

**REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
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**CITY ORDINANCE NO. 972  
November 3, 2021**

**AN ORDINANCE CREATING LEADERS AS DEPUTIZED OFFICERS**

**WHEREAS**, this Ordinance shall cover the deputization of local government unit staff, members from non-government organizations, peoples organizations, civil society organizations, and other non-profit and civic groups or citizens with good moral standing in the city as "Agents of Persons in Authority" for the implementation of related city policies and ordinances;

**WHEREAS**, the Revised Penal Code as Amended, states in Article 152 that "Any person who, by direct provision of law or by election or by appointment by competent authority, is charged with the maintenance of public order and the protection and security of life and property, such as barrio councilman, barrio policeman and barangay leader, and any person who comes to the aid of persons in authority, shall be deemed an agent of a person in authority," and "In applying the provisions of Articles 148 and 151 of this Code, teachers, professors, and persons charged with the supervision of public or duly recognized private schools, colleges and universities, and lawyers in the actual performance of their professional duties or on the occasion of such performance shall be deemed persons in authority;"

**WHEREAS**, The People's Law Enforcement Board (PLEB) is a check and balance mechanism created by law against erring policemen and was established by virtue of Republic Act No. 8551, and is the central receiving entity for citizens' complaints against any uniformed member of the Philippine National Police (PNP);

**WHEREAS**, The Commission on Crime Prevention and Criminal Justice, of which the Philippines is a member-country, through a draft resolution, recommended to the Economic and Social Council of the United Nations Organization (UNO), the adoption of the "Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters", and the said document is a formulation of the UN Standards in the field of mediation and restorative justice;

**WHEREAS**, The Philippines, being a signatory member-country should ensure adoption of the former and consequently, the goal of the government is to establish a more enlightened and humane correctional system that will promote the reformation of offenders and thereby reduce the incidence of recidivism;

**WHEREAS**, DENR Administrative Order No. 2008-22 stipulates the revised guidelines for the deputation of Environmental and Natural Resources Officers as well as members of groups with multi-regional and/or nationwide membership and other individuals that may be deputized upon the discretion of the secretary;

**WHEREAS**, the City acknowledges the deputization by the DA-BFAR, however the city would like to further extend the deputization to the barangays to make sure the intent of this ordinance be fully implemented as empowered by the Local Government Code of 1991;



**WHEREAS**, Republic Act 9211, otherwise known as the Tobacco Regulation Act of 2003, as further reinforced by Executive Order No. 26, s. 2016 and reiterated by Department of the Interior and Local Government Memorandum Circular No. 2017-90, providing for Smoke-Free Environments in Public and Enclosed Spaces, explicitly states the compliance to such law and public policy;

**WHEREAS**, Republic Act 917, otherwise known as the Philippine Highway Act of 1953, explicitly states the importance of road maintenance;

**WHEREAS**, Presidential Decree No. 320 further amended Republic Act 917 to include the barangay council's importance on the extent of the road's maintenance program;

**WHEREAS**, in terms of waterways, Republic Act No. 9275, also known as the Philippine Clean Water Act of 2004, declares that cooperation and self-regulation among citizens and industries, should help promote the water quality management within their respective jurisdictions;

**WHEREAS**, Republic Act No. 9275 states the importance of proper maintenance of waterways in the pursuit of economic growth;

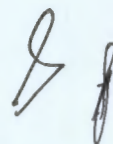
**WHEREAS**, Republic Act No. 11223, otherwise known as the Universal Health Care Act, provides that healthy settings be enforced and promoted in schools and local communities;

**NOW, THEREFORE**, be it ordained by the Sangguniang Panlungsod of the City of Bacolod in session assembled that:

**SECTION 1. Title.** This Ordinance shall be known as the "ORDINANCE CREATING LEADERS AS DEPUTIZED OFFICERS".

**SECTION 2. Declaration Policy.** It is hereby declared the policy of the city to partner with, deputize, and delegate employees and residents who are of good moral character and willing to be trained, capacitated, and developed, as City Leaders in the city to help in the implementation of our national laws and local ordinances by assisting the persons in authority by their appointment as authorized agents of persons in authority. This Partnership shall be guided by the following principles:

1. Mutual Respect
2. Mutual Trust and confidence
3. Mutual Understanding and appreciation
4. Independence and initiative
5. Principled engagement and critical collaboration
6. Organized encounters
7. Equality
8. Transparency and shared accountability
9. Peoples Empowerment and Participation



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**SECTION 3. Definition of Terms.** The following terms are defined for purposes of this Ordinance:

