

Receiving copy.



Republic of the Philippines
Province of Ilocos Norte
MUNICIPALITY OF NUEVA ERA

OFFICE OF THE SANGGUNIANG BAYAN

SPO - VG	
RECEIVED	
DATE	SEP 21 2010
TIME	11:50 AM
SIGNATURE	<i>[Signature]</i>

September 14, 2010

THE HONORABLE SANGGUNIANG PANLALAWIGAN
Province of Ilocos Norte
Provincial Capitol

THRU: HON. MARIANO "NONONG" V. MARCOS II
Board Member
Province of Ilocos Norte
Provincial Capitol, Laoag City

SIR:

Respectfully submitting herewith the Municipal Ordinance No. 3 Series of 2010
Re: **AN ORDINANCE PROVIDING A LEGAL MECHANISM AND GUIDELINES
TO CHECK AND REGULATE THE TRANS-GEOGRAPHICAL ENTRY AND
RESIDENCY OF NON-REGISTERED RESIDENTS WITHIN THE TERRITORIAL
JURISDICTION OF NUEVA ERA, ILOCOS NORTE AND PROVIDING
PENALTIES FOR VIOLATION HEREOF.**

Also attached signatures gathered during the public hearing.

Hoping for your immediate action and approval.

Thank you and Mabuhay!

Very truly yours,

EDGARD G. BRINGAS
Secretary to the Sangguniang Bayan



Republic of the Philippines
Province of Ilocos Norte

MUNICIPALITY OF NUEVA ERA

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF NUEVA ERA, ILOCOS NORTE, HELD AT THE SESSION HALL ON SEPTEMBER 01, 2010, AT 2:00 IN THE AFTERNOON, WEDNESDAY.

PRESENT:

HON. CAROLINE A. GARVIDA
HON. PHILIP JOHN A. FELIPE
HON. JOSEPH B. ARZADON
HON. REDENTOR B. VALERA
HON. ELMER B. AZURIN
HON. CARDITO M. TAMAYO
HON. FERNANDO B. BALAGSO
HON. ARTHUR B. FARINAS SR.
HON. JURLANDINO B. CASTILLO
HON. PETRONIO H. RIQUELMAN JR.

Vice Mayor & Presiding Officer
SB Member

"
"
"
"
"
"

ABC President

ABSENT:

HON. JOE PHAT S. DOMINGO

SK Fed. President

MUNICIPAL ORDINANCE NO. 03 Series of 2010

AN ORDINANCE PROVIDING A LEGAL MECHANISM AND GUIDELINES TO CHECK AND REGULATE THE TRANS-GEOGRAPHICAL ENTRY AND RESIDENCY OF NON-REGISTERED RESIDENTS WITHIN THE TERRITORIAL JURISDICTION OF NUEVA ERA, ILOCOS NORTE AND PROVIDING PENALTIES FOR VIOLATION HEREOF.

Whereas, the municipality of NUEVA ERA, ILOCOS NORTE, is geographically located within the tri-boundaries of the Province of Apayao, in the northeast; Abra, in the southeast; San Juan, Ilocos Sur, in the south; and the municipalities of Badoc, Pinili, Banna, and Marcos, in the southwest, northwest, and northeast, respectively (Ilocos Norte);

Whereas, since time immemorial, it is a public knowledge that individuals or group of individuals from these neighboring jurisdictions have crossed their borders and entered the territorial jurisdiction of NUEVA ERA for various purposes like: inter-marriages with legitimate residents of the municipality; work opportunities; adventurism; cultural or tribal discomforts in their own place of residents; and/or to seek lifestyle changes and some other reasons, and for quite sometime some of these trans-geographical entrants finally settle down and continue to reside within the territorial jurisdiction of the municipality;

Whereas, this human movement/traffic, unrestrained, uncontrolled and unregulated, in the past, naturally posed, apprehensions, anxieties, fear, and insecurities to permanent residents as there had been cases that some of these trans-geographical entrants may have questionable records, like: fugitives from justice, facing police prosecutor's or courts proceedings for criminal activities in their places of origin, mentally unstable, found later on to be authors of criminal or inhuman activities, and worse giving suspicions for being members of terrorists/insurgent groups or for any reason giving justification for such behavioral disturbance on the part of the permanent residents of the municipality;

Whereas, there is an imperative need to meet, check and regulate, whatever danger and disadvantages, which this natural circumstance may cause to the GENERAL WELFARE of the permanent residents of Nueva Era, Ilocos Norte,

pursuant to Section 16, Chapter 2, TITLE ONE, BOOK I of the 1991 Local Government Code in an appropriate exercise of police power' through legislation.

WHEREFORE, be it enacted by the Sangguniang Bayan of Nueva Era, Ilocos Norte that:

Section 1. TITLE. This ordinance shall be known as " An Ordinance Providing A Legal Mechanism And Guidelines To Check And Regulate The Trans-Geographical Entry And Residency Of Non-Registered Residents Within The Territorial Jurisdiction Of Nueva Era, Ilocos Norte And Providing Penalties For Violation Hereof.

Section 2. Definition of Terms. – As used in this ordinance, the term -

- a) **"Trans-Geographical Entrant"** means any person or group of persons, by themselves alone or together with their tools and equipment in furtherance of securing legitimate means of livelihood, work animals and other domesticated ones, basic necessities of existence like clothing, stored foodstuffs, utensils and wares, who crosses the geographical borders of their original place of residence/s and enter the territorial jurisdiction of Nueva Era, Ilocos Norte at any given time of any given year.
- b) **"Tourist"** – means any person or group of persons duly registered with the Provincial Tourism Office of Ilocos Norte or possessing accreditation as such tourist/s from any authorized agency of the Philippine Tourism Authority coming to any place in Nueva Era for seeing and visiting places of tourism interest and values.
- c) **"Balikbayan"** – a person/s who is a former permanent resident/s Nueva Era but migrated to other countries outside of Philippine jurisdiction or who had gone to other countries as an overseas contract worker (OFW), including their returning companions.
- d) **"Visitor"** – a person/s who come/s to Nueva Era to attend weddings, burials, birthdays, parties or any traditional/customary celebration and stay/s not more than three (3) days.
- e) **Household-host** – a permanent-resident household head who extends hospitality to a trans – geographical entrant/s.

