

REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD

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CITY ORDINANCE NO. 09-16-801  
December 14, 2016

AN ORDINANCE FOR THE PROTECTION AND PRESERVATION OF MEMORIALS WITH HISTORICAL OR CULTURAL SIGNIFICANCE AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Section 1. -Title. This Ordinance shall be known as the Memorial Protection Ordinance (MePO).

Section 2. - Declaration of Policy.

- 2.a It is the avowed policy of the City of Bacolod to keep in profound esteem and revered remembrance all memorials which are endowed with, or portray a, historical or cultural significance.

Section 3. Importance of Preserving and Protecting Memorials.

- 3.a Memorials placed or displayed in public or government buildings, edifices, structures or plazas teach us about history and culture and promote respect for those who lived in different times and different societies. Memorials cultivate pride of our past heritage making us unique from the rest of the world.
- 3.b Some Ways To Preserve Memorials.
- 3.b.1 Renovate damaged memorials and provide them legal protection
- 3.b.2 Public support and administrative acumen are required to preserve memorials;
- 3.b.3 Coordination and cooperation among the government agencies and private sectors engaged in activities involving history and culture.

Section 4. Definition of Terms. For purposes of this Ordinance the following terms shall mean: 



4.a. **Memorial** - Anything officially placed or displayed in public or government buildings, edifices, structures or plazas to help people remember some person or event of historical or cultural significance. This term includes:

4.a.1. Wall pictures, photographs, sketches or caricatures of national or local leaders, heroes and acclaimed personalities displayed inside or outside the Government Buildings, Schools, Offices and any public edifices like the Bacolod Government Center;

4.a.2. Names of such persons etched, sculpted, printed or embedded on the walls of Government Buildings, Schools, Offices and any like edifices including public structures like Flagpoles used for Flag Ceremonies;

4.a.3. Replica of the Bacolod Government Center as constructed in public places like the Bacolod Public Plaza;

4.a.4. Official logos, slogans, mission statements, mottoes, pictures of historical events as well as cultural identities and the like printed, sculpted, etched or embedded on the walls inside or outside of the Government Buildings, Schools, Offices and any like edifices;

4.a.5. Official names of the Government Buildings, Schools, Offices and any like edifices displayed publicly for its identification.

4.b. **Historical Significance** - connotes something, someone or some event that is important enough to be recorded or remembered in the life or development of our country and people, the City of Bacolod and its constituents as well as its institutions.

4.c. **Cultural Significance** - conveys, among others, the concepts, habits, practices, skills, art, instruments, idiosyncrasies, mores, tradition, festivals, customs, relics and like matters of the Filipino people and of Bacolod City and its constituents.

4.d. **Officially Placed** - by authority of any law or ordinance, the President of the Philippines, the Mayor or the Sangguniang Panlungsod irrespective of duration. In the absence of any written proof of such authority, a memorial shall be considered to have been officially placed if it has been continually displayed in the same location for at least one year.

4.e. **Covering** - an act that places something on, over or in front of the memorial or any substantial portion thereof, with malicious intent to hide it from public view at any public occasion, gathering, affair, ceremonies and the like or

in the absence of such public activities when the commission thereof already exceeds one (1) day without the permission of the Sangguniang Panlungsod which permission may be given only for purposes of necessity such as repairs, artistic enhancement and the like. The act will be prima facie presumed to be malicious if the same has already exceeded one day sans permission from the Sangguniang Panlungsod or even in less than a day if the cover is not removed until the public occasion, gathering, affair, ceremony and the like is finished.

4.f. **Damaging** - an act that removes, impairs, destroys and tarnishes anything in the memorial.

4.g. **Defacing** - an act which mars, disfigures or deforms the face, surface, or design of the memorial whether it lessens its value or not.

**Section 5. Prohibited Acts.** This Ordinance prohibits any person from performing any act of covering, damaging and defacing any memorial with historical or cultural significance as these terms are defined in the immediately preceding Section.

**Section 6. Persons Liable.** Only natural persons may be held liable under this Ordinance either individually or in conspiracy with each other. The filing of criminal complaint or information under this Ordinance shall not preclude the filing of an appropriate administrative charge before the proper Office of the Government should the person involved be any government official or employee, whether appointed or elected.

**Section 7. Penalties.** Any person convicted of violating this Ordinance shall, in addition to the payment in money for the value of the damage done, suffer the penalty of:

7.a. For the First Offense: One (1) year imprisonment and/or Fine of Five Thousand Pesos (P5,000.00) at the discretion of the Court;

7.b. For the Succeeding Offense(s): One (1) year imprisonment and Fine of Five Thousand Pesos (P5,000.00).

**Section 8. Separability Clause.** If any part or provision of this Ordinance is held invalid or unconstitutional, all the other provisions hereof not otherwise affected shall remain valid and effective.

**Section 9. Effectivity.** This Ordinance shall be effective fifteen (15) days after its publication in two (2) Newspapers of general circulation in the City of Bacolod.

**CARRIED BY THE VOTE OF:**

Affirmative:

Councilors: Caesar Z. Distrito, Cindy L. Rojas, Renecito S. Novero, Em L. Ang,  
Elmer T. Sy, Ana Marie V. Palermo, Wilson C. Gamboa, Jr., Dindo C.

*uf* *g*

Ramos, Bartolome N. Orola, Sr., Claudio Jesus Raymundo A. Puentevella Sonya M. Verdeflor and Noli B. Villarosa.

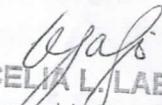
Main Author: Councilor Renecito S. Novero

Passed: December 14, 2016 (24<sup>th</sup> Regular Session).

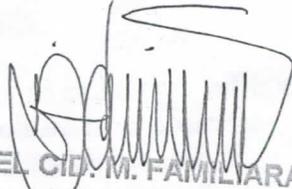
Comment: Passed.  
Vice Mayor El Cid M. Familiaran was designated as Acting City Mayor.

  
**RICARDO L. TAN**  
Acting Vice Mayor  
Presiding Officer

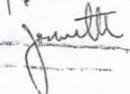
ATTESTED: **ATTY. VICENTE C. PETIERRE III**  
Secretary to the Sanggunian

by:   
**CELIA L. LABIYO**  
Stenographic Reporter IV

APPROVED: December 14, 2016

  
**EL CID M. FAMILIARAN**  
Acting City Mayor

CLL/RDE/jpb

LEGISLATIVE SERVICES SECTION  
DATE 12/14/16 TIME 5:20 pm  


**A CERTIFIED PHOTOCOPY  
OF THE ORIGINAL**

