

REPUBLIC OF THE PHILIPPINES  
PROVINCE OF SORSOGON  
SORSOGON  
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

March 9, 2006

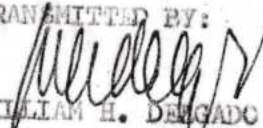
TRANSMITTAL NO. 2000037

TRANSMITTED TO: 1. The Honorable Mayor  
2. The Sangguniang Bayan  
Matnog, Sorsogon

Respectfully transmitted the attached subject for information/file/records/reference purposes:

RESOLUTION NO. 25-2006 - RESOLUTION DECLARING AS VALID MATING MUNICIPAL ORDINANCE NOS. 06-2005 - AN ORDINANCE REGULATING PRACTICES RELATIVE TO WEIGHTS AND MEASURES AND MUNICIPAL ORDINANCE NO. 10-2005 - AN ORDINANCE ESTABLISHING A PORTION OF THE MUNICIPAL WATERS OF MATNOC AS MARINE RESERVE SANCTUARY.

TRANSMITTED BY:

  
WILLIAM H. DELGADO  
SP Secretary





**SANGGUNIANG PANLALAWIGAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN. HELD AT ITS SESSION HALL, SP BUILDING, CAPITOL COMPOUND, SORSOGON CITY, ON FEBRUARY 13, 2006.

PRESENT: Hon. Joy L. Dellomas-Fundano, Member/Temporary Presiding Officer

**1<sup>st</sup> District**

Hon. Rósario D. Diaz  
Hon. Francisco L. Ravanilla  
Hon. Anulfo L. Perete  
Hon. Everesto L. Relativo

**2<sup>nd</sup> District**

Hon. Jocelyn Y. Lelis  
Hon. Arze G. Glipo  
Hon. Bernard H. Hag  
Hon. Olaf S. Gotladera

Hon. George S. Chew – Provincial President, Liga ng mga Barangay  
Hon. Marian G. Guysayko – Provincial President, Sangguniang Kabataan  
Hon. Michael G Go – Provincial President, Provincial Councilors League

ABSENT: Hon. Rebecca de Leon-Aquino

**RESOLUTION NO. 25-2006**

**RESOLUTION DECLARING AS VALID MATNOG MUNICIPAL ORDINANCE NOS. 06-2005 – AN ORDINANCE REGULATING PRACTICES RELATIVE TO WEIGHTS AND MEASURES AND MUNICIPAL ORDINANCE NO. 10-2005 – AN ORDINANCE ESTABLISHING A PORTION OF THE MUNICIPAL WATERS OF MATNOG AS MARINE RESERVE SANCTUARY.**

**WHEREAS**, submitted for consideration of the Sangguniang Panlalawigan was Matnog Barcelona Municipal Ordinance Nos. 06-2005 and 10-2005;

**WHEREAS**, the SP Committees on Agriculture and Fisheries and Rules, Privileges & Amendments, to which the above subject was referred, hereby submit their findings and recommendation, to wit:

**On Subject No. 1:**

Councilor Barlin provided the information that the enactment of this ordinance was made possible through the request of the buying public in their municipality to regulate the use of weighing instruments/equipment in all consumer-related transactions.

As provided in the ordinance, there will be a one-time registration of the equipment, the registration fee ranges from P100.00 to P200.00, depending on the type of weighing instrument. Moreover, the LGU will impose a yearly sealing fee of P50.00 to P200.00, also, depending on the type of weighing instrument. Finally, the instrument will be tested, calibrated and sealed every six months by the authorized sealer.

The DTI representative made it clear that the only participation will be in the form of technical assistance in terms of its enforcement.

The ordinance is proper and in order. The enactment of the same is within the power of the SB.

Foregoing premises considered, this Joint Committee hereby resolved to declare MATNOG MUNICIPAL ORDINANCE NO. 06-2005 **VALID**.

**On Subject No. 2:**

The primary objective of this ordinance is to establish a portion of the municipal waters as marine reserve/fish sanctuary. The subject ordinance is within the express powers of the Sangguniang Bayan under RA 8550 and the Local Government Code of 1991, hence, the same is *intra vires*.

However, there are provisions that need to be amended in order to effectively enforce the same, to wit:

1. The title of the resolution enacting the ordinance should conform with the title of the ordinance, hence, the title of the subject ordinance should be corrected to read as follows: "AN ORDINANCE ESTABLISHING A PORTION OF THE MUNICIPAL WATERS OF MATNOG, SORSOGON AS A MARINE RESERVE/FISH SANCTUARY".
2. Grammatically/typographical errors pointed out during the hearing be properly corrected.
3. Article III, Section 3 (3), definition of BUFFER ZONE - It is strongly recommended to limit traditional fishing activity within the buffer zone to **hook and line method only**, to ensure protection against abusive and human exploitation of the marine reserve/fish sanctuary.
4. Article IV, Section 6 - The fact that the LGU will be responsible for providing alternative livelihood to the displaced inhabitants, the Joint Committee resolved that it is important to provide additional provisions in this section to ensure that the livelihood of the concerned displaced inhabitants will not be adversely affected by the implementation of the ordinance. However, precautionary measures must likewise be observed in order to protect the legal intentions of the LGU and the sole purpose of the enactment of this ordinance. Therefore, it is hereby recommended to add the following provisions after the last paragraph of Section 6, to wit:  
"Provided that the identified inhabitants shall be registered with the Municipal Agriculturist's Office and be allowed to culture seaweeds or establish seaweeds nursery only, whichever is authorized by the LGU. Provided further, that if these inhabitants cease to stay thereat they should not be substituted by another. Provided finally, that no other inhabitants shall be allowed to culture seaweeds or establish seaweeds nursery."
5. The Municipal Agriculturist's Office will be responsible for the preparation of the implementing rules and regulations of this ordinance, subject to the approval of the Local Chief Executive.
6. The source/s of fund/s and its utilization must be explicitly provided in the order. The counterpart of the Pos must also be considered in the budget preparation. The Municipal Agriculturist's Office will be in charge of the preparation of the program of work and similar documents necessary for the budget preparation. Hence, Article VII, Section 12 shall be amended to read as follows:  
"To efficiently and effectively implement this Municipal Ordinance, the Local government Unit will provide Yearly Allocation for the Maintenance, Operation and Management of the Marine Reserve/Fish Sanctuary, the amount of which shall be recommended by the Municipal Agriculturist's Office, subject to the approval of the Local Chief Executive."
7. The Joint committee hereby resolved to recommend for its approval, subject however, to the above findings and recommendations.


