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Normative Evolution of Municipal Ordinances in the City of Encarnación: A Historical Analysis of the Period 1953–2023

Evolución normativa de las Ordenanzas Municipales en la ciudad de Encarnación: Un análisis histórico del periodo 1953-2023

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Abstract

Municipal ordinances are regulations responsible for governing coexistence and the management of local resources within a municipality. In the city of Encarnación, these regulations have undergone an evolutionary process that reflects the transformations experienced by the community. The objective of this research is to analyze the normative evolution of the ordinances enacted in the city of Encarnación during the period 1953–2023 and to classify them according to specific criteria in order to identify trends in their development. The methodological approach is qualitative and descriptive, complemented by quantitative techniques for data analysis, using official municipal documents as the main sources. The main findings indicate that the number of ordinances increased from the 1990s onward, coinciding with the processes of decentralization and the strengthening of municipal autonomy in Paraguay. It is concluded that the evolution of the ordinances reflects a process of institutional modernization and adaptation to local needs. In this regard, the study aims to contribute to the understanding of the city's normative regulation and public management, positively influencing decision-making and the design of policies that foster municipal development.

Keywords: Municipal Autonomy, Public Management, Public Policies.

Resumen

Las ordenanzas municipales constituyen normas encargadas de regular la convivencia y gestión de recursos locales de un municipio, y en la ciudad de Encarnación estas normativas han experimentado un proceso evolutivo que refleja los cambios vivenciados por la comunidad. El objetivo de esta investigación es analizar la evolución normativa de las ordenanzas dictadas en la ciudad de Encarnación, durante el periodo 1953 -2023 y clasificarlas de acuerdo con criterios específicos a fin de identificar tendencias en su desarrollo. El enfoque metodológico es cualitativo de tipo descriptivo complementado con técnicas cuantitativas para el análisis de datos, utilizando como fuentes principales los documentos municipales oficiales. Los resultados principales denotan que el número de las ordenanzas incrementaron a partir de la década de 1990, coincidiendo con los procesos de descentralización y fortalecimiento de la autonomía municipal en Paraguay. Se concluye que la evolución de las ordenanzas refleja un proceso de modernización institucional y adaptación a las necesidades locales. En tal sentido, se espera contribuir al estudio de la regulación normativa de la ciudad y gestión pública impactando positivamente en la toma de decisiones y en el diseño de políticas que contribuyan al desarrollo del municipio.

Palabras clave: Autonomía municipal, Gestión Pública, Políticas Públicas.

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Introduction

Municipal ordinances are vitally important guidelines for regulating community life and managing local resources within a given municipality. In the city of Encarnación in particular, these regulations have evolved over time, reflecting the social, economic, and political changes experienced by the city.

Since its founding in 1615, Encarnación, now the capital of the Department of Itapúa, has witnessed historical events that have had an impact on its urban development and local administration (Reverchon Olivera, 2010). In this regard, municipal ordinances have served as legal instruments for managing urban growth and maintaining urban order, enabling the municipality to adapt to socioeconomic transformations and respond to the needs of its citizens.

Furthermore, with the advent of democracy in Paraguay following the fall of the dictatorial regime in 1989, the decentralization of public administration gained considerable momentum. This process brought about the necessary reforms to national legislation, granting municipalities greater autonomy and enabling them to develop their own regulations in response to local circumstances. Municipal ordinances in Encarnación likewise reflect these changes, as the body of regulations gradually expanded as the municipality acquired greater autonomy.

In this regard, understanding the evolution of the regulatory corpus examined in this study requires placing it within the Paraguayan sociopolitical context of the period. In 1954, when Law No. 222 (1954) was enacted, the country operated under a centralized system of government, initially within the framework of the 1940 National Constitution (Decree-Law No. 2242, 1940) and subsequently under the 1967 National Constitution (Lezcano Claude, 2012; Martyniuk Barán, 2003). Under this system, municipalities lacked genuine political autonomy, since mayors were directly appointed by the Executive Branch, and every ordinance had to be submitted in duplicate to the Ministry of the Interior, which verified its compliance with the Constitution before it could enter into force (Law No. 222, 1954, Arts. 114–115).

Law No. 1294 (1987) updated the municipal legal framework while nevertheless maintaining the centralized structure characteristic of the system of government in place until 1989. The fall of the Stroessner regime and the subsequent adoption of the 1992 National Constitution substantially transformed Paraguay's sociopolitical organization (Lezcano Claude, 2012). In 1991, citizens directly elected their municipal mayors for the first time, advancing the process of administrative decentralization and strengthening local autonomy (Peña Villamil, 1997). However, this process progressed gradually and remained incomplete, with municipalities receiving limited resources from the central government between 1992 and 2010 (Valcárcel Bustos, 2015). Finally, Law No. 3966 (2010) legally consolidated this autonomy, expanded municipal powers, and introduced mechanisms for citizen participation, such as the popular initiative for municipal ordinances (Pettit, 2011).

