

**REPUBLIKA NG PILIPINAS**  
**TANGGAPAN NG SANGGUNIANG PANLUNGSOD**  
**LUNGSOD NG BAKOLOD**  
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**CITY ORDINANCE NO. 997**  
**June 1, 2022**

**AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METER RADIUS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.**

**WHEREAS**, Remotely Piloted Aircraft System (RPAS) or drones, by their nature, can be used as a tool for gathering information via recording or photographs and there is a growing use of drones today, its areas of applications have expanded overtime;

**WHEREAS**, drones could be used transporting illegal drugs, deadly weapon, and other contraband, as well in the surveillance of jail facilities and premises, which could very well compromise the safety and security of the jail facilities;

**WHEREAS**, Under Philippine Civil Aviation Rules 11 and Civil Aviation Authority of the Philippines (CAAP) 21-14, no person may operate small UAV or RPA in a populous area. Pursuant to this rule, jails are considered populous and congested area;

**WHEREAS**, The Bureau of Jail Management and Penology (BJMP), pursuant to regulations issued by the Civil Aviation Authority of the Philippines (CAAP), prescribes a Standard Operating Procedure on the detection, prevention and handling of Remotely Piloted Aircraft System (RPAS) or Unmanned Aerial Vehicles (UAV), aimed at maintaining the safety and security of jail facilities of this City;

**WHEREAS**, the enactment of this ordinance will promote peace and order, enhance the physical security of the jail facilities and guarantee the safety and security of this City and its Constituents;

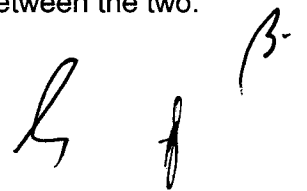
**NOW, THEREFORE**, be it ordained by the Sangguniang Panlungsod of the City of Bacolod in session assembled that:

**SECTION 1. TITLE.** - This Ordinance shall be known as "**AN ORDINANCE PROHIBITING DRONE OPERATIONS WITHIN 100 METER RADIUS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES**;

**SECTION 2. PURPOSE.** - This Ordinance is enacted to ensure and promote public health, safety and security by prohibiting the operation of drones within one hundred (100) meter radius from jail facilities within the territorial jurisdiction of Bacolod City;

**SECTION 3. DEFINITION AND TERMS.** As used in this Ordinance the following terms shall be construed to mean as follows:

a. **Unmanned Aerial Vehicle (UAV) commonly known as drone-** is an aircraft without a human pilot aboard, UAVs are a component of an Unmanned Aircraft System (UAS), which includes an UAV, a ground-based controller, and a system of communications between the two.

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The flight of UAV's may operate with various degree of autonomy; either under remote control by human operator or autonomous by onboard computers.

b. Jail Facilities - a place for the confinement of people accused or convicted of a crime;

**SECTION 4. SCOPE.** - This ordinance shall apply to all persons, who shall willfully operate drone within 100 meter radius of jail facilities in Bacolod City;

**SECTION 5. EXEMPTION.** - This ordinance shall not cover law enforcement agencies, emergency management offices and duly authorized by the LGU with coordination to the Jail Management;

**SECTION 6. PENALTIES** - Violation of this Ordinance shall be meted the penalty of:

- a. First Offense- A fine of One Thousand Pesos (Php 1,000.00);
- b. Second Offense -A fine of Thousand Five Hundred Pesos (Php 1,500.00);
- c. Third Offense - A fine of Two Thousand Five Hundred Pesos (Php2,500.00) or imprisonment for a period of more than three(3) months but not exceeding six (6) months or both such fine and imprisonment at the discretion if the court.

**SECTION 7. IMPLEMENTING AGENCY-** The Philippine National Police (PNP) and Public Order and Security Team (POST), as well as the responsible officer in the Barangay which has territorial jurisdiction over the jail facilities, together with the BJMP personnel, shall ensure the strict and faithful enforcement or implementation of this Ordinance.

The Jail Management shall cause the posting of the sign "DRONE NO FLY ZONE WITHIN 100 METER RADIUS FROM JAIL FACILITY" conspicuously outside of the jail facility.

**SECTION 8. IMPLEMENTING RULES AND REGULATIONS (IRR)-** The Philippine National Police (PNP) and Public Order and Security Team (POST), the concerned Barangay which has territorial jurisdiction over the jail facilities of the City, as well as the BJMP shall formulate the necessary implementing Rules and Regulations (IRR) of this Ordinance within thirty (30) days from the approval of this Ordinance and the same shall immediately be transmitted to the Mayor for approval.

8.1 Guidelines in Securing Permit for the Operation of Drone within Jail Facility.

8.1.1. Any person or group of persons who want/s to use or operate drone within or near the jail facility should first secure permit in the LGU.

8.1.2. Comply with the necessary requirements imposed by the LGU;

**SECTION 9.** All ordinances or any section or provision or a part thereof which are contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

**SECTION 10.** If for any reason, any section of provisions of this Ordinance is declared illegal or unconstitutional, the other provisions which are not affected thereby shall continue to be in full force and effect.

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**SECTION 11. EFFECTIVITY.** - This ordinance shall take effect upon approval thereof, and upon proper publication in accordance with the law.

**CARRIED BY THE VOTE OF:**

Affirmative :

Councilors : Cindy T. Rojas, Renecito S. Novero, Simplicia Z. Distrito, Al Victor A. Espino, Archie S. Baribar, Israel P. Salanga, Dindo C. Ramos, Bartolome N. Orola, Sr., Ana Marie V. Palermo, Psyche Marie E. Sy, Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villaflor.

Negative : N o n e.


Official Leave : Councilors Carlos Jose V. Lopez and Wilson C. Gamboa, Jr.

Absent : N o n e.

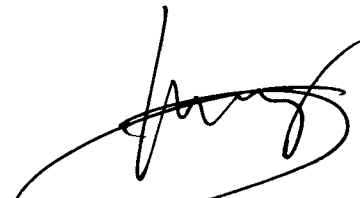
Author : Councilor Al Victor A. Espino

Passed : June 1, 2022 (152<sup>nd</sup> Regular Session of the 10<sup>th</sup> Council)

Comments : P a s s e d .


  
**ELPIDIO M. FAMILIARAN**  
Vice Mayor  
Presiding Officer

ATTESTED:

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

APPROVED:

JUNE 8, 2022

  
**EVELIO R. LEONARDIA**  
City Mayor

VCP/CGT/ngb

SP LEGISLATIVE  
SERVICES SECTION  
DATE: 6/9/2020 TIME: 9:30AM  
BY: 