**WHEREAS**, pursuant to Section 59[a] of Republic Act No. 7160, an ordinance without penal sanction shall take effect after ten days from the date a copy thereof is posted in a bulletin board at the entrance of the municipal hall and in at least two other conspicuous places in the local government unit;

**NOW, THEREFORE**, on motion of Hon. Arze G. Glorioso, jointly seconded by Hon. Arnolfo L. Perete and Hon. George S. Chew, the Board **RESOLVED**, as it is hereby **DONE**, to declare as valid **MATNOG MUNICIPAL ORDINANCE NOS. 06-2005 AND 10-2005**, subject, however, to aforesaid findings and recommendations.

**LET COPIES** of this resolution be furnished the honorable Mayor and Sangguniang Bayan of the Municipality of Matnog, Sorsogon for their respective information, guidance and appropriate action.

**UNANIMOUSLY APPROVED.**

I HEREBY CERTIFY to the correctness of the foregoing.

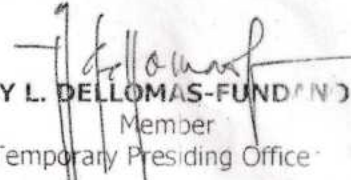


**WILLIAM H. DELGADO**

Secretary to the Sangguniang Panlalawigan



ATTESTED:



**JOY L. DELLOMAS-FUNDACION**  
Member  
Temporary Presiding Officer

Res. No. 25406



# SORSOGON I ELECTRIC COOPERATIVE, INC.

GULANG-GULANG, IROSIN, SORSOGON  
4707 PHILIPPINES  
www.soreco1.com

Telefax: (056) 555-2488 • Bulan Sub-Office: (056) 555-2230 • Irosin Sub-Office: (056)557-3146

April 13, 2018

**HON. SALVE FRENCILLO**  
Presiding Officer  
Sangguniang Bayan of Matnog

Subject : ERC Case No. 2016-038 MC, the Sorsogon I Electric Cooperative, Inc.'s (SORECO I) Application for Approval of Business Separation and Unbundling Plan (BSUP) Pursuant to Section 36 of Republic Act 9136 and Rule 10 of its Implementing Rules and Regulations

Sir:

In compliance with the directives of the Energy Regulatory Commission (ERC) in connection with the above application, we are furnishing this Honorable Office the following:

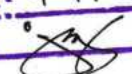
1. ERC Order dated March 12, 2018
2. ERC Notice of Public Hearing dated March 12, 2018

Likewise, in compliance with the directives of the ERC, may we request that said Order and Notice be posted at the Bulletin Board of the Sangguniang Bayan and thereafter, a **Certification** (Please see attached suggested format) bearing the **Dry Seal** of your Office be issued as proof of posting.

Thank you very much.

Very truly yours,

  
ENGR. EDWIN F. GARCIA  
General Manager

OFFICE OF THE SANGGUNIANG BAYAN  
MATNOC, SORSOGON  
**RECEIVED**  
DATE: 4-17-18  
BY: 

*"We uplift life, and serve with delight"*

**WE SERVE:** Bulan \*Matnog \*Sta. Magdalena \*Bulusan \*Irosin  
Juban \*Casiguran \*Magallanes



## OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING ON AUGUST 10, 2005 AT 1:00 O'CLOCK IN THE AFTERNOON

**Present:**

Hon. Carlos G. Estrelon	Municipal Vice Mayor (Presiding Officer)
Hon. Jaime G. Gata, Jr.	Sangguniang Bayan Member
Hon. Edward Ruel T. Barlin	-do-
Hon. Romeo G. Garalde	-do-
Hon. Ubaldo M. Ubaldo	-do-
Hon. Ardelito S. Dejaño	-do-
Hon. Melchor G. Garcera	-do-
Hon. Romeo G. Garrido	-do-
Hon. Julio E. Garduque	-do- (ABC President)

**Absent:**

Hon. Noel T. San Pablo	Sangguniang Bayan Member
Hon. Marc Ace C. Gacis	-do- (SK Mun. Fed. President)

**Resolution No. 22 s. 2005**  
**Municipal Ordinance No. 04-2005**

**RESOLUTION ENACTING AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREES AND ITS BRANCHES AND OTHER KINDS OF VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON**

**Author: Hon. Edward Ruel T. Barlin**

**WHEREAS**, it is provided in the Local Government Code that the Sangguniang Bayan shall endeavor to promote the general welfare of its constituents within its territorial jurisdiction.

**WHEREAS**, it has been observed that power failures and frequent brown outs were caused by the trees and its branches and other kinds of vegetation that touches the power lines thus posing an eminent danger to properties and lives of our people;

**WHEREAS**, it is the utmost desire of the august body to minimize if not totally stop the brown outs caused by trees and its branches and other kinds of vegetation that touches the power lines;

**WHEREAS**, this August Body deems it proper and imperative to protect the interest of the public and penalize those who are responsible for the causes of loss of lives and properties;

**NOW THEREFORE**, on motion of Hon. Ardelito S. Dejaño duly seconded by Hon. Romeo G. Garrido be it

**RESOLVED, AS IT IS HEREBY RESOLVED**, to enact, as it is hereby enacted

**Municipal Ordinance No. 04 -2005**

**AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREES AND ITS BRANCHES AND OTHER KINDS OF VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON**

**BE IT ORDAINED** by the Sangguniang Bayan Of Matnog Sorsogon that:

**Section 1. Authorization.** The SORECO I is hereby authorized to conduct clearing operation particularly the trees and its branches and other kinds of vegetation that touches or about to touch the electric power lines within the territorial jurisdiction of Matnog, Sorsogon. A distance of Three (3) meters on both sides from the power lines is tolerable.

