

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 146
Series of 1995

AN ORDINANCE ESTABLISHING AN INTEGRATED PROGRAM FOR REGULATING MENDICANCY, PROVIDING PENALTIES, APPROPRIATING FUNDS THERETO, AND FOR OTHER PURPOSES.

WHEREAS, mendicancy erodes human dignity for the person begging and promotes in himself behavior which endangers life and property of society;

WHEREAS, mendicancy breeds crime, creates traffic hazards, endangers health and exposes mendicants to a life of ridicule, danger and degradation;

WHEREAS, there is a need to respond with compassion to this growing social problem of the city and to provide appropriate services to enable mendicants to meet their basic needs and develop self-reliance;

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

Section 1 - TITLE - An Ordinance Establishing an Integrated Program for Regulating Mendicancy, Providing Penalties, Appropriating Funds Thereto, and for Other Purposes.

Section 2 - DEFINITION OF TERMS - As used in this Ordinance, the following shall be understood, thus:

a) **Mendicant** - refers to any person, who has no visible and legal means of support or lawful employment and who is physically able to work but neglects to apply himself to some lawful calling and instead uses begging as a means of living.

Based on the definition, the following persons shall be considered mendicants:

- those persons who are capable of earning a living but opted to beg in streets and offices
- those children, who roam the streets and beg for food and money in front of restaurants, shopping malls, city plaza, offices, both private and government and those children who watch cars for pay in parking areas and other places in the City of Bacolod
- those persons who have some form of disability and use this to beg in the streets
- those persons who regularly beg for money ~~from~~ city officials without just cause
- those persons who use fake solicitation letters, communications, documents, or certifications from DSSD or City Health Office to get money from private or government persons

- those persons who use their own children or borrow children from other individuals to beg in the streets

- b) **Exploited Infant or Child** - refers to an infant/child below 6 years of age who is used in begging or forced to accompany a habitual vagrant or beggar.
- c) **Minors** - refers to children and youth between 6 years to 18 years of age who are out in the street begging for money or food and one who accompanies a habitual vagrant or beggar.
- d) **Mentally-ill** - refers to a person who shows behavior not considered normal in relation to age, sex and social norms, e.g. crying, laughing anytime, extremely dirty, unable to understand what is being said, melancholic and sometimes extremely violent.
- e) **Person with disability** - refers to a person who has restriction or different abilities as a result of a mental, physical, sensory impairment, to perform an activity in the manner or within the range considered normal.
- f) **Habitual Mendicant** - refers to one who has been convicted of mendicancy under this Ordinance three or more times.
- g) **Rehabilitation Centers** - refer to an institution recognized by DSSD and accredited by the City Government able to provide appropriate preventive and rehabilitative services for different types of mendicants.

Section 3 - **PURPOSE** - This Ordinance shall be integrated to include the following:

- a) prevent the commission of mendicancy
- b) prevent the exploitation of infants and children through mendicancy and provide habilitative services for those already exploited or in immediate danger of exploitation
- c) promote the rehabilitation of minors found begging and mendicants by providing an integrated package of preventive, interceptive and rehabilitative services
- d) promote the rehabilitation of established mentally-ill adults by providing a short-term rehabilitation program at appropriate service center
- e) promote rehabilitation of disabled mendicants by providing programs of service in the areas of health, social and economic

Section 4 - **SERVICES** - The Integrated Development Package shall include the following:

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- a) Preventive services that shall control and forestall the occurrence of situations identified as contributory to mendicancy.
- early family intervention
 - transfer of positive values within the family setting
 - encourage pre-schoolers to enroll in the Day Care Center of their barangays
 - teach basic values and christian principles from the elementary to high school levels
 - strengthen family structures
- b) Habilitative services that shall provide environmental or socio-economic conditions for the enjoyment of a satisfactory equality of life before formation of undesirable values among children and minors.
- discourage children, minors and young adults to stay late in the streets
 - provide programs to out of school youth
 - develop and organize wholesome activities/programs at the barangay level
 - establish a relatively peaceful and progressive city
 - access to capital for livelihood endeavors
 - access to good public/private education to all people.
- c) Interceptive services and measures which shall direct the growth potentials and productive energy of children, youth and adults to offset the effect of factors contributing to mendicancy.
- access to skills training
 - establish viable livelihood and income-generating activities
 - active participation of people in government programs and campaigns
 - develop effective programs to regulate and minimize the number of street children
 - effective monitoring by the authority especially the police
 - activities to mobilize and tap the energies of all members of a family.
- d) Remedial services that shall meet the basic needs and improve living conditions of the mendicant
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- enhance income capacity of the majority of the population
- access to viable economic enterprise and schemes
- matching skills with economic opportunities; placement
- counselling of apprehended mendicants
- e) Rehabilitative services that shall provide medical, social, educational, psychological and vocational measures to develop and restore the mendicant to the fullest state of well-being or economic usefulness of which he is capable and to be fully integrated back into his community.
- provide medical rehabilitation in the form of rehabilitation, technical aids, surgery and/or medication
- provide vocational rehabilitation to include skills transfer and income-generating activities
- provide social and psychological counselling to persons with disability to help him restore his dignity and respect
- provide avenue for participation and involvement with other sectors of society
- provide access to education to upgrade marketability in the Labor market

