



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING, MATNOG, SORSOGON ON SEPTEMBER 24, 2003 AT 9:00 IN THE MORNING

Present: Honorable Pio Paterno B. Bisco	Municipal Vice Mayor (Presiding Officer)
Honorable Carlos G. Estrelon, Jr.	Municipal Councilor
Honorable Jaime G. Gata, Jr.	-do-
Honorable Ubaldo M. Ubaldo	-do-
Honorable Romeo G. Garalde	-do-
Honorable Recto G. Dulay	-do-
Honorable Melchor G. Garcera	-do-
Honorable Romeo G. Garrido	-do-
Honorable Alvin U. Azul	-do-
Honorable Marc Ace C. Gacis	-do- (SKMF President)

Absent: Julio E. Garduque -do- (ABC President)

**Resolution No. 67 s. 2003
MUNICIPAL ORDINANCE NO. 05-2003**

AN ORDINANCE PROVIDING SAFETY MEASURES FOR THE PROTECTION OF OUR YOUTH SECTOR AGAINST CRIMINAL ELEMENTS BY IMPLEMENTING CURFEW HOURS FOR ALL THE MINORS WHO ARE LESS THAN EIGHTEEN (18) YEARS OLD, FURTHER PRESCRIBING GUIDELINES FOR THE PROPER IMPLEMENTATION THEREOF

Author: All SB Members

WHEREAS, pursuant to Section 16 of R.A. 7160, th Local Government Unit is empowered to xercise the power expressly granted, those necessarily implied therefrom as well as power necessary, appropriate or incidental for its efficient governance, and those which are essential to the promotion of the general welfare;

WHEREAS, there is a growing concern among different member of our Matnoguenos community regarding the proliferation and the growing menace of illegal drugs, many victims of which are the youth sector;

WHEREAS, it has been observed by the adult sector of our community that there is an increasing number of young peopl, many of whom are minors who are now frequently loitering in the streets, street corner, public places, entertainment confers, even during late into the holy hours of the night, without anything to do, and as such, these youngsters can fall prey or victims to ctiminal activities or they shall soon be lured to substance and drug abuse;

WHEREAS, police statistics and records hav also shown that manu petty and minor crimes such as vagrancy, troublemaking, disturbance of the peace at night, destruction of public property, gangsterism, streetfights, petty theft, drug and alcohol abuse are incefeasingly being committed by people who are within 15-25 age bracket. Similarly, a growing number of youngster are now being lured to alcohol drunkenness and smoking, especially so, that there are also some unscrupulous business entities who ar selling liquors and cigarette to minors;

WHEREAS, when such kind of activities cannot be prevented in our community at this point of time, at least during our time, we shall soon be seeing a community debased, degraded and dehumanized when our next generation shall have an eroded morality and the fruits of our carelessness and lack of concern for our present generation of youngster, shall snap the moral fabric that binds us all a healthy, moral and sound community;

and addiction, and indeed, as matter of course to come up with measures and steps that shall protect our young people from criminal elements;

WHEREAS, all minors are still within the responsibility and guidance of their respective families, and by all moral institutions (the school, church, government) especially in our Filipino society and such we in the adult sector are responsible for their welfare and their future;

NOW THEREFORE, BE IT

ORDAINED, AS IT IS HEREBY ORDAINED, by the Municipal Council of Matnog to approve the vision of safety measures for the protection of our youth sector against criminal elements implementing curfew hours for all minors who are less than eighteen (18) years old and to approve the prescription of guidelines for the proper implementation thereof:

Section I: This ordinance shall be called "ordinance on the imposition of curfew for all minors in Matnog" it may be commonly referred to as th "Matnog Curfew Ordinance".