**Section 2.** The Sorsogon I Electric Cooperative (SORECO I) personnel shall coordinate with the Barangay officials to conduct ocular inspection and perform clearing operation as the need arises.

**Section 3. Imposition of Fines and penalties.** There shall be a fine and or penalty to be imposed to any person or persons, group, company, private entity in violation of any section or sections of this ordinance, to wit:

- |                                 |   |
|---------------------------------|---|
| a) First Offense                | P500.00   |
| b) Second Offense               | 1,000.00  |
| c) Third and succeeding offense | 1,500.00 and imprisonment of one (1) month or both at the discretion of the court |

**Section 4.** Payment of fines and or penalties shall be paid to the Municipal Treasurer Office or to the respective barangay treasurer. A corresponding receipt shall be issued.

**Section 5. Separability Clause.** If any section or provision of this ordinance shall be held unconstitutional or void by any court of competent jurisdiction, the same shall not affect or impair the provisions, sections or parts thereof which shall continue to be in force and effect.

**Section 6.** All ordinances, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

**Section 7. Effectivity.** This ordinance shall take effect after posting for a period of Three (3) consecutive weeks in three conspicuous places of the municipality or after publication for Three (3) consecutive weeks in a newspaper of general circulations.

I hereby certify to the correctness of the foregoing.

  
JOSEPHINE G. BAUTISTA  
SB Secretary

ATTESTED BY:

  
CARLOS G. ESTRELON, JR.  
Municipal Vice Mayor  
Presiding Officer

APPROVED BY:

  
GUILLERMO G. SO  
Municipal Mayor

REPUBLIC OF THE PHILIPPINES  
PROVINCE OF SORSOGON  
SORSOGON  
OFFICE OF THE SENYAPANG PANLALAWIGAN

December 6, 2005

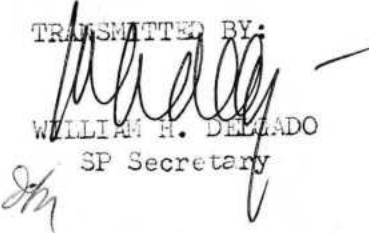
TRANSMITTAL NO. 237

TRANSMITTED TO: 1. The Honorable Mayor  
2. The Sangguniang Bayan  
Matnog, Sorsogon

Respectfully transmitted the attached subject  
for information/file/records/reference purposes:

RESOLUTION NO. 206-05 - RESOLUTION REMANDING TO  
THE MUNICIPALITIES OF MATNOG MUNICIPAL ORDINANCE  
NO. 04-2005 ENTITLED: "AN ORDINANCE AUTHORIZING  
SCRECO I TO CONDUCT CLEARING OPERATIONS PARTICU-  
LARLY THE TREES AND BRANCHES AND OTHER VEGETATION  
THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER  
LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG,  
SORSOGON AND BULUSAN MUNICIPAL ORDINANCE NO. 02-  
2005 ENTITLED: "AN ORDINANCE ESTABLISHING THE COM-  
PREHENSIVE SOLID WASTE MANAGEMENT IN THE MUNICIPA-  
LITY OF BULUSAN, SORSOGON".

TRANSMITTED BY:

  
WILLIAM R. DELGADO  
SP Secretary



Republic of the Philippines  
PROVINCE OF SORSOGON  
Sorsogon City

**SANGGUNIANG PANLALAWIGAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN, HELD AT ITS SESSION HALL, SP BUILDING, CAPITOL COMPOUND, SORSOGON CITY, ON NOVEMBER 07, 2005.

PRESENT Hon. Antonio H. Escudero, Jr., Vice Governor/Presiding Officer

**1<sup>st</sup> District**

Hon. Rebecca de Leon-Aquino  
Hon. Rosario D. Diaz  
Hon. Arnulfo L. Perete  
Hon. Everesto L. Relativo  
Hon. Francisco L. Ravanilla

**2<sup>nd</sup> District**

Hon. Joy L. Dellomas-Fundano  
Hon. Jocelyn Y. Lelis  
Hon. Bernard H. Hao  
Hon. Olaf S. Gotladera

Hon. Marian G. Guysayko – Provincial President, Sangguniang Kabataan  
Hon. George S. Chew – Provincial president, Liga ng mga Barangay  
Hon. Michael G Go – Provincial President, Provincial Councilors League

ABSENT: Hon. Arze G. Glipo

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**RESOLUTION NO. 206-05**

**RESOLUTION REMANDING TO THE MUNICIPALITIES OF MATNOG MUNICIPAL ORDINANCE NO. 04-2005 ENTITLED: "AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATIONS PARTICULARLY THE TREES AND BRANCHES AND OTHER VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON AND BULUSAN MUNICIPAL ORDINANCE NO. 02-2005 ENTITLED: "AN ORDINANCE ESTABLISHING THE COMPREHENSIVE SOLID WASTE MANAGEMENT IN THE MUNICIPALITY OF BULUSAN, SORSOGON."**

**WHEREAS**, submitted for consideration of the Sangguniang Panlalawigan were Municipal Ordinance Nos. 04-2005 and 02-2005 of the Municipalities of Matnog and Bulusan, Sorsogon, respectively;

**WHEREAS**, the SP Committees on Environment & Natural Resources and Rules, Privileges & Amendments, to which the above subjects were referred, hereby submit their findings and recommendations, to wit:

**"On Bulusan Municipal Ordinance No. 02-2005**

Subject ordinance sets into motion the implementation of RA 9003, otherwise known as the "Philippine Ecological Solid Waste Management Act of 2000" and its implementing rules and regulations in the local setting by enacting its own and local version – the Comprehensive Waste Management Ordinance. This ordinance also aims to help the LGU protect, preserve and conserve its local ecosystem through proper wastes disposal and education through information dissemination. Moreover, this enactment will be of greater value and will play a vital role in the development eco-tourism of the locality.

