

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD

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CITY ORDINANCE NO. 584

March 21, 2012

**AN ORDINANCE TO REQUIRE FEES FOR THE ISSUANCE OF A
CERTIFICATE OF DETENTION FOR INMATES CONFINED IN THE BJMP THAT
OPERATES IN THE CITY OF BACOLOD.**

WHEREAS, Section 16 of the Local Government Code 1991, among other, states that, "every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;"

WHEREAS, sub-paragraph (xv), paragraph (5) (a) of Article 99 of the Rules & Regulations Implementing the Local Government Code of 1991 also states that, "establish and provide for the maintenance and improvement of jails and detention centers, institute a sound jail management program, and appropriate fund for the subsistence of detainees and convicted prisoners in the City;"

WHEREAS, Article 218 of the same IRR of the Local Government Code empowers LGUs to create its own sources of revenue;

WHEREAS, collecting fees from the issuance of certification of detention for inmates confined in the BJMP is another revenue generating measure whose proceeds if properly spent is of great help for an appropriate services and welfare of inmates.


NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of the City of Bacolod in session, that:

Section 1. Title – The title of the Ordinance shall be known as "An ordinance to require fees for the issuance of a Certificate of Detention to inmates confined in the BJMP that operates in the City of Bacolod."

Section 2. Basis, Coverage and Exemption – This Ordinance shall govern the issuance of a Certificate of Detention for inmates confined in the BJMP within the jurisdiction of Bacolod City.

For all legal intent and purposes, inmates (previous or present), and their parents, siblings or relatives, including concerned persons maybe issued such certificate upon payment of fees to the City Treasurer's Office.

However, indigent inmates duly certified to by the Punong Barangay concerned shall be exempted from payment of such fees.



Section 3. Requirement of Fees – Issuance of the Certificate of Detention by the BJMP for inmates confined thereof shall be required for payment of fees in the amount of One Hundred Pesos (Php100.00) in the City Treasurer's Office.

Section 4. The following shall be the appropriate steps in securing the Certificate of Detention for inmate:

1. Any concerned person shall verify with the Warden or the assigned personnel, whether an inmate who is subject for the issuance of a certificate is or has been detained or confined in the BJMP. And, after verification, if the same inmate is or has been found to confine in such facility, the Warden or the assigned personnel thereof shall issue a Verification Slip.
2. With verification slip, he/she shall pay the required fee to the City Treasurer's Office that will in turn issue an Official Receipt, and
3. Finally, upon presentation of the official receipt, the Warden or the assigned personnel in the BJMP shall cause to issue a Certificate of Detention.

Section 5. Creation of Trust Fund & Manner of Disbursement – For proper recording and disbursing of funds under this Ordinance, a particular Trust Fund Account shall be created. And, for such purpose, the following shall guide the City Treasurer's Office in the disbursement of funds:

- 5.1 Forty Percent (40%) of the proceeds shall be retained by the City, which shall be used for:
 - a. To finance or augment the budget for jail & management operations and subsistence of detainees and inmates.
- 5.2. Sixty Percent (60%) of the proceeds shall be remitted to the BJMP-Bacolod, which shall be used for the following:
 - a. Support food assistance for inmates.
 - b. Sanitation of jail/detention cell, and
 - c. For positive rehabilitation of inmates.

Section 6. Program of Work as Pre-Requisite for the Release of Funds – Releases of funds from the particular Trust Fund Account shall require a Program of Work (POW) for every project or program submitted to the City Mayor for approval.

Section 7. Separability Clause – If any section or provision of this Ordinance in conflict with the other ordinance or law, sections or provisions hereof which are not affected shall remain in full force and effect.

Section 8. Effectivity Clause – This Ordinance shall take effect after fifteen (15) days upon publication in the newspaper of local circulation in the City of Bacolod.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors : El Cid M. Familiaran, Homer Q. Bais, Archie S. Baribar, Roberto M. Rojas, Em L. Ang, Elmer T. Sy, Sonya M. Verdeflor, Caesar Z. Distrilo, Mona Dia G. Jardin.

Negative : None.

Official Leave: Councilors Catalino T. Alisbo, Carlos Jose V. Lopez and Keith Emmanuel L. Ramos.

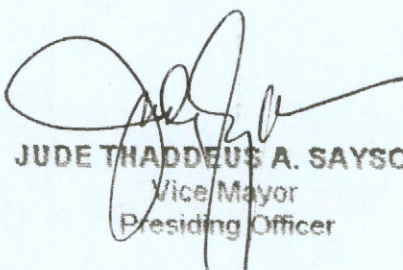
Official Travel: Councilor Al Victor A. Espino.

Absent : Councilor Dindo C. Ramos.

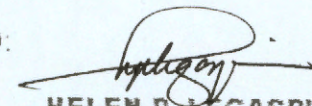
Author : Councilor El Cid M. Familiaran.

Passed : March 21, 2012 (90th Regular Session)

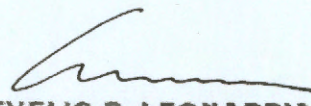
Comments: Passed.


JUDE THADDEUS A. SAYSON
Vice Mayor
Presiding Officer

ATTESTED:

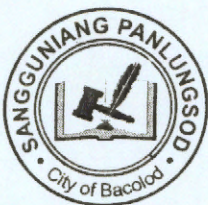

HELEN P. LEGASPI
Board Secretary IV
OIC, Secretary to the Sanggunian

APPROVED: March 30, 2012.


EVELIO R. LEONARDIA
City Mayor

HPL/jbz

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LEGISLATIVE SERVICES SECTION	
DATE <u>4/4/12</u>	TIME <u>10:45 AM</u>
<u>Ganon</u>	



Republika ng Pilipinas
Tanggapan ng Sangguniang Panlungsod
Lungsod ng Bacolod

CERTIFICATION

This is to certify that **City Ordinance No. 584**, Series of 2011, passed by the Sangguniang Panlungsod on March 21, 2012, entitled:

**“AN ORDINANCE TO REQUIRE FEES FOR THE
ISSUANCE OF CERTIFICATE OF DETENTION FOR INMATES
CONFINED IN THE BJMP THAT OPERATES IN THE CITY OF
BACOLOD”**

was published in the April 12, 2012 issue of the Sun Star Bacolod and was likewise posted in the bulletin board of the Sangguniang Panlungsod at the New Government Center as required in the said City Ordinance and is now therefore legally in effect.

Bacolod City, Philippines, April 27, 2012.

HELEN P. LEGASPI
Board Secretary IV
OIC, Secretary to the Sanggunian

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A CERTIFIED PHOTOSTAT COPY