Section II: OBJECTIVES OF THE ORDINANCE

1. To keep our youth, especially minors who are less than eighteen (18) years old, away and off the streets during late uncertain risky and wholly hours at night.
2. To protect our young people from being victimized or attracted to criminal elements and activities that are present in the streets at night, especially the dangers of falling prey into illegal drugs and substance abuse.
3. To help minimize the incidence of crimes committed by some young people during evenings and thus, further, helping our police and barangay officials/agents of authority to concentrate and focus in the fight against criminals occurring at nighttime.
4. To promote discipline and proper conduct to the citizenry, most especially to the juvenile sector;
5. To help our parents be assured that their children are at home, safe from dangers of the streets at nighttime.
6. To safeguard our youth for the sake of their own good and welfare.

Section III: DEFINITION OF TERMS

1. Curfew Hours- shall refer to a certain period of time at night, from 10:00 PM up to 4:00 AM, when it shall be restricted for all minors to venture out/loiter into the streets and public places without any justifiable reason.
2. Loitering- to hang around idly and linger in certain public places (and this shall include the act of loitering while inside any vehicle stationed in herein stated public places during the curfew)
3. Minors- it refers to all young people who are less than 18 years old of age on the date of implementation of this ordinance.
4. Poblacion- it shall refer to all barangay, specifically Brgys. Caloocan, Camcaman, Camachiles, Tablac, including all adjoining/adjacent barangay, namely: Tabunan, Gadgaron, Banuang Daan, Manjumlad.
5. Public Places- shall refer to areas in the poblacion for use by the public, such as, but not limited to, streets, public market, plaza Rizal, public schools and campuses, and Bantigue Beach Resort. It also includes recreation/entertainment centers and areas exclusive for adults, like Videoke Bars and Restaurants, among others. Places such as computer centers, video games houses, Betamax houses shall be regulated by their owners so that it shall conform to this ordinance while in effect.

1. The Matnog Curfew hour's ordinance shall cover all public places in the poblacion and shall take effect only on all minors who are less than 18 years old of age upon implementation of this ordinance.
2. This ordinance may be expanded to cover other areas/barangay of the municipality subject to the stipulations specified by the Local Government Code (RA 7160) and upon approval by the Sangguniang Bayan of Matnog.
3. This ordinance shall in effect for as long it is needed and necessary and shall be terminated only upon authority by th Sangguniang Bayan of Matnog, through a council resolution lifting the same.
4. In the application of this ordinance, certain exemptions are in order for the following minors:
 - a. These who are in work- related activities, plying business and trade at night like the ambulant vendors and peddlers, who help supplement family income through their economic activities, these persons however shall be provided ID's or any pertinent identification papers that they are engagedin such activities. Parent or employers may provide the papers sent on emergencies errands by their families.
 - b. Those who are sent on emergencies errands by their families.
 - c. Students of schools doing particular school activities and programs on weekdays. There shall also be those minors who have from important family affairs or group affairs and civic activities.
5. The ordinance shall be in effect from Sunday through Thursday evenings. It shall however be lifted every Friday and Saturday eveings in order to give enough time to the youth to spend their weekend evenings.
6. Special occacions and holidays shall likewise be considered when the curfew is lifted from implementation such as. But not limited to the following official public holiday: Christmas season from December 15 to January 1, holy week (Semana Santa), Feast days of poblacion barangay, among the others.
7. Local chief executive shall be authorized to lift the implementation of the curfew when necessary or upon request by institutions responsible groups to give way to particular community activities, provided that it shall be done for not more than two consecutive nights.

Section V: ENFORCEMENT OF THE ORDINANCE

- (1.) Different local government agencies shall be responsible for the implementation and enforcement of this ordinance:
 - a- Local Government Unit; through its officials
 - b- Matnog Police Station PNP Personnel
 - c- Barangay Government, through their Brgy. Official and their Brgy. Official and their Brgy. Tanods;
 - d- Administrators and Teachers of Public Schools, being person in authority, in their respective areas and campuses.
- (2.) A special deputization shall be accorded the local members of KABALIKAT CIVICOM to help and assist the major implements enforce the ordinance. As such, they shall also be authorized to apprehend violators of the ordinance. Their identification cards shall serve as the deputization papers.