However, regrettably, the Joint Committee is withholding its approval due to some major findings affecting the greater substance and efficiency of the implementation of the same, to wit:

1. It was suggested by the representative of the EMB-DENR, Regional Office V, that a barangay Materials Recovery Facility (MRF) should at least be considered under Article VI, Waste Processing and Resource Recovery provision of the subject ordinance.

2. Section 22 of the same should be deleted, and should form a separate ordinance.
3. The same has no provision on prohibited acts. Hence, it is advised that Section 48 of the Implementing Rules and Regulations of RA 9003 be included under Article VI, Violation and Penalty, being a mandatory provision.
4. The same failed to observe the mandatory provisions of Section 59 of R.A. 7160 when they provided thereon to the effect that "This ordinance shall take effect upon approval and after proper information dissemination". No ordinance shall take effect without posting and/or publication without offending the due process clause enshrined under our Constitution. Rectification of which is of utmost importance so as to achieve validity in form and substance, as well as in their enforcements.

Hence, it is a must that this defective ordinance is returned to the Sanggunian of origin for its information and appropriate action.

-oOo-

**On Matnog Ordinance No. 04-2005**

The Joint Committee is well aware that the general welfare clause of the 1991 Local Government Code authorizes the municipal council to enact ordinances and make regulations as may be necessary and in accordance with the law for the health and safety, peace and order, among others. However, it is worth noting that the general welfare clause cannot be invoked as basis in passing subject ordinance because the same is not all encompassing nor comprehensive nor universal in its application.

Moreover, it is not within the power of the Sangguniang Bayan to authorize SORECO I to perform its own function, SORECO I being not within the jurisdiction of the Sangguniang Bayan in matters of its internal operations, one of which is the maintenance of power lines which includes the cutting of hovering trees and/or its branches over the power lines.

All that the Sangguniang Bayan could do is to pass a resolution enjoining SORECO I to perform its function properly to better serve its constituents.

Foregoing premises considered, it is regrettably recommended that the same should be returned to the municipality of origin with the advice that the same should be embodied in a resolution not in an ordinance."

**NOW, THEREFORE**, on motion of Hon. Arnulfo L. Perete, duly seconded by Hon. Everesto L. Relativo, the Board **RESOLVED**, as it is hereby **DONE**, to remand to the Municipalities of Matnog and Bulusan, Sorsogon, the aforesaid Municipal Ordinance Nos. 04-2005 and 02-2005, respectively, inviting their attention to the above findings and recommendations

**LET COPIES** of this resolution be furnished the Honorable Mayors and Sangguniang Bayans of the Municipalities of Matnog and Bulusan, Sorsogon, for their respective information, guidance and appropriate action.


**APPROVED UNANIMOUSLY.**

-oOo-

**I HEREBY CERTIFY** to the correctness of the foregoing.

  
**WILLIAM H. DELGADO**  
 Secretary to the Sangguniang Panlalawigan

ATTESTED:

  
**ANTONIO H. ESCUDERO, JR., MNSA**  
 Vice Governor/Presiding Officer

REPUBLIC OF THE PHILIPPINES  
PROVINCE OF SORSOGON  
SORSOGON  
OFFICE OF THE SECRETARY PANLALAWIGAN

December 6, 2005

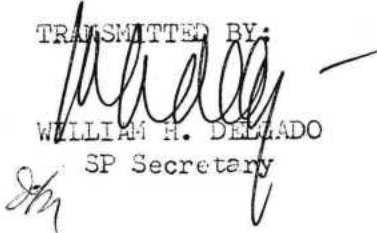
TRANSMITTAL NO. 737

TRANSMITTED TO: 1. The Honorable Mayor  
2. The Sangguniang Bayan  
Matnog, Sorsogon

Respectfully transmitted the attached subject  
for information/file/records/reference purposes:

RESOLUTION NO. 206-05 - RESOLUTION REMANDING TO  
THE MUNICIPALITIES OF MATNOG MUNICIPAL ORDINANCE  
NO. 04-2005 ENTITLED: "AN ORDINANCE AUTHORIZING  
SCORECO I TO CONDUCT CLEARING OPERATIONS PARTICU-  
LARLY THE TREES AND BRANCHES AND OTHER VEGETATION  
THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER  
LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG,  
SORSOGON AND BULUSAN MUNICIPAL ORDINANCE NO. 02-  
2005 ENTITLED: "AN ORDINANCE ESTABLISHING THE COM-  
PREHENSIVE SOLID WASTE MANAGEMENT IN THE MUNICI-  
PALITY OF BULUSAN, SORSOGON".

TRANSMITTED BY:

  
WILLIAM H. DELGADO  
SP Secretary



Republic of the Philippines  
PROVINCE OF SORSOGON  
Sorsogon City

**SANGGUNIANG PANLALAWIGAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN, HELD AT ITS SESSION HALL, SP BUILDING, CAPITOL COMPOUND, SORSOGON CITY, ON NOVEMBER 07, 2005.