This process of institutional reform was accompanied by the direct impact of the Yacyretá Hydroelectric Project on the city of Encarnación. It should be noted that the Yacyretá Binational Entity was established on December 3, 1973, through the treaty signed between Paraguay and Argentina for the hydroelectric development of the Paraná River (Entidad Binacional Yacyretá, n.d.). Construction of the dam began in 1983, simultaneously initiating the process of clearing the riverside areas and relocating Encarnación's riverfront population, which continued in successive stages until 2011 (Thomas, 2015). The inauguration of the San Roque González de Santa Cruz International Bridge in 1990 and, subsequently, the Project Completion Plan agreed upon in 2004 intensified infrastructure works, resettlement, and urban renewal throughout the city. This process, which extended over nearly three decades, generated specific regulatory demands in the areas of urban planning, land-use planning, infrastructure, and public services.

Background

Several studies conducted in Paraguay have addressed municipal ordinances, examining their

regulation of specific areas such as land-use planning, health, and the environment, among others.

In this regard, the Economic Commission for Latin America and the Caribbean has studied the decentralization of the different levels of government in Paraguay, analyzing its implementation at the national, departmental, and municipal levels (Gaete, 2012). This study outlines a concept of municipal ordinances, defining them as generally applicable, mandatory regulations in force throughout the municipal territory. It also discusses the areas that fall within municipal jurisdiction, including urban planning, the environment, transportation, culture, health, social assistance, sports, tourism, and education.

Flores et al. (2018) provide an important analysis of existing local instruments for social and land-use planning in the city of Asunción, regulated through municipal ordinances. These include the Regulatory Plan, Ordinance No. 43 of 1994; the Decentralization Plan; the Coastal Strip Master Plan, Ordinance No. 34 of 1996; the Municipal Land Plan, Ordinance No. 33 of 1995; and the Urban and Environmental Development Plan, Ordinance No. 183 of 2001. As part of their research, the authors conducted a historical analysis of ordinances enacted in the areas of urban management and citizen participation, examining their underlying rationale as well as identifying which had been repealed and which remained in force. The study concluded that these instruments remained largely unchanged between 1991 and 2015. Finally, it proposes several guidelines, including the creation of accessible databases on urban plans and management and the establishment of legal mechanisms for binding citizen participation.

Insfran (2022) examines the spatial and historical dynamics of public spaces in the metropolitan area with the aim of proposing strategies for their revitalization. In this context, the study analyzes municipal ordinances enacted in the city of Asunción during the sixteenth, seventeenth, and eighteenth centuries, in the colonial period, concerning urban and land-use planning. It also examines ordinances enacted in the cities of Luque and Fernando de la Mora in the same area of regulation, as well as the

extent of citizen participation in proposing such ordinances.

Bastos (2022), for his part, analyzes the content of municipal ordinances enacted in the city of Hernandarias between 1991 and 2022, concluding that planning, urban development, public health, and the environment are the areas most frequently regulated in that city.

When the analysis is narrowed specifically to ordinances enacted in the city of Encarnación, Servín Nasich et al. (2017), in their study of the municipality's sustainable development indicator system, focus on Municipal Ordinance No. 175 of 1990 and recommend its amendment, proposing the creation of a sustainable development management instrument for the city.

Similarly, Velázquez Haurón et al. (2019), in examining how the city of Encarnación is experienced by its inhabitants, review several local regulations, including those governing noise disturbances under Ordinance No. 373 of 1997 and public transportation under Ordinances No. 76 of 2017 and No. 152 of 2018. They also examine the extent of citizen participation in the proposal of municipal ordinances.

In this context, the literature review shows that municipal ordinances in Paraguay have been studied from a variety of perspectives and that, in the case of Encarnación, research has examined specific regulations in relation to particular issues involving sustainable development, urban management, transportation, noise, and citizen participation. However, the studies identified do not provide a comprehensive longitudinal reconstruction of municipal regulatory activity in Encarnación covering the period from 1953 to 2023. In particular, no study was identified that systematically examines the entire body of ordinances enacted during this period, classifies them by subject matter, and makes it possible to trace their evolution over time.

This gap is particularly relevant because a longitudinal analysis of municipal ordinances makes it possible to move beyond the isolated examination of individual regulations and identify trends in municipal regulatory activity, as well as the subject areas that received

greater attention at different points in the city's history. Furthermore, the lack of specific studies limits the ability of citizens, researchers, and other public stakeholders to identify trends and areas for improvement in municipal regulation, which in turn hinders informed decision-making and the effective implementation of public policies.

Under these circumstances, there is a need to analyze the evolution of municipal ordinances in Encarnación during the 1953–2023 period in order to identify regulatory changes and the subject areas that received greater attention at different stages of the municipality's history. Accordingly, the general objective of this study was to analyze the evolution of municipal ordinances enacted in the city of Encarnación between 1953 and 2023. To achieve this objective, the study sought to: (1) describe the municipal legal framework in force in Paraguay during the 1953–2023 period; (2) identify the municipal ordinances enacted in the city of Encarnación during this period; and (3) classify the municipal ordinances enacted in Encarnación between 1953 and 2023.

Methodology

This study primarily adopted a qualitative, descriptive approach. The research design was non-experimental and longitudinal, with a historical focus, as no variables were manipulated; rather, regulatory developments were observed and analyzed over time.

