

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 08-14-679
July 9, 2014

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, despite the passage of City Ordinance No. 534 in 2011, the growing incidence of vandalism is a cause for concern in the City of Bacolod as evident by the statements of discussants during a public conference on vandalism conducted by the Sangguniang Panlungsod Committee on History, Arts and Culture last February 3, 2014;

WHEREAS, stronger penalties and stricter measures must be in place to ensure that the goals of said ordinance are achieved.

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

Section 1. Section 5 of City Ordinance No. 534, series of 2011 shall be amended as follows:

Section 5. Penal Provision. Any person who shall commit any of the aforementioned acts of vandalism shall, in addition to payment of the expenses for restoration of the property of the property vandalized, suffer the following penalties:

- a. For the First Offense, the payment of a fine in the amount of THREE THOUSAND PESOS (Php 3,000.00), plus imprisonment not less than three (3) months but not more than six (6) months depending on the gravity of the infraction. In determining the gravity of the infraction, the court shall consider the extent and the amount of the damage caused to the property in question.
- b. For all succeeding offenses, the payment of a fine in the amount of FIVE THOUSAND PESOS (Php 5,000.00), plus imprisonment not less than six (6) months but not more than one (1) year depending on the gravity of the infraction. In determining the gravity of the infraction, the court shall consider the extent and the amount of the damage caused to the property in question.

If the violator is aged 15 and below, civil liability shall be shouldered by the parents. If the violator is 15 to 18 years old, they will restore the property plus service to the school, if enrolled, or community service to the Barangay. If the restoration of the property to its original state is not possible, the offender, or his/her parents, if he/she is a minor shall reimburse in full the total cost of the property damaged. If service to the school, the Student Government shall furnish the Court the Certification that the violator have complied to the number of hours of service that he/she has rendered to the school, as per the approved diversion program prepared by the Department of Social Services and Development (DSSD).

If the violator is leader of a gang, group or fraternity, he/she will be penalized accordingly based on Section 5 of this ordinance plus restoration or the actual amount of the property damaged as provided in the previous paragraph and will render school services, if enrolled in a certain school and if not enrolled, shall render community service to the Barangay where he/she is a resident.

Section 2. Section 6 of City Ordinance No. 534, series of 2011 shall be amended as follows:

Section 6. Schools are encouraged to include in their Values Education or Edukasyong Pagpapahalaga classes, lessons regarding Vandalism. All schools shall be enjoined to cooperate with the city government in the conduct of dialogues and values seminars for identified truants and offenders enrolled in their schools and shall undertake measures to discourage or prevent such behavior.

Section 6-A. The Bacolod City Police Office shall be requested to conduct regular conference with schools and communities and to create a special team to focus on apprehending violators of this ordinance.

Section 6-B. The City shall encourage and support activities of barangays towards the promotion of public artistic expressions of public art and shall allot funds for the said activity.

Section 3. 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 4. REPEALING CLAUSE. All laws ordinances, rule, regulations, orders, circulars and memoranda inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

Section 5. EFFECTIVITY CLAUSE. 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, Carlos Jose V. Lopez, Claudio Jesus Raymundo A. Puentevella, 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.

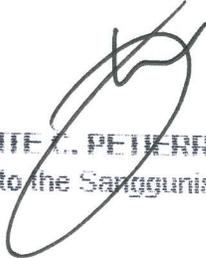
Co-Author : Councilor Caesar Z. Distrito

Passed : July 9, 2014 (54th Regular Session of the 8th Council).

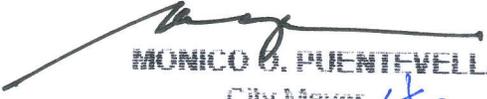
Comments : Passed.
Councilor Caesar Z. Distrito was not around when this ordinance was passed.


GREG G. GASATAYA
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. VICENTE C. PETHERRE III
Secretary to the Sanggunian

APPROVED: July 22, 2014


MONICO G. PUENTEVELLA
City Mayor

VCP/HPL/jbz

SP
LEGISLATIVE SERVICES SECTION
DATE 7/23/14 TIME 9:15 am
BY: [Signature]