PRESENT Hon. Antonio H. Escudero, Jr., Vice Governor/Presiding Officer

**1<sup>st</sup> District**

Hon. Rebecca de Leon-Aquino  
Hon. Rosario D. Diaz  
Hon. Arnulfo L. Perete  
Hon. Everesto L. Relativo  
Hon. Francisco L. Ravanilla

**2<sup>nd</sup> District**

Hon. Joy L. Dellomas-Fundano  
Hon. Jocelyn Y. Lelis  
Hon. Bernard H. Hao  
Hon. Olaf S. Gotladera

Hon. Marian G. Guysayko – Provincial President, Sangguniang Kabataan  
Hon. George S. Chew – Provincial president, Liga ng mga Barangay  
Hon. Michael G Go – Provincial President, Provincial Councilors League

ABSENT: Hon. Arze G. Glipo

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**RESOLUTION NO. 206-05**

**RESOLUTION REMANDING TO THE MUNICIPALITIES OF MATNOG MUNICIPAL ORDINANCE NO. 04-2005 ENTITLED: "AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATIONS PARTICULARLY THE TREES AND BRANCHES AND OTHER VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON AND BULUSAN MUNICIPAL ORDINANCE NO. 02-2005 ENTITLED: "AN ORDINANCE ESTABLISHING THE COMPREHENSIVE SOLID WASTE MANAGEMENT IN THE MUNICIPALITY OF BULUSAN, SORSOGON."**

**WHEREAS**, submitted for consideration of the Sangguniang Panlalawigan were Municipal Ordinance Nos. 04-2005 and 02-2005 of the Municipalities of Matnog and Bulusan, Sorsogon, respectively;

**WHEREAS**, the SP Committees on Environment & Natural Resources and Rules, Privileges & Amendments, to which the above subjects were referred, hereby submit their findings and recommendations, to wit:

**"On Bulusan Municipal Ordinance No. 02-2005**

Subject ordinance sets into motion the implementation of RA 9003, otherwise known as the "Philippine Ecological Solid Waste Management Act of 2000" and its implementing rules and regulations in the local setting by enacting its own and local version – the Comprehensive Waste Management Ordinance. This ordinance also aims to help the LGU protect, preserve and conserve its local ecosystem through proper wastes disposal and education through information dissemination. Moreover, this enactment will be of greater value and will play a vital role in the development eco-tourism of the locality.

However, regrettably, the Joint Committee is withholding its approval due to some major findings affecting the greater substance and efficiency of the implementation of the same, to wit:

1. It was suggested by the representative of the EMB-DENR, Regional Office V, that a barangay Materials Recovery Facility (MRF) should at least be considered.

2. Section 22 of the same should be deleted, and should form a separate ordinance.
3. The same has no provision on prohibited acts. Hence, it is advised that Section 48 of the Implementing Rules and Regulations of RA 9003 be included under Article VI, Violation and Penalty, being a mandatory provision.
4. The same failed to observe the mandatory provisions of Section 59 of R.A. 7160 when they provided thereon to the effect that "This ordinance shall take effect upon approval and after proper information dissemination". No ordinance shall take effect without posting and/or publication without offending the due process clause enshrined under our Constitution. Rectification of which is of utmost importance so as to achieve validity in form and substance, as well as in their enforcements.

Hence, it is a must that this defective ordinance is returned to the Sanggunian of origin for its information and appropriate action.

-oOo-

**On Matnog Ordinance No. 04-2005**

The Joint Committee is well aware that the general welfare clause of the 1991 Local Government Code authorizes the municipal council to enact ordinances and make regulations as may be necessary and in accordance with the law for the health and safety, peace and order, among others. However, it is worth noting that the general welfare clause cannot be invoked as basis in passing subject ordinance because the same is not all encompassing nor comprehensive nor universal in its application.

Moreover, it is not within the power of the Sangguniang Bayan to authorize SORECO I to perform its own function, SORECO I being not within the jurisdiction of the Sangguniang Bayan in matters of its internal operations, one of which is the maintenance of power lines which includes the cutting of hovering trees and/or its branches over the power lines.

All that the Sangguniang Bayan could do is to pass a resolution enjoining SORECO I to perform its function properly to better serve its constituents.

Foregoing premises considered, it is regrettably recommended that the same should be returned to the municipality of origin with the advice that the same should be embodied in a resolution not in an ordinance."

**NOW, THEREFORE**, on motion of Hon. Arnulfo L. Perete, duly seconded by Hon. Everesto L. Relativo, the Board **RESOLVED**, as it is hereby **DONE**, to remand to the Municipalities of Matnog and Bulusan, Sorsogon, the aforesaid Municipal Ordinance Nos. 04-2005 and 02-2005, respectively, inviting their attention to the above findings and recommendations

**LET COPIES** of this resolution be furnished the Honorable Mayors and Sangguniang Bayans of the Municipalities of Matnog and Bulusan, Sorsogon, for their respective information, guidance and appropriate action.


**APPROVED UNANIMOUSLY.**

-oOo-

**I HEREBY CERTIFY** to the correctness of the foregoing.

  
**WILLIAM H. DELGADO**  
 Secretary to the Sangguniang Panlalawigan

ATTESTED:

  
**ANTONIO H. ESCUDERO, JR., MNSA**  
 Vice Governor/Presiding Officer

REPUBLIC OF THE PHILIPPINES  
PROVINCE OF SORSOGON  
SORSOGON  
OFFICE OF THE SECRETARY PANLALAWIGAN

December 6, 2005

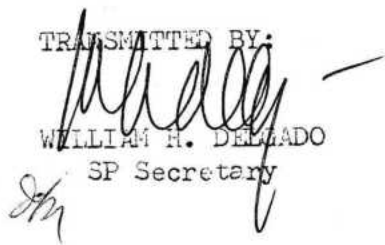
TRANSMITTAL NO. 237

TRANSMITTED TO: 1. The Honorable Mayor  
2. The Sangguniang Bayan  
Matnog, Sorsogon

Respectfully transmitted the attached subject  
for information/file/records/reference purposes:

RESOLUTION NO. 206-05 - RESOLUTION REMANDING TO  
THE MUNICIPALITIES OF MATNOG MUNICIPAL ORDINANCE  
NO. 04-2005 ENTITLED: "AN ORDINANCE AUTHORIZING  
SCORECO I TO CONDUCT CLEARING OPERATIONS PARTICU-  
LARLY THE TREES AND BRANCHES AND OTHER VEGETATION  
THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER  
LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG,  
SORSOGON AND BULUSAN MUNICIPAL ORDINANCE NO. 02-  
2005 ENTITLED: "AN ORDINANCE ESTABLISHING THE COM-  
PREHENSIVE SOLID WASTE MANAGEMENT IN THE MUNICI-  
PALITY OF BULUSAN, SORSOGON".