The study population comprised all municipal ordinances enacted in the city of Encarnación between 1953 and 2023. The sample consisted of the entire set of these ordinances. It should be noted that the 1953–2023 period was delimited on the basis of documentary and regulatory criteria. The lower limit, 1953, corresponds to the earliest year for which municipal ordinance records suitable for systematic analysis were located in the archives of the city of Encarnación. This immediately preceded the enactment of Law No. 222 (1954), the first legislation in Paraguay to provide a legal definition of the concept of "municipal ordinance." The upper limit, 2023, corresponds to the last complete calendar year for which data were available at the time of data collection. Thus, this seventy-year period encompasses the successive periods in force of the

four municipal organic laws enacted in Paraguay (1927, 1954, 1987, and 2010), thereby making it possible to observe longitudinally how successive legal frameworks influenced local regulatory activity.

Documentary analysis was also employed, using data-recording forms designed to systematize relevant information from each ordinance (year, subject matter, number, general content, and observations). The primary sources consisted of the municipal ordinances enacted in the city of Encarnación during the 1953–2023 period, obtained from municipal archives and official digital databases. Secondary sources included national legislation governing municipalities that was in force during the period under study. Academic articles, technical reports, and other relevant documents were also reviewed.

Descriptive statistics were used to graphically represent the data in order to visualize the evolution and distribution of municipal ordinances, thereby facilitating the analysis of the information collected.

Results

Municipal Legal Framework in Force During the 1953–2023 Period

The legal framework governing municipalities in Paraguay underwent significant changes between 1953 and 2023. This evolution can be seen in changes relating to the administrative organization and autonomy of municipalities. In this context, the Municipal Organic Laws in force during the period under study are described below:

a) Law No. 915 (1927), Municipal Organic Law: This law regulated the municipal system and the organization of municipalities. It addressed areas such as finance, public works, public safety, sanitation, social welfare, and public morality. It was the third Municipal Organic Law and established three categories of municipalities. The law stipulated that a Municipal Mayor be appointed in municipalities such as Encarnación, Villarrica, Pilar, and Concepción, among others (Law No. 915, 1927).

b) Law No. 222 (1954), Enacting the Municipal Organic Law: This law repealed Law No. 915 (1927)

and defined ordinances in Article 112 as follows: “Municipal acts of general application having the force of law throughout the municipality and enacted by the Municipal Board shall be known as Ordinances” (Law No. 222, 1954, Art. 112).

With regard to the procedure established for the promulgation of municipal acts, the law stipulated that ordinances were to be submitted in duplicate to the Ministry of the Interior in order to verify compliance with the procedure prescribed by law and their conformity with the Constitution and other legislation.

c) Law No. 1294 (1987), Municipal Organic Law: This law defines Municipal Ordinances as follows: “Municipal acts of general application having the force of law throughout the municipality and enacted by the Municipal Board shall be known as Ordinances. Municipal acts of general application relating to municipal administration shall be known as Regulations. Acts concerning matters of particular or special interest shall be known as Resolutions” (Law No. 1294, 1987, Art. 48).

Regarding the procedure for drafting and enacting ordinances, the power to introduce draft ordinances was vested in members of the Municipal Board and the Municipal Mayor. Draft ordinances were to be referred by the Municipal Board to its standing or special advisory committees for consideration. Once this review had been completed, the Municipal Board would enact the ordinance, and the municipal executive (the Municipal Mayor) would promulgate it within ten business days of receiving the draft. If the Municipal Mayor raised no objection within this non-extendable period, the ordinance was automatically promulgated (Law No. 1294, 1987).

d) Law No. 3966/2010, Municipal Organic Law: This law was promulgated on February 8, 2010, and entered into force on February 10, 2010. It introduced changes that strengthened the autonomy of municipal governments by expanding their regulatory powers and incorporating the popular initiative as a new mechanism for citizen participation in the drafting of proposed ordinances. It also established new time

limits and procedures governing the consideration and promulgation of ordinances and the handling of mayoral vetoes by the Municipal Mayor and the Municipal Board (Law No. 3966, 2010).

As described in Table 1, the Municipal Organic Laws evolved through three distinct models of local government organization. The first, corresponding to Law No. 222 (1954), was characterized by a highly centralized administrative structure in which the Ministry of the Interior exercised prior oversight of municipal ordinances. This institutional arrangement limited the regulatory authority of municipalities.

A second stage corresponds to Law No. 1294 (1987). Although enacted during the final years of the authoritarian regime, this law introduced more developed municipal legislative procedures, strengthening the roles of the Municipal Board and the Municipal Mayor in the drafting and enactment of ordinances. Following the democratic transition of 1989 and the adoption of the 1992 Constitution, these powers acquired greater significance within the nationwide process of decentralization.

Finally, Law No. 3966 (2010) consolidated municipal autonomy by incorporating mechanisms for citizen participation, expanding local powers, and modernizing municipal legislative procedures.

Municipal Ordinances Enacted in the City of Encarnación During the 1953–2023 Period

A total of 958 ordinances promulgated between 1953 and 2023 were identified. These regulations are archived in hard-copy format at the Municipal Government building and the Municipal Board of the city of Encarnación.

Municipal Ordinances During the 1953–2023 Period

In order to gain a comprehensive understanding of the evolution of the regulatory framework in the city of Encarnación during the 1953–2023 period, the municipal ordinances were classified according to the different analytical criteria presented below.

Table 1. Evolution of Municipal Organic Laws.