- a. **Persons in Authority** -As stated in Article 152 of the RPC, a "Person in Authority" is any person directly vested with jurisdiction, whether as an individual or as a member of some court or government corporation, board, or commission, including, but not limited to elected officials or heads of government agencies, and also the members of the City Inter-Agency Task Force on Emerging Infectious Diseases (IATF-EID), who are the heads of their respective departments.
- b. **Agents of Persons in Authority** - Who shall be deemed as such. - "Any person who, by direct provision of law or by election or by appointment by competent authority, is charged with the maintenance of public order and the protection and security of life and property, such as Barangay Kagawads, Barangay Police/ Peacekeepers/ Tanods, Lupong Tagapamayapa, and other Barangay leaders, and any person who comes to the aid of persons in authority as may be appointed, shall be deemed an agent of a person in authority," provided that the responsibility to implement the provisions of Articles 148 and 151 of the Revised Penal Code as Amended is hereby expanded as part of their roles, in addition to the teachers, professors, and persons charged with the supervision of public or duly recognized private schools, colleges and universities, and lawyers in the actual performance of their professional duties or on the occasion of such performance shall be deemed persons in authority.
- c. **City Leaders**- persons who are agents of persons in authority in a volunteer capacity in the territorial jurisdiction of Bacolod City, who are appointed and deputized in this ordinance to serve and augment incumbent agents of persons in authority current in the implementation of all relevant City Ordinances, as provided by all applicable laws and ordinances, to assist and as well as with the coordination, reporting and monitoring of the necessary requirements of their lead offices, including, but not limited to, the following:
  - i. proper utilization of all our natural resources, composed of fields for agriculture and livestock, water ways to cover rivers, sewerage, canals, bridges, mangroves, beaches, and the like;
  - ii. assist smokers and vapers in quitting, as well as in the prevention and reduction of smoking/ vaping rates through the use of health technologies and interventions which are appropriate and approved by health experts from the Department of Health (DOH) - Centers of Health Development (CHDs), the Food and Drug Administration (FDA) and Health Technology Assessment Council (HT AC), and City Health Office;
  - iii. support to the duly constituted government authorities in maintaining public order, public safety, public health, and the rule of law, through technical support, leadership summits, social marketing, bringing together catalytic leaders, and conducting national webinars for education, to achieve long term solutions.

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**SECTION 4. Appointment and Deputization.** The initial appointment and deputization of the City Leaders, as well as the renewal of such, will be conducted yearly by the respective departments through the Office of the City Mayor, preferably with the Office of the City Administrator, in coordination with the relevant city departments and offices, and national government agencies, who can provide capacity building seminars and resource persons from their pool of trainers to conduct their respective training for deputization.

An official identification as City Leaders will be issued by the respective department offices signed by the Mayor, corresponding to the committee of Agriculture, Fishery, Environment and Traffic, the Barangay or Sangguniang Kabataan Chairpersons of the area where they reside and the department heads recommending their appointment.


The City Leader shall be appointed from the members of recognized Civil Society Organizations, or citizens in good moral standing who shall be responsible for law enforcement in their respective jurisdiction, provided that no person who is a member of such organization shall serve in a concurrent capacity with other city departments, offices or task forces.

**SECTION 5. Application Procedures.** In line with Republic Act No. 11032, or the Ease of Doing Business and Efficient Government Service and Delivery Act of 2018, the submission of the following requirements to the respective heads of office:

1. Four (4) copies of the following:
  - a. Personal Data Sheet (PDS) with latest ID picture
  - b. Any valid certification as proof of Good Moral Character, such as, but not limited to, National Bureau of Investigation/ Police Clearance/ Barangay Clearance/ from the respective organization head/employer;
  - c. Signed and Notarized Letter of Interest/Statement with Quitclaim/ Waiver, or a Letter of Endorsement from the respective nominating organization/s, specifying that the applicant is willing to perform the functions and duties as a volunteer;

Wherein, the Original Copy shall be kept by the Human Resources Management and Development Department/ Office of the City, and the rest of the copies in duplicate/ or certified true copies in facsimile/ photocopy/ scanned format shall be submitted and kept, for purposes of monitoring and evaluation, shall be given to the following:

1. Office of the Secretary to the Sanggunian, or to the respective Committee assigned to oversee such City Leaders;
2. Respective Offices to which the City Leaders will be deployed;
3. Receiving Copy of the respective City Leader or the nominating volunteer organization.