TRANSMITTED BY:

  
WILLIAM H. DELGADO  
SP Secretary



Republic of the Philippines  
 PROVINCE OF SORSOGON  
 Sorsogon City

**SANGGUNIANG PANLALAWIGAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN, HELD AT ITS SESSION HALL, SP BUILDING, CAPITOL COMPOUND, SORSOGON CITY, ON NOVEMBER 07, 2005.

PRESENT Hon. Antonio H. Escudero, Jr., Vice Governor/Presiding Officer

**1<sup>st</sup> District**

**2<sup>nd</sup> District**

Hon. Rebecca de Leon-Aquino  
 Hon. Rosario D. Diaz  
 Hon. Arnulfo L. Perete  
 Hon. Everesto L. Relativo  
 Hon. Francisco L. Ravanilla

Hon. Joy L. Dellomas-Fundano  
 Hon. Jocelyn Y. Lelis  
 Hon. Bernard H. Hao  
 Hon. Olaf S. Gotladera

Hon. Marian G. Guysayko – Provincial President, Sangguniang Kabataan  
 Hon. George S. Chew – Provincial president, Liga ng mga Barangay  
 Hon. Michael G Go – Provincial President, Provincial Councilors League

ABSENT: Hon. Arze G. Glipo

-o0o-

**RESOLUTION NO. 206-05**

**RESOLUTION REMANDING TO THE MUNICIPALITIES OF MATNOG MUNICIPAL ORDINANCE NO. 04-2005 ENTITLED: "AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATIONS PARTICULARLY THE TREES AND BRANCHES AND OTHER VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON AND BULUSAN MUNICIPAL ORDINANCE NO. 02-2005 ENTITLED: "AN ORDINANCE ESTABLISHING THE COMPREHENSIVE SOLID WASTE MANAGEMENT IN THE MUNICIPALITY OF BULUSAN, SORSOGON."**

**WHEREAS**, submitted for consideration of the Sangguniang Panlalawigan were Municipal Ordinance Nos. 04-2005 and 02-2005 of the Municipalities of Matnog and Bulusan, Sorsogon, respectively;

**WHEREAS**, the SP Committees on Environment & Natural Resources and Rules, Privileges & Amendments, to which the above subjects were referred, hereby submit their findings and recommendations, to wit:

**"On Bulusan Municipal Ordinance No. 02-2005**

Subject ordinance sets into motion the implementation of RA 9003, otherwise known as the "Philippine Ecological Solid Waste Management Act of 2000" and its implementing rules and regulations in the local setting by enacting its own and local version – the Comprehensive Waste Management Ordinance. This ordinance also aims to help the LGU protect, preserve and conserve its local ecosystem through proper wastes disposal and education through information dissemination. Moreover, this enactment will be of greater value and will play a vital role in the development eco-tourism of the locality.

However, regrettably, the Joint Committee is withholding its approval due to some major findings affecting the greater substance and efficiency of the implementation of the same, to wit:

1. It was suggested by the representative of the EMB-DENR, Regional Office V, that a barangay Materials Recovery Facility (MRF) should at least be considered under Article VI, Waste Processing and Resource Recovery provision of the subject ordinance.

2. Section 22 of the same should be deleted, and should form a separate ordinance.
3. The same has no provision on prohibited acts. Hence, it is advised that Section 48 of the Implementing Rules and Regulations, of RA 9003 be included under Article VI, Violation and Penalty, being a mandatory provision.
4. The same failed to observe the mandatory provisions of Section 59 of R.A. 7160 when they provided thereon to the effect that "This ordinance shall take effect upon approval and after proper information dissemination". No ordinance shall take effect without posting and/or publication without offending the due process clause enshrined under our Constitution. Rectification of which is of utmost importance so as to achieve validity in form and substance, as well as in their enforcements.

Hence, it is a must that this defective ordinance is returned to the Sanggunian of origin for its information and appropriate action.

-oOo-

**On Matnog Ordinance No. 04-2005**

The Joint Committee is well aware that the general welfare clause of the 1991 Local Government Code authorizes the municipal council to enact ordinances and make regulations as may be necessary and in accordance with the law for the health and safety, peace and order, among others. However, it is worth noting that the general welfare clause cannot be invoked as basis in passing subject ordinance because the same is not all encompassing nor comprehensive nor universal in its application.

Moreover, it is not within the power of the Sangguniang Bayan to authorize SORECO I to perform its own function, SORECO I being not within the jurisdiction of the Sangguniang Bayan in matters of its internal operations, one of which is the maintenance of power lines which includes the cutting of hovering trees and/or its branches over the power lines.

All that the Sangguniang Bayan could do is to pass a resolution enjoining SORECO I to perform its function properly to better serve its constituents.

Foregoing premises considered, it is regrettably recommended that the same should be returned to the municipality of origin with the advice that the same should be embodied in a resolution not in an ordinance."