Aspects Examined	Law No. 222/1954	Law No. 1294/1987	Law No. 3966/2010
Definition of an Ordinance	"Municipal acts of general application having the force of law throughout the municipality" (Law No. 222, 1954, Art. 112).	"Municipal acts having the force of law throughout the municipality and enacted by the Municipal Board" (Law No. 1294, 1987, Art. 48).	"A municipal legal provision of general application having binding force throughout the municipality, enacted by the Municipal Board and promulgated by the Mayor" (Law No. 3966, 2010, Art. 37).
Initiation of Draft Ordinances	Municipal Board (Art. 48(o)); Municipal Mayor (Law No. 222, 1954, Art. 97(10)).	Municipal Board; Municipal Mayor (Art. 48).	Municipal Board; Municipal Mayor; citizens (popular initiative) (Art. 38).
Consideration	Review by the Ministry of the Interior (Art. 114). The Ministry verifies compliance with the legally prescribed procedure and conformity with the Constitution of the Republic and other legislation (Art. 115).	Draft ordinances are referred to standing or special advisory committees. Once consideration has been completed, the draft is enacted (Art. 50).	Draft ordinances are referred to advisory committees for consideration and a report. Once the review has been completed, they are returned to the Municipal Board for consideration (Art. 40).
Promulgation	The Mayor may raise objections pursuant to Art. 97 (Art. 119).	The Mayor promulgates the ordinance within 10 business days. If no objection is raised, the ordinance is automatically promulgated (Art. 51).	The Mayor promulgates the ordinance within 15 calendar days. If it is not vetoed, the ordinance is automatically promulgated (Art. 41).
Veto Procedure	If an ordinance does not meet the legal requirements, the Ministry of the Interior has 30 days to return it to the Municipal Board with observations. If no observations are made within that period, the ordinance automatically enters into force. If the Board reaffirms its decision by a two-thirds majority, the ordinance is promulgated; if that majority is not reached, the Executive's decision prevails and the ordinance does not enter into force (Arts. 116–117).	The Mayor may veto an ordinance; the Municipal Board may override the veto by a two-thirds majority (Art. 52).	The Mayor has the authority to veto ordinances. However, the Municipal Board may override the veto by an absolute two-thirds majority, in which case the ordinance is automatically promulgated. The Municipal Board may also decide, by an absolute majority, to enact the portion of the ordinance that was not objected to, in which case that portion is automatically promulgated (Art. 42).
Submission to Other Government Bodies	The Ministry of the Interior reviews ordinances and may raise objections.	The Ministry of the Interior is notified following promulgation (Art. 53).	During the first ten days of each calendar month, the municipal executive must submit the ordinances promulgated during the preceding month to the Municipal Board, the Ministry of the Interior, and the corresponding Departmental Government (Art. 43).
Publication and Entry into Force	Publication in local newspapers or public display for 15 days (Art. 120).	Ordinances become binding on the day following their publication in two local newspapers. If no such newspapers are available, they become binding following public display of the text for five days at public locations within the municipality (Art. 54).	Ordinances become binding on the day following their publication in a widely circulated newspaper. If no local newspapers are in circulation or sufficient funds for publication are unavailable, the ordinance becomes binding after its text has been publicly displayed for ten days at locations within the municipality or disseminated through other media for the same period (Art. 44).
Citizen Participation	Not provided for.	Not provided for.	Draft ordinances may be submitted through a popular initiative, subject to specific requirements (Art. 39).

Source: Authors' own elaboration based on data obtained from Law No. 222 (1954), Law No. 1294 (1987), and Law No. 3966 (2010).

1. Number of municipal ordinances enacted per year during the 1953–2023 period

In order to examine changes in municipal regulatory activity over time, Figure 1 shows the number of ordinances enacted each year in the city of Encarnación between 1953 and 2023. Beginning in the 1980s, a greater number of ordinances were

promulgated compared with previous years, and this upward trend continued, with peaks in regulatory activity occurring from 2010 onward.

The analysis reveals three distinct stages in municipal regulatory activity. Between 1953 and 1979, regulatory activity remained limited, with fewer than ten (10) ordinances enacted annually in most years.

This pattern is consistent with a centralized model of municipal administration characterized by more limited regulatory powers.

Between 1980 and 2009, however, municipal regulatory activity increased steadily. This growth coincided with two historical processes. On the one hand, it coincided with the reform introduced by the 1987 Municipal Organic Law and the subsequent decentralization promoted by the 1992 National Constitution. On the other, it coincided with the urban transformations resulting from the activities of the Yacyretá Binational Entity, whose associated works altered Encarnación's territorial structure, mobility, housing, and public services, thereby generating new regulatory needs.

From 2010 onward, municipal regulatory activity reached its highest levels. This increase reflects the strengthening of municipal autonomy established by Law No. 3966 (2010), the introduction of mechanisms for citizen participation, and the municipality's process of administrative modernization, which considerably expanded the areas subject to local regulation.

2. Number of ordinances enacted while each Municipal Organic Law was in force (1953–2023)

In order to relate municipal regulatory activity to the legal framework in force at each historical stage, the ordinances were systematized according to the

periods during which the different municipal laws were in effect throughout the 1953–2023 period. At the national level, four (4) municipal laws were in force during this period: Law No. 915 (1927), Law No. 222 (1954), Law No. 1294 (1987), and Law No. 3966 (2010). The number of ordinances promulgated under each of these laws was as follows (Figure 2):

Law No. 915 (1927): During the period in which this law was in force, only one ordinance was recorded (0.1% of the total). As shown by the preceding data, the small number of ordinances enacted indicates that municipal regulation was minimal during this period. In light of the historical context, this can be attributed to the fact that Encarnación's legal and administrative structures were still in the early stages of development. Furthermore, the city had a lower level of urban development and less administrative complexity in terms of the drafting and promulgation of ordinances.

