

Republika ng Pilipinas
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
Lungsod Ng Bacolod

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CITY ORDINANCE NO. 435

April 12, 2007

AN ORDINANCE ASSISTING AND STRENGTHENING THE KATARUNGANG PAMBARANGAY SYSTEM IN THE COMPONENT BARANGAYS OF BACOLOD CITY, AND INSTITUTING MEASURES ALONG THIS PURPOSE.

WHEREAS, the Katarungan Pambarangay System is enshrined in RA 7160 otherwise known as the Local Government Code, particularly under Section 7, Book III, from Sections 399 to 422 thereof,

WHEREAS, although Barangay-based, the City nonetheless, both the executive and legislative branches thereof, are called upon to support it, under Section 421 and 422 of RA 7160 respectively, in fact, Section 422 of RA 7160 makes it mandatory for the city to include funding for the Katarungan Pambarangay in its annual budget;

WHEREAS, some barangays in Bacolod City have gained regional and/or national attention for certain awards won for their work and track record in the field of Barangay justice system, with some Barangays preventing hundreds of potential cases from reaching the regular courts through effective Lupon proceedings at the Barangay;

WHEREAS, an effective Barangay justice system greatly helps in the peace and order situation, domestic peace and tranquility, unclogging of the regular court dockets, and contributes immensely to the orderly and effective administration of justice in the City of Bacolod,

WHEREAS, the direction of national policy is geared towards the strengthening of the Barangay justice system, with such innovations as the BPO ("Barangay Protective Order") under RA 9262, otherwise known as the "Anti Violence Against Women and their Children Act of 2004", and the Juvenile Intervention and Diversion Programs provided for in RA 0344 otherwise known as the Juvenile Justice Act of 2006 and City Ordinance No. 416, Series of 2006, known as the Bacolod City Barangay Juvenile Justice and Diversion Program Ordinance.

WHEREAS, there is good and compelling reason for the City to fulfill the mandate of RA 7160 in helping, strengthening and assisting the Katarungan Pambarangay system in the City of Bacolod.

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

ARTICLE 1.- STATEMENT OF BASIC POLICY

The City of Bacolod, inspired by the tenets of peacemaking and conflict resolution, commits itself to the assistance and strengthening of the barangay justice system through the Katarungan Pambarangay in order to enhance and promote the peace and order situation, domestic harmony and tranquility, unclogging of the regular courts dockets, strengthening of the family as the basic unit of society, and the orderly and effective administration of justice in the City of Bacolod.

ARTICLE 2.- FEDERATION OF LUPON TAGAPAMAYAPAS

Section 1.- In order to streamline, facilitate, and systematize the assistance and help that the local government of Bacolod City may extend to the Lupon Tagapamayapas of its component barangays, there shall be a FEDERATION of the Lupon Tagapamayapas in the City of Bacolod composed of active Lupon members, as certified to by the Punong Barangay, of the component barangays of Bacolod City, which shall be organized in order to achieve the objectives of the katarungan pambarangay as well as the welfare of its lupon members.

Section 2.- Pursuant to the principle of local autonomy at the barangay level, the organization, election of officers, promulgation of constitution and by-laws, and operation of the Federation of Lupon Tagapamayapas shall not be subject to interference by the City, except in instances where there is a need for legal advice from the City Legal Office pursuant to Section 407 of RA 7160 which mandates said legal assistance, and other forms of assistance that the City may extend as may be provided herein.

