

**REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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**CITY ORDINANCE NO. 08-15-735
May 20, 2015**

AN ORDINANCE REGULATING THE SALE OF SPRAY PAINT CANS IN THE CITY OF BACOLOD AND PROVIDING PENALTIES THERETO.

WHEREAS, the City of Bacolod passed CITY ORDINANCE NO. 08-14-679 July 9, 2014 entitled "AN ORDINANCE AMENDING CITY ORDINANCE NO. 534 DATED APRIL 13, 2011, OTHERWISE KNOWN AS "AN ORDINANCE PROHIBITING THE ACTS OF VANDALISM, IMPOSING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES";

WHEREAS, the City of Bacolod, inspired by the values of cleanliness health and wellness, and arts and culture, aspires to become a community free of all forms of vandalism visible along its streets, public places and open spaces;

WHEREAS, the City of Bacolod has constantly been cited as a clean and livable city and it is the goal of the current administration to maintain cleanliness especially in all public places, main thoroughfares and areas visible to the public, especially visitors and tourists;

WHEREAS, the current wave of uncurbed vandalism in all city streets, buildings and public places project a dirty city and gives the impression of lawlessness among our constituents despite the presence of city ordinances prohibiting vandalism;

WHEREAS, the root causes of vandalism are societal and psychological in nature such that effectively enforcing the ordinance will send the message that the city's desire to instill good moral conduct, mental health, civic consciousness and responsible citizenship among the young people;

WHEREAS, the City of Bacolod will be hosting a series of national and international conventions and events for 2015 and would like to show the global community its potential for tourism, investments and other social projects. Seeing dirty walls due to vandalism in the city will be a discouragement for these investments and developments;

WHEREAS, the City of Bacolod recognizes the first formal recognition of the right to a healthy environment came in the Stockholm Declaration, which emerged from the pioneering global eco-summit in 1972: "Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations";

WHEREAS, the City of Bacolod upholds Article XVI Section 14 of the Constitution which states "The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression".

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WHEREFORE, LET IT BE ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD IN SESSION ASSEMBLED THAT:

Section 1. Short Title. The short title of this ordinance shall be "Spray Paint Ordinance of Bacolod".

Section 2. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms are hereby defined:

- a) **Spray Paint Can** – paint that is contained in an aerosol can for the purpose of spraying onto a surface
- b) **Spray Paint** – paint (an image or message) onto a surface with a spray

Section 3. OBJECTIVE. This Ordinance is aimed at regulating the incidents of vandalism and destructive graffiti in the City of Bacolod which is usually in the form of spray paint by setting as one strategy to the regulation of the sale of spray paint cans.

Section 4. RULES. The sale, commercial distribution and circulation of spray paint cans in the city shall hereby be regulated as follows:

- a) All commercial establishments selling spray paint cans shall not sell the same to minors or those below the age of 18.
- b) All commercial establishments selling spray paint cans shall sell the same to adults or those above the age of 18, only after the same has registered its name in a logbook during the time of sale.
- c) No entity shall promote the sale of spray paint cans in the city as well as distribute the same as samples, unless permitted by the city for reasonable purposes.

Section 5. ADVOCACY. In regulating the sale of spray paint cans, the following are hereby encouraged:

- a) All barangays in the City of Bacolod are encouraged to initiate and install CCTV to help in the awareness and in the implementation of this Ordinance.
- b) All sellers of spray paint cans are encouraged to set up the items in a way that the buyers do not have direct access to it.
- c) All schools in the City of Bacolod are encouraged to conduct inspection upon entry to the school premises.

Section 6. PENALTIES. Any commercial establishment who violate or fail to comply with the provisions of Section 4 hereof shall be subjective to suspension or cancellation of business permits and licenses by the city. All commercial establishments engaged in the selling of spray paint cans shall submit copy of the logbook containing the list of buyers of spray paint cans as a requirement for the issuance of business permits.

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Section 7. BUDGET. The City shall allocate an annual budget of at least Twenty Thousand Pesos (Php 20,000.00) for purposes of implementing this ordinance.

Section 8. SEPARABILITY CLAUSE. Should any portion of this Ordinance be declared ultra vires unconstitutional by competent authority, the remainder not so affected shall continue to be in full force and effect insofar as it is susceptible to enforcement and application.

Section 9. EFFECTIVITY. This ordinance shall take effect fifteen (15) days after its publication in at least two (2) newspapers of local circulation.

CARRIED BY THE VOTE OF:

Affirmative :

Councilors : El Cid M. Familiaran, Jocelle Batapa-Sigue, Roberto M. Rojas, Em L. Ang, Claudio Jesus Raymundo A. Puentevella, Caesar Z. Distrito, Archie S. Baribar, Wilson C. Gamboa, Jr., Alex A. Paglumotan, Sonya M. Verdeflor, Ana Marie V. Palermo, Noli B. Villarosa.

Negative : None.


Absent : None.

Main Author : Councilor Jocelle Batapa-Sigue.


Co-Author : Councilor Caesar Z. Distrito.

Passed : May 20, 2015 (98th Regular Session of the 8th Council).

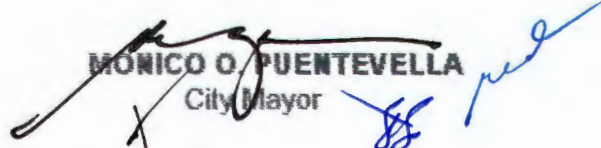
Comments : Passed.
Councilor Carlos Jose V. Lopez was not around when this ordinance was passed.


GREG G. GASATAYA
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

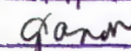
APPROVED:  May 4, 2015.


MONICO O. PUENTEVELLA
City Mayor

VCP/HPL/jbz

LEGISLATIVE SERVICES SECTION

DATE 6/4/15 TIME 9:40AM

BY: 



Republika ng Pilipinas
Tanggapan ng Sangguniang Panlungsod
Lungsod ng Bacolod

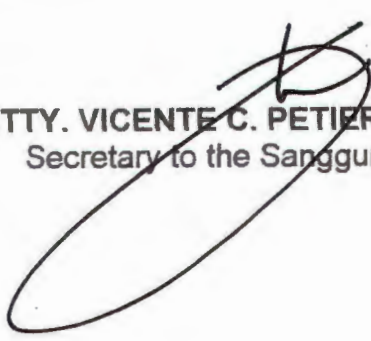
CERTIFICATION

This is to certify that **City Ordinance No. 08-15-735**, Series of 2015, passed by the Sangguniang Panlungsod on May 20, 2015, entitled:

**“AN ORDINANCE REGULATING THE SALE OF
SPRAY PAINT CANS IN THE CITY OF BACOLOD AND
PROVIDING PENALTIES THERETO.”**

was published in the June 25, 2015 issue of the Negros Daily Bulletin and Sun-Star Bacolod and was posted in the bulletin board of the Sangguniang Panlungsod, Old City Hall and City Health Office as required under the above mentioned City Ordinance and is now, therefore, legally in effect.

Bacolod City, Philippines, July 21, 2015.


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

/mdm