Section 5 - APPREHENSION OF AND SERVICES FOR PERSONS FOUND BEGGING

- a) Any infant or child 8 years old and below who is found begging or is being utilized by a mendicant for purposes of begging shall be apprehended as a neglected child and shall be committed, on a short term basis until the child could be restored to his family, to an appropriate children placement agency or a child center duly recognized and registered with DSSD.
- b) Any minor found begging or is being utilized for the purpose of begging and who acted without discernment shall be apprehended as a neglected child and shall be committed to the custody and care of a duly registered children center to be provided with an integrated package of interceptive, remedial and rehabilitative services.
- c) Any minor who is found begging and who acted with discernment shall be apprehended and shall be referred to the Center for minor offenders for appropriate assessment and evaluation after which on the basis of its findings to whether commit to the Girls Home, Boys Home or to be returned back to his/her family.
- d) A mentally-ill person found begging and roaming around the City streets of Bacolod shall be apprehended and

shall be referred for confinement and treatment at the Paglaum Mental Health Center and/or other Institutions that provide the same services with proper support and coordination with the DSSD.

- e) A person with disability found begging and exhibiting his disability to beg for money shall be apprehended and shall be referred to the Negros Occidental Rehabilitation Center and/or other institutions that provide the same services for treatment and rehabilitation in close coordination with the DSSD.
- f) Any person not otherwise covered in the above paragraphs who is found begging and who is incapable of gainful occupation shall be provided the integrated package of services by the DSSD, CHO, and other NGOs participating in this program.

Section 6 - CRIMINAL LIABILITY - A mendicant could be convicted by the court on the following grounds:

- a) An adult mendicant who shall be found begging in the street twice after services has been given shall be imposed a fine of ₱200.00 or by imprisonment for a period of 1 month or both at the discretion of the court.
- b) A mendicant who continues to beg even after having been given rehabilitative services and considered a habitual mendicant shall be punished by a fine of ₱500.00 or by imprisonment for a period of 6 months or both at the discretion of the court.
- c) Parents or individuals exploiting infants or minors for the purpose of begging shall be penalized by a fine of ₱1,000.00 or by imprisonment for a period of one (1) year or both at the discretion of the court.
- d) Any person who encourages or abets mendicancy by giving alms directly to mendicants, exploited infants and minor in the streets, public roads, sidewalks, parks shall be imposed a fine of ₱50.00 or by imprisonment for a period of one (1) day or both at the discretion of the court.

Section 7 - INFORMATION PROGRAM - The Public Information Office under the Office of the City Mayor shall conduct a city wide educational and information program on this Ordinance by tapping Media Entities, the Association of Barangay Captains, Federation of the SK and Non-Government Organizations to educate the public on the content of this Ordinance and prevent the community from giving alms direct to mendicants but encourage the public to donate their money to entities involved in the rehabilitation of these mendicants.

Section 8 - LOCAL PROGRAMS AND FACILITIES - The City of Bacolod through the DSSD shall tap the services and cooperation of existing Child Placement Centers, Street Children Drop-in Centers, Boys Home, Boys Protectory, Girls Home, Paglaum Mental Health Center and the Negros Occidental Rehabilitation Center to

provide an integrated development service and extend fund support to these entities for sustainable service delivery.

The City shall also included in its Development Plans establishment of additional Action Centers, Half-Way Homes for mendicants and the homeless either operated by the City or an accredited non-governmental organization.

Section 9 - INTEGRATED NETWORK OF SERVICES - The office of the DSSD shall initiate the establishment of a Referral Network inviting Rehabilitation Centers to participate in the eradication of mendicants in the City and provide integrated development services to apprehend mendicants to restore their human dignity and live a life of respect among their peers in their respective communities.

Section 10 - APPROPRIATIONS - The sum of P300,000.00 shall be appropriated out of any funds annually in order to support the activities under this Ordinance.

Section 11 - EFFECTIVITY - This City Ordinance shall take effect 15 days after its publication in a newspaper of local circulation.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors: Lorendo K. Dilag, Rolando V. Villamor, Juanito S. Amihan, Jr., Napoleon A. Cordova, Archie S. Baribar, Celia R. Flor, Joaquin L. Torre, Luzviminda S. Valdez, Ricardo L. Tan, Arturo V. Parreno, Mario V. Salazar, Jr.

Negative : Councilors Renecito S. Novero and Juan Ramon R. Guanzon

Absent : N o n e .

Main Author : Councilor Luzviminda S. Valdez.

Passed : October 5, 1995.

Comments : P a s s e d .
Councilor Constancio G. Legaspi was out of the Session Hall when this ordinance was passed.

Wm 10/16
WILMAR L. DRILON
Vice Mayor
Presiding Officer

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ATTESTED:

[Signature]

ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: *November 20 / 1995*

NTA/HPL/rgl

[Signature]
EVELIO R. LEONARDIA
City Mayor
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10/16/95