Section VI: ADMINISTRATIVE PENALTY

- (1.) Any minors except those provided for in the exemption clause, who violates this ordinance shall be imposed the following administrative penalties:

- committed. On first offense, the minors in the presence of his parents/guardians, shall be lectured on the ordinance.
- b. Second offense. Four (4) hours of community service, in the presence of person of authority or agents person in authority.
 - c. Third Offense- Eight (8) hours of community service in the presence of person of authority or agents of person in authority.
 - d. Offender who are under the influence of liquor or drugs shall be held in a police precinct or brgy. hall until he shall been sobered up so as not inflict harm to himself and others. He shall then be fined th penalties corresponding to a third offense.
 - e. Offender who are habitually violating the ordinance shall be detained for vagrancy and the reglamentary period of detention in the municipal jail be imposed.
 - f. Business establishment who are included in section III, IV of this ordinance who are found violating this measured by letting in minors during the implementation of the curfew shall be fined accordingly: P1,500 for the first offense P2,500 on second offense and cancellation of business license and permit and closure of the establishment may also be fined with a week in prison in lieu of monetary penalty.
- (2.) An offending minors shall not be detained inside a prison cell or jail whether in the police station or in a barangay hall, unless the offender has the habitually done it on more than three instances or when the offenders is under the influence of liqour and drugs; or is exhibiting violent tendencies. The offenders name shall be recorded in separate of police record barangay record for record/ identification purposes. The minors name shall not b entered officially in a police blotter unless for the case of vagrancy or the other criminal activities.
- (3.) Upon apprehension the offender shall stay or sleep in a police precinct or barangay shall, but not inside a cell or jail. Thus, it shall be customary therefore that a special holding room be provided for offenders of this ordinance. In the morning, the necessary administrative penalties may be imposed as the case may be.
- (4.) No offending minors may be imposed sanctions more than that which is being provided for by this ordinance and without first properly informing his parents and legal gaurdians.

Section VII: OTHER PERTINENT PROVISIONS.

1. To facilitate identifiacationof all minor, it is encouraged thatt they bring along identifiacation cards, community tax certificate, and other identifying papers.
2. Educational institutions or other group whose school population or membership are minors are encouraged, though not strictly, to inform the local government unit, the barangay official or the PNP in cases when they hold activities for their studentsor groups.
3. There shall be a youth desk at the PNP station which shall be managed by the MSWDO, in coordination with religious sectors, and all the school of Matnogthat will help in the guidance/counseling programs/activities of the offenders.
4. All business establishment and private economic enterprises catering to all minors, especially those whose operation extend until late in the evening are similarly encouraged to make the necessary adjustment in conformity to this ordinance.
5. It shall b the duty of the local government unit and all the affected barangay to conduct extensive information drives. Whether in print /broadcast/assemblies and other means so as educate the affected sector regarding this ordinance and this shall be done one weak before the implementation.
6. This ordinance shall take effect one week after its approval and as provided afterbthe information campaign has been done.

SECTION VIII: SEPARIBILITY CLAUSE.

All ordinances, rules and regulations, or parts thereof, provisions of which are in conflict with, or contrary to, the provisions of this ordinance are hereby repealed, amended, or modified accordingly.

SECTION IX: REPEALING CLAUSE.

All ordinances, rules and regulations inconsistent with the provisions of this ordinance are hereby repealed and or modified accordingly.


SECTION X: EFFECTIVITY.

This ordinance shall take effect upon its approval and proper publication.

I hereby certify to the correctness of the foregoing.

ATTESTED BY:


PIO PATERNO B. BISCO
Municipal Vice Mayor/Presiding Officer


ROMULO G. GARGALLO
Acting Secretary

APPROVED:


GUILLERMO G. SO
Municipal Mayor