ARTICLE 3.- LUPON ACADEMY

The City, in coordination with the Department of Justice, Department of the Interior and Local Government, the Philippine Mediation Center of the Supreme Court of the Philippines, as well as non-government organizations engaged in non-judicial conflict resolution activities and peace processes, shall assist the Federation of the Lupon Tagapamayapas of Bacolod City to set up a LUPON ACADEMY within the Federation, the purpose of which is to institutionalize skills training, dispute resolution and arbitration capabilities, adopt a system of awards and recognitions, and documentation, compilation and publication of the LUPON REPORTS ANNOTATED OF BACOLOD CITY (LRA), which shall be published at least once a year or as often as maybe needed, subject to availability of funds, as well as pursue other allied or related purposes or undertakings

ARTICLE 4.- NETWORK ASSITANCE

The City of Bacolod shall serve as catalyst for network assistance for the Federation of Lupon Tagapamayapas with other institutions that can aid or assist in goals and objectives of the Lupon Tagapamayapas, such as the Philippine Mediation Center of the Supreme Court of the Philippines, the Department of the Interior and Local Government, the Department of Justice, and other offices or line agencies as well as other organizations and institutions, both local and foreign, whose objectives are conflict-resolution, mediation, arbitration, and grassroots justice.

ARTICLE 5.- KATARUNGAN PAMBARANGAY DAY

Section 1.- In order to institutionalize in the City of Bacolod the support, appreciation and promotion of Katarungan Pambarangay in the City of Bacolod by the local government, the barangays, and the people, it is hereby declared that the *11th day of June of every year* be celebrated as *Katarungan Pambarangay Day* in the City of Bacolod.

Section 2.- As such, the City, in coordination with the barangays and the pertinent offices of the national line agencies of the government, shall hold appreciate celebrations and/or activities for the purpose.



ARTICLE 6.- FUNDING

Section 1. Pursuant to the mandate of Section 422 of the RA 7160, the City of Bacolod, beginning with its annual budget for 2007, shall appropriate or set apart the initial amount of at least Five Hundred Thousand Pesos (P500,000.00) for the Federation of Lupon Tagapamayapas of the City of Bacolod, or for any authorized or allied purpose of this ordinance, subject to augmentation as the need may arise and availability of funds

Section 2.- In case the use of the funds or budget be for the purpose of the Federation, accompanied with a proper Board Resolution and a program of work for the purposed activity, to be evaluated and recommended for approval by the SP Committee on Barangay Affairs and Committee on Laws, and subject to final approval of the City Mayor.

ARTICLE 7.- EFFECTIVITY

This ordinance becomes effective immediately upon its passage pursuant to law.

ARTICLE 8.- SEPARABILITY CLAUSE

Should any of the provision of this ordinance be finally declared by competent authority as null and void or ineffective, any part not hereof so affected shall continue to be in force and effect.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors:

Ana Marie V. Palermo, Lyndon P. Caña, Jocelle Batapa-Sigue, Dindo C. Ramos, Napoleon A. Cordova, Elmer T. Sy, Al Victor A. Espino, Catalino T. Alisbo, Reynold I. Iledan, Arturo V. Parreño, Marx Louie S. De la Rosa

Authors :

Councilor Lyndon P. Caña
Councilor Ana Marie V. Palermo
Councilor Arturo V. Parreño

Negative :

N o n e .

Passed :

April 12, 2007 (145th Regular/Special Session)

Comment :

Passed.

Councilors Greg G. Gasataya, Homer Q. Bais and Jude Thaddeus A. Sayson were not around when this resolution was passed

RENECITO S. NOVERO

Vice Mayor
Presiding Officer

ATTESTED:

ATTY. NILO T. ALEJANDRINO

Secretary to the Sanggunian

APPROVED April 2007

EVELIO R. LEONARDIA

City Mayor

NTA/HPL/rgl

10 DAYS LAPSED
AS OF May 5, 2007

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BACOLOD

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April 24, 2006

Date

The Honorable City Mayor
Bacolod City

Dear Sir:

We have the honor to submit/furnish herewith copy(ies) of CITY ORDINANCE No. (s)
435 (for approval)

Series of 2007, passed by the Sangguniang Panlungsod of Bacolod which is/are self-explanatory.

Please acknowledge receipt hereof.

Received copy(ies) this 25th day
of Apr, 2007 Time _____

By: _____
(Signature)

(Printed Name)

Very truly yours,

ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

By:

RECENITA G. LOGRUNIO
Legislative Staff Officer III

10 DAYS LAPSED
MAY 9/07