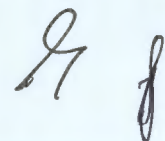


Non-Government Organizations, Peoples Organizations, and Civil Society Organizations (NGOs/POs/CSOs) may nominate and assist their members in the appointment process to become City Leaders, provided that they are duly registered with the following:

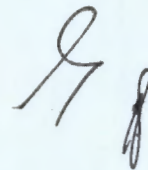
1. National government agencies (NGA) such as, but not limited to, the Securities and Exchanges Commission, the Cooperative Development Authority, the Department of the Interior and Local Government, Department of Trade and Industry, National Anti-Poverty Commission, National Youth Commission, Department of Environment and Natural Resources, Department of Agriculture, Department of Health, and other government agencies issuing such recognition or accreditation;
2. Local government unit (LGU) organs, such as, but not limited to, the Local Development Council, Local Youth Development Council, Local School Board, Local Health Board, People's Law Enforcement Board, as well as its counterparts in the Sangguniang Barangay and Sangguniang Kabataan, whose papers are updated and registered in the City.

**SECTION 6. Duties and Obligations of City Leaders.** City Leaders shall have the express duties and obligations of:

1. Implementation, reporting and spotting areas of concern relating to cleanliness, clogging, damaged roads and infrastructure, flood prone areas, garbage problems, pollution in our canals, creeks, rivers fields, busted water lines, dangling electrical connections, and other threats to our natural resources and upholding the rule of law and order in Bacolod's area of jurisdiction.
2. Coordinating with the following agencies as volunteer staff to provide updates and additional workforce when the need arises in carrying out enforcement of the law and service to the public, including, but not limited to, all the relevant executive offices and departments in the City.
3. Undergoing relevant training, capacity building, learning and development interventions required for deputization, to include yearly formation and refresher courses on respective national laws and ordinances of the City. These yearly deputization training shall be conducted by the DENR-CENRO with the City ENRO for environment, the DPWH District Engineer's Office with the BTAO for road safety and parking, City Agriculture in coordination with DA-BFAR, or as may be provided by other relevant offices who exercise supervision in the respective implementation of other ordinances.
4. Assisting in the part of the restorative justice program processes in the City, and contribute to the following expected outcomes for interventions as may be agreed upon by relevant parties in a Restorative Justice discussion to be overseen by the Parole and Probation Administration, such as, but not limited to:
  - a. Restitution- a process upon which the offender accepts accountability for the financial and/or non-financial losses he/she may have caused to the victim. Restitution is a "core" victim's right which is very crucial in assisting the redirection of the victim's life. Consequently, the City Leader should see to it that the offender complies with this condition.



- b. Community Work Service - whether imposed by the Court or the respective as a condition of offender's conditional liberty or integral part of his treatment plan, should be purposely motivated to make the offender realize that he/she incurred an obligation to make things right. In its application, the offender can be subjected to perform work service measures, including, but not limited to any of the following:
- i. Mentoring and Intergenerational Service - offenders will develop their nurturing needs thru caring for other people; example: with senior citizens, with orphanages, or with street children.
  - ii. Economic Development - to link directly with the business project; examples: cleaning downtown area, tree planting, maintenance of business zones, housing restoration, garbage and waste management, cleaning of esteros, recycling, construction, repair of streets, and the like.
  - iii. Citizenship and Civic participation-experiential activities which involve solving community problems; examples: puppet shows that showcase values, street dramas, peer counseling.
  - iv. Helping the Disadvantaged - this will enhance offender's self-esteem; examples: assist handicapped, assist in soup kitchen, tutor peers, visit the aged in jail and hospitals.
  - v. Crime Prevention Project - The probation and parole officer should ensure the adoption of these community work services to facilitate the reintegration of the offender in the community.
  - vi. Counseling (whether individual, group or family) – will enhance a client's interpersonal relationship and it will help him/her become more aware of his/her shortcomings/weaknesses. This will also help him/her overcome painful experiences that drove him/her to commit a crime/ offense.
  - vii. Referral of Offenders to:
    - 1. Learning and development interventions (LDIs) (e.g., trainings, seminars and lectures)
    - 2. Reintegration to formal education, technical/vocational education and training (TVET) or life based skills training/ livelihood assistance programs
    - 3. Group Therapy Session
    - 4. Spiritual development session/faith-based session
    - 5. Submission to psychological/psychiatric assessment
    - 6. Submission to drug test/drug dependency examination
    - 7. Confinement in Drug Treatment Rehabilitation Center Including Aftercare



8. Submission to family therapy session
9. Reproductive Health and Responsible Parenthood program
10. Application of Alternative Dispute Resolution mechanisms, such as, but not limited to, written or oral apology to those offender, and the like, as provided by Republic Act No. 9285 and the The Revised Katarungang Pambarangay Law under RA. 7160, otherwise known as the Local Government Code of 1991;

- c. The deputization is valid for the incumbency of the appointing authority and subject for review and renewal every start of the incumbent's person of authority's term, and immediate revocation in case of violation and abuse of such appointments.