Law No. 222 (1954): During the period in which this law was in force, 65 ordinances were promulgated (6.8% of the total), indicating a period of increased regulatory activity. This trend was also associated with the economic and demographic growth of the city of Encarnación and the need to establish a more robust legal framework for managing urban development and municipal services.

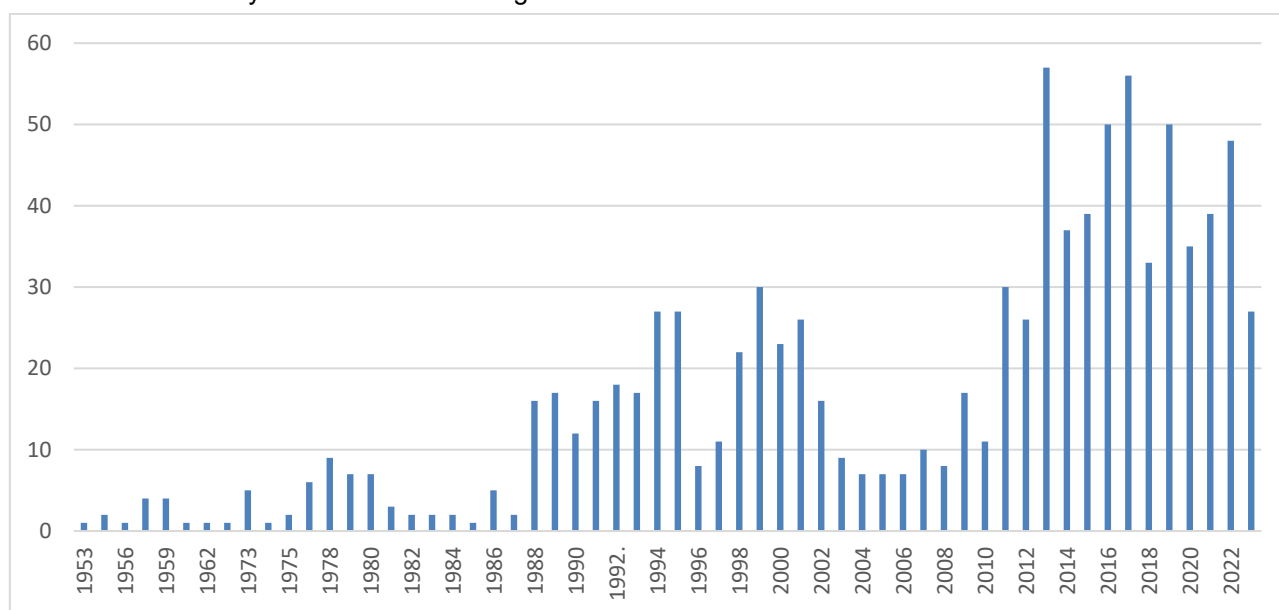


Figure 1. Number of Ordinances Enacted per Year During the 1953–2023 Period. **Source:** Prepared by the authors based on data obtained from the Municipality of Encarnación, 2023.

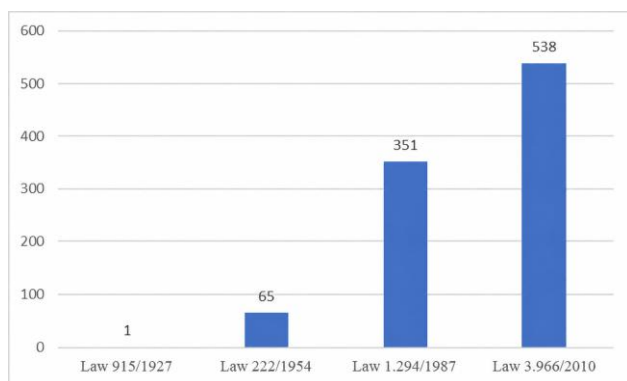


Figure 2. Number of Ordinances Enacted While the Municipal Laws Were in Force, 1953–2023. **Source:** Prepared by the authors based on data obtained from the Municipality of Encarnación, 2023.

Law No. 1294 (1987): A substantial increase to 351 ordinances enacted (36.6% of the total) can be observed during the period in which this law was in force, reflecting an intensification of regulatory activity. Within the historical context, the municipality of Encarnación faced new demands from its citizens as the associated works undertaken by the Yacyretá Binational Entity progressed.

The Yacyretá Binational Entity began to reshape Encarnación's urban dynamics significantly through the implementation of associated works carried out primarily during the 1990s and 2000s. The relocation of neighborhoods, construction of new waterfront avenues, reorganization of the road network, creation of public spaces, and expansion of urban infrastructure brought about major territorial and social transformations.

These changes increased the demand for municipal regulation in areas such as land-use planning, transportation, urban heritage, the environment, infrastructure, and public services. Consequently, the increase in the number of ordinances during this period can be interpreted as an institutional response by the municipality to the rapid process of urban reconfiguration driven by the associated works arising from the hydroelectric project.