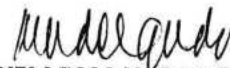
**NOW, THEREFORE**, on motion of Hon. Arnulfo L. Perete, duly seconded by Hon. Everesto L. Relativo, the Board **RESOLVED**, as it is hereby **DONE**, to remand to the Municipalities of Matnog and Bulusan, Sorsogon, the aforesaid Municipal Ordinance Nos. 04-2005 and 02-2005, respectively, inviting their attention to the above findings and recommendations

**LET COPIES** of this resolution be furnished the Honorable Mayors and Sangguniang Bayans of the Municipalities of Matnog and Bulusan, Sorsogon, for their respective information, guidance and appropriate action.

**APPROVED UNANIMOUSLY.**

-oOo-


**I HEREBY CERTIFY** to the correctness of the foregoing.



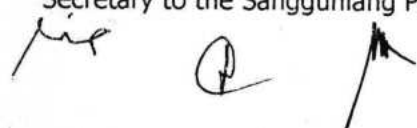
**WILLIAM H. DELGADO**

Secretary to the Sangguniang Panlalawigan

ATTESTED:



**ANTONIO H. ESCUDERO, JR., MNSA**  
Vice Governor/Presiding Officer





# Municipality of Matnog

Province of Sorsogon

## OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING ON AUGUST 10, 2005 AT 1:00 O'CLOCK IN THE AFTERNOON

**Present:**

Hon. Carlos G. Estrelon	Municipal Vice Mayor (Presiding Officer)
Hon. Jaime G. Gata, Jr.	Sangguniang Bayan Member
Hon. Edward Ruel T. Barlin	-do-
Hon. Romeo G. Garalde	-do-
Hon. Ubaldo M. Ubaldo	-do-
Hon. Ardelito S. Dejaño	-do-
Hon. Melchor G. Garcera	-do-
Hon. Romeo G. Garrido	-do-
Hon. Julio E. Garduque	-do- (ABC President)

**Absent:**

Hon. Noel T. San Pablo	Sangguniang Bayan Member
Hon. Marc Ace C. Gacis	-do- (SK Mun. Fed. President)

**Resolution No. 22 s. 2005  
Municipal Ordinance No. 04-2005**

**RESOLUTION ENACTING AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREES AND ITS BRANCHES AND OTHER KINDS OF VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON**

**Author: Hon. Edward Ruel T. Barlin**

**WHEREAS**, it is provided in the Local Government Code that the Sangguniang Bayan shall endeavor to promote the general welfare of its constituents within its territorial jurisdiction.

**WHEREAS**, it has been observed that power failures and frequent brown outs were caused by the trees and its branches and other kinds of vegetation that touches the power lines thus posing an eminent danger to properties and lives of our people;

**WHEREAS**, it is the utmost desire of the august body to minimize if not totally stop the brown outs caused by trees and its branches and other kinds of vegetation that touches the power lines;

**WHEREAS**, this August Body deems it proper and imperative to protect the interest of the public and penalize those who are responsible for the causes of loss of lives and properties;

**NOW THEREFORE**, on motion of Hon. Ardelito S. Dejaño duly seconded by Hon. Romeo G. Garrido be it

**RESOLVED, AS IT IS HEREBY RESOLVED**, to enact, as it is hereby enacted

**Municipal Ordinance No. 04 -2005**

**AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREES AND ITS BRANCHES AND OTHER KINDS OF VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON**

**BE IT ORDAINED** by the Sangguniang Bayan Of Matnog Sorsogon that:

**Section 1. Authorization.** The SORECO I is hereby authorized to conduct clearing operation particularly the trees and its branches and other kinds of vegetation that touches or about to touch the electric power lines within the territorial jurisdiction of Matnog, Sorsogon. A distance of Three (3) meters on both sides from the power lines is tolerable.

**Section 2.** The Sorsogon I Electric Cooperative (SORECO I) personnel shall coordinate with the Barangay officials to conduct ocular inspection and perform clearing operation as the need arises.

**Section 3. Imposition of Fines and penalties.** There shall be a fine and or penalty to be imposed to any person or persons, group, company, private entity in violation of any section or sections of this ordinance, to wit:

- |                                 |   |
|---------------------------------|---|
| a) First Offense                | P500.00   |
| b) Second Offense               | 1,000.00  |
| c) Third and succeeding offense | 1,500.00 and imprisonment of one (1) month or both at the discretion of the court |

**Section 4.** Payment of fines and or penalties shall be paid to the Municipal Treasurer Office or to the respective barangay treasurer. A corresponding receipt shall be issued.

**Section 5. Separability Clause.** If any section or provision of this ordinance shall be held unconstitutional or void by any court of competent jurisdiction, the same shall not affect or impair the provisions, sections or parts thereof which shall continue to be in force and effect.

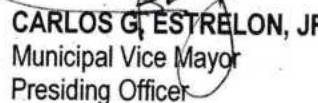
**Section 6.** All ordinances, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

**Section 7. Effectivity.** This ordinance shall take effect after posting for a period of Three (3) consecutive weeks in three conspicuous places of the municipality or after publication for Three (3) consecutive weeks in a newspaper of general circulations.

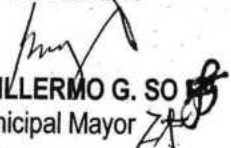
I hereby certify to the correctness of the foregoing.

