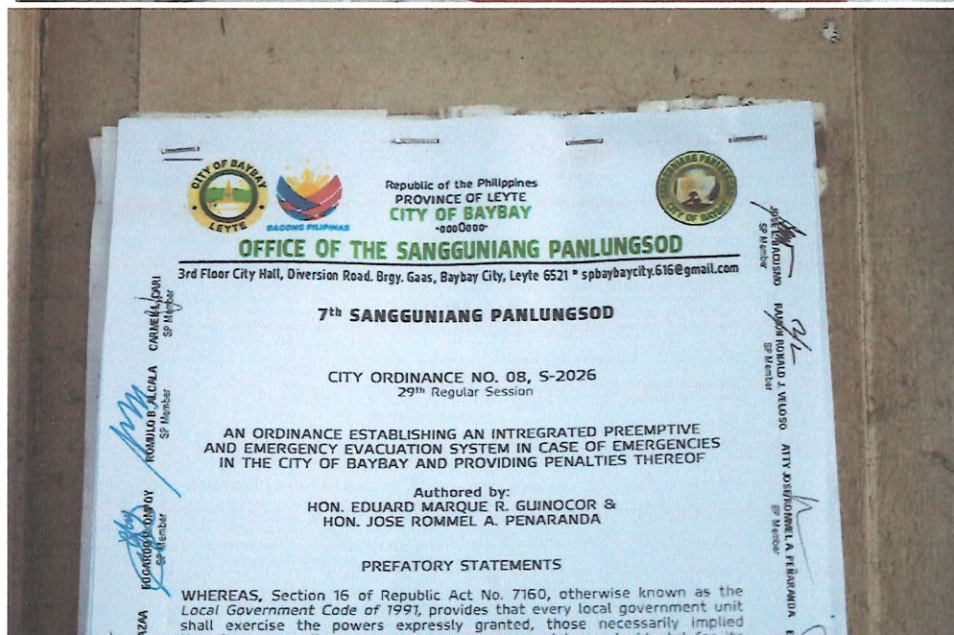
AN ORDINANCE ESTABLISHING AN INTEGRATED PREEMPTIVE AND EMERGENCY EVACUATION SYSTEM IN CASE OF EMERGENCIES IN THE CITY OF BAYBAY AND PROVIDING PENALTIES THEREOF

Authored by:
**HON. EDUARD MARQUE R. GUINOCOR &
HON. JOSE ROMMEL A. PENARANDA**

PREFATORY STATEMENTS

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

Carmona, L. J. 3P Member
Romulo, D. 3P Member
Eduardo, M. 3P Member
Aranda, A. 3P Member
Guinocor, E. 3P Member
Penaranda, J. 3P Member
Veloso, A. 3P Member
Baron, P. 3P Member





Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
-0000000-



OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 * sp.lgubaybaycity@gmail.com

C E R T I F I C A T I O N

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that the City Ordinance No. 08, S. 2026 "AN ORDINANCE ESTABLISHING AN INTEGRATED PREEMPTIVE AND EMERGENCY EVACUATION SYSTEM IN CASE OF EMERGENCIES IN THE CITY OF BAYBAY AND PROVIDING PENALTIES THEREOF" was posted in the bulletin board at the Legislative Department, New City Hall, Diversion Road, the Public Market and Baybay City Bus and Terminal immediately upon approval.

Issued this 12th day of August 2026, at Baybay City, Leyte.


ATTY. VIVIAN E. VIDALLON
SP Secretary