**SECTION 7. Jurisdiction of City Leaders.** - The jurisdiction of all City Leaders shall be inside the territorial jurisdiction of the city and its barangays, provided that in the exigency of the service, they may further extend their assistance in coordination and approval with the concerned authorities.

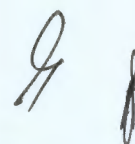
**SECTION 8. Oversight Functions of the Sangguniang Panlungsod.** The Sangguniang Panlungsod, as a Committee of the Whole or in en bane, or the respective Committee designated by such shall exercise oversight functions, in aid of legislation, and monitoring and evaluation purposes of this Ordinance, and may call upon the attention of all City Leaders for coordination purposes, provided that, the Committee on Environment and Ecology, and the Committee on Agriculture and its Secretariat may serve such functions and designation in lieu of the absence of a permanent Committee assigned for this purpose.

**SECTION 9. Funding Source.** An initial funding to defray the expenses for the implementation of this ordinance in the amount of P5,000,000.00, which shall be automatically included in the yearly Annual Budget of the city, as well as increased and augmented as necessary for the implementation and enforcement of this Ordinance, provided that, the Office of the City Mayor as part of their prerogative may further augment and allocate budget for the operational expenses and honorarium support for the volunteers in accordance with the usual government accounting and auditing rules and regulations.

**SECTION 10. Separability Clause.** If, for any reason, any section or provision of this Ordinance shall be declared to be unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

**SECTION 11. Repealing Clause.** All ordinances, local executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 12. Effectivity.** This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local or general circulation or posting in at least two (2) conspicuous places in the City.



CARRIED BY THE VOTE OF:

Affirmative :  
Councilors : Cindy T. Rojas, Simplicia Z. Distrito, Carlos Jose V. Lopez, Al Victor A. Espino, Archie S. Baribar, Israel P. Salanga, Dindo C. Ramos, Bartolome N. Orola, Sr., Ana Marie V. Palermo, Jr. Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villafior.

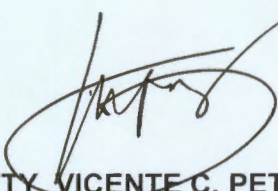
Negative : None.

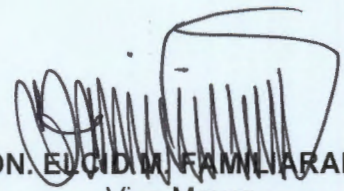
Author : Councilor Carlos Jose V. Lopez.

Passed : November 3, 2021 (122<sup>nd</sup> Regular Session of the 10<sup>th</sup> Council)


Comments : P a s s e d .  
Floor Leader Renecito S. Novero and Councilor Wilson C. Gamboa were not yet around when this Ordinance was passed.

ATTESTED:

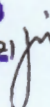
  
ATTY. VICENTE C. PETIERRE III  
Secretary to the Sanggunian

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HON. ELCID W. FAMILIARAN  
Vice Mayor  
Presiding Officer

APPROVED: \_\_\_\_\_

HON. EVELIO R. LEONARDIA  
City Mayor 

VCP/CGT/llt

**10 DAYS LAPSED**  
AS OF November 22, 2021 





Republika Ng Pilipinas  
**TANGGAPAN NG SANGGUNIANG PANLUNGSOD**  
*Lungsod ng Bacolod*

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## CERTIFICATION

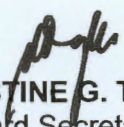
This is to certify that **CITY ORDINANCE NO. 972, Series of 2021** passed by the Sangguniang Panlungsod of the City of Bacolod on November 3, 2021 entitled:

### **AN ORDINANCE CREATING LEADERS AS DEPUTIZED OFFICERS**

was published in Journal Visayas on December 27, 2021-January 2, 2022 and posted on November 22, 2021, in the following conspicuous places in the City of Bacolod, to wit:

1. Bulletin Board of the Sangguniang Panlungsod  
2<sup>nd</sup> Floor Bacolod City Government Center
2. Old City Hall (Araneta-Luzuriaga Streets)
3. Bacolod Public Plaza
4. City Health Office
5. Hall of Justice
6. North (Burgos) Public Market
7. South (Libertad) Public Market
8. Central Market

Bacolod City, Philippines, January 19, 2022.

  
**CHRISTINE G. TEMPLA**  
Board Secretary IV

CGT/llt