Law No. 3966 (2010): The substantial increase to 541 ordinances (56.5% of the total, the highest figure for the entire period) under this law indicates a period of intense regulatory and administrative activity. Over the past two decades, the city of Encarnación has

faced complex challenges related to urbanization, sustainable development, and the modernization of public services. The number of ordinances promulgated reflects efforts to address these challenges through the implementation of specific measures.

A supplementary statistical analysis of the preceding data shows that, when the number of ordinances is considered in relation to the length of time each law remained in force, the average rate of regulatory activity was approximately 2 ordinances per year under Law No. 222 (1954–1987, 33 years). This figure increased to approximately 15 ordinances per year under Law No. 1294 (1987–2010, 23 years) and to approximately 41 ordinances per year under Law No. 3966 (2010–2023, 13 years). In percentage terms, of the 958 ordinances identified, 56.5% (541) correspond to the period in which Law No. 3966 was in force, 36.6% (351) to the period under Law No. 1294, 6.8% (65) to the period under Law No. 222, and only 0.1% (1) to the period under Law No. 915 (1927). This progressive increase in the annual rate of regulatory activity provides quantitative evidence that each reform of the municipal legal framework was accompanied by an increasingly active exercise of municipal regulatory powers.

This growth is also significant when the annual rate of regulatory activity is compared across the different legal frameworks. Between the periods governed by Law No. 222 and Law No. 1294, the average increased from 2 to 15.26 ordinances per year, representing an increase of approximately 675%. Between Law No. 1294 and Law No. 3966, the rate rose from 15.26 to 41.62 ordinances per year, equivalent to an increase of approximately 173%. Overall, the annual rate of regulatory activity during the period in which Law No. 3966 was in force was approximately 21 times higher than that recorded under Law No. 222.

3. Number of ordinances enacted under the different municipal administrations (1953–2023)

Further analysis of the different municipal administrations in office in the city of Encarnación during the 1953–2023 period is presented in Table 2, which shows the number of ordinances enacted under

the various municipal administrations headed by different mayors of Encarnación between 1953 and 2023. The data reveal considerable variation among the different terms of office. For example, relatively few ordinances were enacted during the administrations of Rogelio Ocampos Godoy (1950–1958) and Domingo Robledo Valenzuela (1958–1973). In contrast, a larger number of ordinances were promulgated during the administrations of mayors such as Emilio Oriol Acosta (1996–2001) and Alfredo Luis Yd Sánchez (2015–2021). This increase in regulatory activity reflects changes in administrative demands, urban growth, and the increasing complexity of municipal management over time.

It can also be observed that some mayors served very short terms in office as a result of periods of political transition and change.

4. By Structure

According to this criterion, the evolution of the structure of municipal ordinances in Encarnación over the 1953–2023 period is examined. The analysis is organized into different historical periods, taking into account changes in legislative drafting techniques and in the organization of the regulations. A summary of this evolution is presented in Table 3.

Table 2. Number of Ordinances Enacted under the Different Municipal Administrations of the City of Encarnación During the 1953–2023 Period.

Full name	Term of office	Number of ordinances enacted
Rogelio Ocampos Godoy	1950-1958	8
Domingo Robledo Valenzuela	1958-1973	12
José Marcial Caballero Rojas	1973-1986	47
María Teresa Matiauda Sánchez	1986-1989	35
Roque Zarza Schuller	1989-1991	28
Lorenzo Luciano Zacarías	1991-1996	97
Emilio Oriol Acosta	1996-2001	112
Rogelio Benítez Vargas	2001-2005	29
Juan Alberto Schmalko Palacios	2005-2006	10
Gladys Margarita Vergara Lohse	2006	7
Juan Alberto Schmalko Palacios	2006-2010	41
Joel Maidana Vega	2010	5
Juan Alberto Schmalko Palacios	2010-2013	109
Elida Bartonchelo	2013	4
Joel Maidana Vega	2013-2015	76
Hugo Barreto	2015	25
Alfredo Luis Yd Sánchez	2015-2021	238
Alfredo Luis Yd Sánchez	2021-2025	75

Source: Prepared by the authors based on data obtained from the Municipality of Encarnación, 2023.

5. By Municipal Function

In keeping with the objectives of this study, the 958 ordinances were categorized by municipal function using Law No. 3966 (2010) as the reference framework, particularly the functions established in Article 12 and, additionally, the powers set forth in Articles 7 and 144. This framework was selected because the law establishes the municipal powers and functions in force at the end of the period under analysis, incorporating and specifying areas of municipal activity that allow for a broader and more comprehensive functional classification. Accordingly, its categories were used as a common analytical criterion for retrospectively classifying the ordinances enacted throughout the 1953–2023 period. The year in which each ordinance was issued was also retained as a temporal variable in order to place it within its historical context and trace the evolution of regulatory activity within each municipal function. The following results were obtained:

1. Planning, urban development, and land-use planning: 388 municipal ordinances.
2. Public infrastructure and services: 44 municipal ordinances.
3. Public transportation and traffic: 117 ordinances.
4. Environmental matters: 24 ordinances.
5. Historical and cultural heritage: 13 ordinances.
6. Health, hygiene, and sanitation: 28 ordinances.
7. Education, culture, and sports: 33 ordinances.
8. Productive development: 1 ordinance.
9. Municipal Police regulation: 4 ordinances.
10. Financial and tax matters: 280 ordinances.
11. Municipal Councils: 14 ordinances.
12. Other municipal functions: 12 ordinances.