  
JOSEPHINE G. BAUTISTA  
SB Secretary

ATTESTED BY:

  
CARLOS G. ESTRELON, JR.  
Municipal Vice Mayor  
Presiding Officer

APPROVED BY:

  
GUILLERMO G. SO  
Municipal Mayor



## OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING ON AUGUST 10, 2005 AT 1:00 O'CLOCK IN THE AFTERNOON

Present:

Hon. Carlos G. Estrelon	Municipal Vice Mayor (Presiding Officer)
Hon. Jaime G. Gata, Jr.	Sangguniang Bayan Member
Hon. Edward Ruel T. Barlin	-do-
Hon. Romeo G. Garalde	-do-
Hon. Ubaldo M. Ubaldo	-do-
Hon. Ardelito S. Dejaño	-do-
Hon. Melchor G. Garcera	-do-
Hon. Romeo G. Garrido	-do-
Hon. Julio E. Garduque	-do- (ABC President)

Absent:

Hon. Noel T. San Pablo	Sangguniang Bayan Member
Hon. Marc Ace C. Gacis	-do- (SK Mun. Fed. President)

**Resolution No. 22 s. 2005**  
**Municipal Ordinance No. 04-2005**

**RESOLUTION ENACTING AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREES AND ITS BRANCHES AND OTHER KINDS OF VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON**

**Author: Hon. Edward Ruel T. Barlin**

**WHEREAS**, it is provided in the Local Government Code that the Sangguniang Bayan shall endeavor to promote the general welfare of its constituents within its territorial jurisdiction.

**WHEREAS**, it has been observed that power failures and frequent brown outs were caused by the trees and its branches and other kinds of vegetation that touches the power lines thus posing an eminent danger to properties and lives of our people;

**WHEREAS**, it is the utmost desire of the august body to minimize if not totally stop the brown outs caused by trees and its branches and other kinds of vegetation that touches the power lines;

**WHEREAS**, this August Body deems it proper and imperative to protect the interest of the public and penalize those who are responsible for the causes of loss of lives and properties;

**NOW THEREFORE**, on motion of Hon. Ardelito S. Dejaño duly seconded by Hon. Romeo G. Garrido be it

**RESOLVED, AS IT IS HEREBY RESOLVED**, to enact, as it is hereby enacted

**Municipal Ordinance No. 04 -2005**

**AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREES AND ITS BRANCHES AND OTHER KINDS OF VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON**

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**Section 2.** The Sorsogon I Electric Cooperative (SORECO I) personnel shall coordinate with the Barangay officials to conduct ocular inspection and perform clearing operation as the need arises.

**Section 3. Imposition of Fines and penalties.** There shall be a fine and or penalty to be imposed to any person or persons, group, company, private entity in violation of any section or sections of this ordinance, to wit:

- |                                 |   |
|---------------------------------|---|
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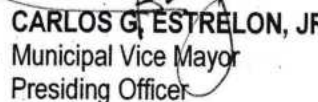
**Section 6.** All ordinances, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

**Section 7. Effectivity.** This ordinance shall take effect after posting for a period of Three (3) consecutive weeks in three conspicuous places of the municipality or after publication for Three (3) consecutive weeks in a newspaper of general circulations.

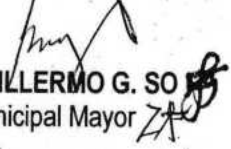
I hereby certify to the correctness of the foregoing.

  
JOSEPHINE C. BAUTISTA  
SB Secretary

ATTESTED BY:

  
CARLOS G. ESTRELON, JR.  
Municipal Vice Mayor  
Presiding Officer

APPROVED BY:

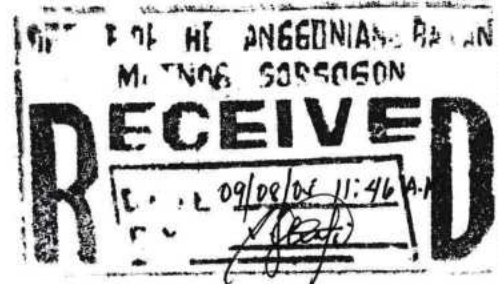
  
GUILLERMO G. SO  
Municipal Mayor



Republic of the Philippines  
**MUNICIPALITY OF MATNOG**  
Province of Sorsogon

**OFFICE OF THE MAYOR**

2<sup>nd</sup> Indorsement  
September 8, 2005



Respectfully returned to the Matnog Sangguniang Bayan the herein approved Resolution No. 22 s 2005 Municipal Ordinance No. 04-2004 "RESOLUTION ENACTING AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREE AND ITS BRANCHES AND THEIR KINDS OF VEGETATION THAT TOUCHES THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON."

  
**ZENAIDA R. GARAY**  
Executive Secretary

**ANDAR MATNOG**

sa dalan ng...



Republic of the Philippines  
**Municipality of Matnog**  
Province of Sorsogon

**OFFICE OF THE SANGGUNIANG BAYAN**

1<sup>st</sup> Indorsement  
September 27, 2005



Respectfully indorsed to **SANGGUNIANG PANLALAWIGAN**, the herein Municipal Ordinance No. 04-2005, Resolution No. 22 s. 2005 of the Sangguniang Bayan Matnog, Sorsogon re; **RESOLUTION ENACTING AN ORDINANCE AUTHORIZING SORECO I TO CONDUCT CLEARING OPERATION PARTICULARLY THE TREES AND ITS BRANCHES AND OTHER KINDS OF VEGETATION THAT TOUCHES OR ABOUT TO TOUCH THE ELECTRIC POWER LINES WITHIN THE TERRITORIAL JURISDICTION OF MATNOG, SORSOGON.** for information, guidance and appropriate action.

  
**JOSEPHINE BAUTISTA**  
SB Secretary



Republic of the Philippines  
**Municipality of Matnog**  
Province of Sorsogon

**OFFICE OF THE SANGGUNIANG BAYAN**

1<sup>st</sup> Indorsement  
September 27, 2005



Respectfully indorsed to **SANGGUNIANG PANLALAWIGAN**, the herein Municipal Ordinance No. 05-2005, Resolution No. 33 s. 2005 of the Sangguniang Bayan Matnog, Sorsogon re; **RESOLUTION ENACTING AN ORDINANCE REGULATING THE CONSTRUCTION OF HUMPS OR PLACING PROTUBERANCE ON PUBLIC ROADS OF MATNOG, SORSOGON.** for information, guidance and appropriate action.

  
**JOSEPHINE BAUTISTA**  
SB Secretary