Section 3. Any trans-geographical person or group entering the territorial jurisdiction of Nueva Era or any sitio or barangay therein shall within **twelve (12) hours** immediately upon arrival thereat present himself/herself/themselves to the barangay captain or in his absence any barangay kagawad nearest to the place where they have first stepped into.

The barangay captain or the nearest barangay kagawad concerned shall conduct an interview on the entrant/s to determine their personal circumstances, any document/s showing their identities, the place where they came from, their purpose in entering the territorial jurisdiction of Nueva Era and the duration of their stay thereat. Thereafter, the entrants shall be required to fill up and sign in personal data form to be provided by the concerned barangay official in triplicate. The format of which is attached hereto as part hereof as **FORM NE - 1**.

Edgar

Concepcion

[Signature]

The barangay captain or the barangay kagawad shall cause the recording of the fact of entry of any entrant in the barangay record indicating the pertinent data gathered by him during his interview attaching therein one copy of the personal data form accomplished by the entrant with the conformity of the household-host.

Within twenty four (24) hours from the arrival of the subject entrant/s the barangay captain or the barangay kagawad concerned shall, with the use of the fastest means of communication available, report such fact of arrival, the pertinent data and details thereof to the Chief of Police and the Municipal Mayor. And within five (5) days there from submit to the Chief of Police and to the Mayor a copy each of the personal data form accomplished by said entrant/s.

Section 3a. If such entrant/s fail/s to comply with the first paragraph of the preceding section, the Household – host of the sitio or barangay whom the entrant/s approached and stayed shall have the obligation to immediately inform the barangay captain or the nearest barangay kagawad of such arrival for compliance with the regulations provided under section 3 hereof.

Section 4. Any entrant/s who is/ are shown to have an intention to stay in the place for more than six (6) months as indicated in the personal data form shall be required to attend all sitio and barangay official meetings, gatherings and caucuses, as well as community work called for and be similarly subjected to fines imposed for failure to attend the same just as like permanent residents and shall be required to pay their basic community tax to the barangay treasurer conformably with Section 156 and 157, Article VI, Book II, Title One of RA 7160.

Section 5. Any entrant/s who fails to comply with the requirements under section 1, 3 and 4 shall, upon apprehension, be charged for Violation of this Ordinance and responsible for the following penalty:

1st Offense: Fine of ₱ 300.00

2nd Offense: Fine of ₱ 500.00

3rd Offense: Fine of ₱ 1, 000.00 with imprisonment of not more than one (1) month or both upon the discretion of the court, and a Local Legislation of declaration of persona non grata to each violator.

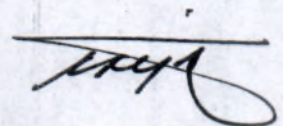
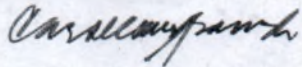
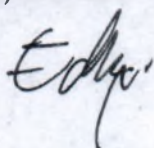
Section 5a. Any Household-host referred to in Section 2a who fails to comply therewith shall be charged and prosecuted for Violation of this Ordinance and be penalized:

1st Offense: Fine of ₱ 300.00

2nd Offense: Fine of ₱ 500.00

3rd Offense: Fine of ₱ 1, 000.00 with imprisonment of not more than one (1) month or both upon the discretion of the court

Section 6. Any barangay captain or barangay kagawad who fails to comply with section 3 hereof shall be administratively charged for GROSS NEGLIGENCE OF DUTY and upon finding of guilt be suspended for one month but not more than six (6) months from his position as such.



Section 7. This ordinance shall not cover the arrival and stay of TOURIST/s, **BALIKBAYAN/S, VISITORS** (subject to the provisions of section 3a hereof) **POLICE and MILITARY DEPLOYMENTS.**

Section 8. **PERSON AUTHORIZED TO IMPLEMENT.** the Municipal PNP Officers and Members, Barangay Chairmen and Barangay Kagawads are hereby authorized under this ordinance to implement strictly under the provision of this ordinance.

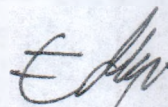
Section 9. **EFFECTIVITY.** This ordinance shall take effect after going through all procedures and requirements provided for under the internal rules and regulations of the Sangguniang Bayan, the Local government Code and on Rules Regarding Legislation of Local Ordinances.

In favor : **Members:** P.J. Felipe, J. Arzadon, R. Valera, E. Azurin, C. Tamayo, F. Balagso, A. Fariñas Sr., J.Castillo, and P.Riquelman Jr.

Against : **N o n e**

Abstained : **N o n e**

CERTIFIED CORRECT:



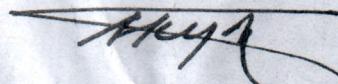
EDGARD G. BRINGAS
Secretary to the Sangguniang Bayan

ATTESTED:

APPROVED:



CAROLINE A. GARVIDA
Vice Mayor & Presiding Officer



ATTY. ALDRIN R. GARVIDA
Municipal Mayor

09-13-10

that this ordinance has been approved by the Sangguniang Bayan on 09-13-10 and is hereby approved by the Mayor, Atty. Aldrin R. Garvida, on 09-13-10.