Table 3. Evolution of Municipal Ordinances According to Their Structure and Legislative Drafting Techniques, 1953–2023.

Period	Structure of the Ordinance	Legislative Drafting Techniques
1953–1979	1. Number 2. Date 3. Introductory and explanatory clauses (<i>Visto</i> and <i>Considerando</i>) 4. Operative provisions: articles and other provisions 5. Submission to the Ministry of the Interior	Simple drafting, with almost no technical detail.
1980–1990	1. Number 2. Title of the Ordinance 3. Introductory clause (<i>Visto</i>) 4. Operative provisions 5. Enactment by the Municipal Board (signature of the President and Secretary of the Municipal Board) 6. Date 7. Promulgation by the Municipal Executive (signature of the Mayor and Secretary General) 8. Publication provision 9. Provision for notification of the Ministry of the Interior	Simple drafting, with almost no technical detail.
1991–2000	1. Number 2. Title 3. Introductory clause (<i>Visto</i>) 4. Explanatory clauses (<i>Considerando</i>) 5. Operative provisions 6. Enactment by the Municipal Board (signature of the President and Secretary of the Municipal Board) 7. Date 8. Promulgation by the Municipal Executive (signature of the Mayor and Secretary General) 9. Publication provision 10. Provision for notification of the Ministry of the Interior	– Increased specificity. – Use of more sophisticated legislative drafting techniques.
2001–2010	1. Ordinance number 2. Title of the Ordinance 3. Introductory clause (<i>Visto</i>) 4. Explanatory clauses (<i>Considerando</i>) 5. Operative provisions 6. Enactment by the Municipal Board (signature of the President and Secretary of the Municipal Board) 7. Date 8. Promulgation by the Municipal Executive (signature of the Mayor and Secretary General) 9. Publication provision	– Improved systematization and organization. – Greater precision and detail in drafting.
2011–2023	1. Number 2. Title 3. Introductory clause (<i>Visto</i>) 4. Explanatory clauses (<i>Considerando</i>) 5. Operative provisions 6. Enactment by the Municipal Board (signature of the President and Secretary of the Municipal Board) 7. Date 8. Promulgation by the Municipal Executive (signature of the Mayor and Secretary General) 9. Publication provision	– Precise drafting with greater technical complexity. – More specialized legal language.

Source: Prepared by the authors based on data obtained from the Municipality of Encarnación, 2023.

In relative terms, of the 958 ordinances identified, planning, urban development, and land-use planning account for 40.5% of the regulatory corpus, followed by financial and tax matters (29.2%) and public transportation and traffic (12.2%). The remaining categories comprise public infrastructure and services (4.6%); education, culture, and sports (3.4%); health, hygiene, and sanitation (2.9%); environmental matters (2.5%); Municipal Councils (1.5%); historical and cultural heritage (1.4%); other municipal functions (1.2%); Municipal Police regulation (0.4%); and productive development (0.1%). Taken together,

these nine smaller categories account for the remaining 18% of the ordinances. These findings are consistent with the sociohistorical context described above, particularly the predominance of urban planning and financial functions associated with the transformations resulting from the Yacyretá associated works, as well as the strengthening of municipal fiscal autonomy following the enactment of Law No. 3966 (2010).

The analysis of the systematized ordinances reveals that areas such as planning and land-use planning,

municipal financial administration (financial and tax matters), and public transportation have received significant attention from municipal authorities.

Discussion

The systematization and subsequent classification of municipal ordinances according to specific criteria, such as year, structure, and municipal function, reveal a sustained increase and thematic diversification in regulatory activity, particularly following the enactment of Municipal Organic Law No. 3966 (2010). This trend is consistent with the process of administrative decentralization described by Gaete (2012), who notes that ordinances are generally applicable and binding regulations within municipal territory, intended to regulate areas such as urban planning, the environment, health, social assistance, tourism, and education. The increase in the number of ordinances is associated with the expansion of municipal powers and the strengthening of local government as a key actor in development management.

The results also show that municipal ordinances in the city of Encarnación followed a pattern of technical and institutional consolidation, evolving from basic regulations in the earlier decades (1953–1970) to more complex regulatory instruments in recent periods. This is consistent with the findings of Flores et al. (2018), who, in their analysis of local urban planning instruments, conclude that regulatory continuity depends on the institutionalization of urban management.

Similarly, Bastos's (2022) study of municipal ordinances confirms a nationwide tendency to prioritize areas related to urban planning, public health, and the environment, a convergence that reinforces the findings of the present study.

In the case of Encarnación, the results of the classification by municipal function reveal that the most heavily regulated areas are Planning, Urban Development and Land-Use Planning; Municipal Financial Administration; and Public Transportation and Traffic, reflecting the priorities of a municipality undergoing urban expansion and administrative modernization. These findings are closely linked to the local historical context, particularly the impact of the

associated works undertaken by the Yacyretá Binational Entity, which brought about major urban transformations and generated new regulatory demands.

In addition, studies by Servín Nasich et al. (2017) and Velázquez Haurón et al. (2019) on the city of Encarnación show how specific ordinances concerning noise disturbances and public transportation reflect processes through which the regulatory framework has adapted to contemporary urban and social dynamics.

Within this context, the evolution of municipal ordinances in Encarnación reflects a progressive process of institutional and regulatory strengthening associated with the development of municipal autonomy and the decentralization of the Paraguayan State. Comparison with studies conducted elsewhere in the country reveals common patterns in the consolidation of municipal law, including increased regulatory activity, thematic diversification, and adaptation to the challenges of sustainable urban and environmental development. This process makes municipal ordinances an indicator of the degree of institutional maturity and local management capacity in Paraguay.

Conclusions

This study provided a comprehensive analysis of the evolution of municipal ordinances in the city of Encarnación during the 1953–2023 period, revealing transformations in regulatory activity, legislative drafting techniques, and the orientation of municipal acts in response to social and administrative demands.

Regarding the main findings, a total of 958 municipal ordinances were identified and classified according to criteria such as the number enacted per year, their structure, and municipal function. The analysis showed a sustained increase in regulatory activity, particularly from the 1980s onward, with notable peaks during the period in which Municipal Organic Law No. 3966 (2010) was in force. A process of technical and institutional consolidation was also identified, with regulatory drafting evolving from relatively simple structures in the earlier periods to

more complex texts characterized by greater legal specificity in recent years. The most heavily regulated areas were Planning, Urban Development and Land-Use Planning; Municipal Financial Administration; and Public Transportation and Traffic.

This study therefore contributes to the body of knowledge on municipal law by providing a longitudinal systematization of municipal ordinances in the city of Encarnación, thereby facilitating an understanding of the evolution of local law and the municipality's regulatory role in development management. It also provides a methodological reference for future research on municipal legislation in other cities in Paraguay.

In terms of practical recommendations, the creation of an accessible digital database containing all municipal ordinances is recommended in order to facilitate consultation. It is also recommended that citizen participation mechanisms be strengthened so that residents can play a greater role in the process of drafting and designing ordinances. Finally, priority should be given to updating regulations concerning urban planning, the environment, and public services, taking into account the challenges arising from urban growth and sustainability.

With regard to future research, this study opens avenues for comparative analysis of regulatory developments across different Paraguayan municipalities and for assessing the impact of ordinances on urban planning and the management of municipal services.

Municipal ordinances constitute an indicator of a municipality's regulatory capacity and provide a means of understanding the historical evolution of local public administration in Paraguay, while also providing tools for future regulatory planning. In the specific case of the city of Encarnación, the findings demonstrate the municipality's regulatory capacity. Accordingly, strengthening the systematic analysis and study of municipal ordinances is essential for future regulatory planning and informed decision-making, as well as for the design of public policies that respond to local needs and contribute to strengthening decentralization and municipal autonomy.

Research data availability

The data used in this study were obtained from records and documents provided by the Municipality of Encarnación. Based on this information, the data were systematized and organized, and a database was compiled specifically for the analysis of the 1953–2023 period. The resulting database is available from the author upon request.

Peer review comments

This article underwent an anonymous peer-review process in accordance with the journal's editorial transparency policy. The reviewers, who participated anonymously in the process, consented to the publication of the comments they provided during the review.

Reviewer Comment 1: The article makes a significant contribution to the study of municipal ordinances; however, the following issues should be addressed in order to enhance the analytical scope of the manuscript: 1. The stated objective is to “analyze the evolution of municipal ordinances”; however, the text is largely limited to providing a detailed description of them. It is essential to incorporate references to the sociohistorical context in order to explain and provide meaning to variations in the number and types of ordinances enacted. In particular, the increase shown in Figure 1 from 1980 onward needs to be explained. 2. It is recommended that a brief section (two to three paragraphs) be included addressing Paraguay's sociopolitical organization at the key points of 1954, 1987, and 2010. Since the constitutional framework changed several times during the period under analysis, such contextualization would provide a better understanding of the expansion of participation in proposing regulations, the role played by the Ministry of the Interior, and the evolution of the subject areas addressed. 3. The manuscript should specify when and how the dynamics associated with the Yacyretá Binational Entity began to affect the lives of Encarnación's residents and the formulation of municipal ordinances. 4. The rationale for selecting the 1953–2023 historical period should be explicitly stated. 5. In Section 5, where the ordinances are classified according to municipal functions, a temporal

variable should be incorporated to provide greater analytical clarity regarding the evolution of these categories.

Reviewer Comment 2: The article stands out for its relevance and rigor and meets the quality standards required for publication. Only the following minor revisions are suggested in order to improve its presentation and structure: A thorough review of in-text citations is recommended to ensure strict compliance with APA style (7th edition). Among other details, the improper inclusion of authors' initials in in-text references should be corrected. The structure of the scientific article should also be revised, as the manuscript retains a format similar to that of an undergraduate dissertation or thesis. It is recommended that the manuscript be adapted to the journal's author guidelines or, alternatively, to the standard structure of a scientific article (for example, by omitting separate subheadings for the objectives and integrating them into the Introduction). It is advisable to condense the tables and expand the interpretative analysis in order to give greater prominence to the researcher's analytical contributions rather than to the mere compilation of documentary material. Finally, a brief statistical analysis of the quantitative data collected is recommended. This would make it possible to identify patterns or significant findings that are not readily apparent from the qualitative description alone.

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