



Republic of the Philippines
THE SANGGUNIANG PANLALAWIGAN OF ILOCOS NORTE
Laoag City, 2900

TENTH SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE **108TH REGULAR SESSION**
OF THE SANGGUNIANG PANLALAWIGAN, HELD AT THE
SANGGUNIAN SESSION HALL, PROVINCIAL CAPITOL,
LAOAG CITY, AT 2:47 IN THE AFTERNOON,
MONDAY, 05 NOVEMBER 2018.

Present:

Hon. Eugenio Angelo M. Barba, Vice-Governor,
and Presiding Officer,
Hon. Matthew Joseph M. Manotoc, Member,
Hon. Ria Christina G. Fariñas, Member,
Hon. Juan Conrado A. Respicio II, Member,
Hon. Vicentito M. Lazo, Member,
Hon. Da Vinci M. Crisostomo, Member,
Hon. James Paul C. Nalupta, Member,
Hon. Donald G. Nicolas, Member,
Hon. Rogelio R. Balbag, Member,
Hon. Domingo C. Ambrocio, Jr., PCL-IN, Ex-Officio Member,
Hon. Rafael Salvador C. Medina, PPSK-IN, Member.

On Official Business:

Hon. Elmer C. Faylogna, ABC-IN, Member.

Absent:

Hon. Mariano V. Marcos II, Member,
Hon. Ramon M. Gaoat, Member.

RESOLUTION NO. R2018-2965

**REVIEW OF/ACTION ON ORDINANCE NO. 12 s. 2017
ENACTED BY THE SANGGUNIANG BAYAN OF
NUEVA ERA.**

ON MOTION of Member NALUPTA, Chairman Committee on NATURAL CALAMITIES, duly seconded, the Body Resolved that:

Ordinance No. 12 s. 2017 be declared VALID pursuant to the Recommendation of the Committee on NATURAL CALAMITIES, a copy of which is being furnished the Sanggunian concerned;

Copy of this Resolution be furnished to all concerned for their information and guidance.

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.


MILDRED NIRMLA R. LAMOSTE
Provincial Board Secretary

ATTESTED:


EUGENIO ANGELO M. BARBA
Vice-Governor

16 NOV 2018



RECEIVED	
DATE	10/01/2018
TIME	10:04 Am
SIGNATURE	th

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

COMMITTEE REPORT

COMMITTEE ON NATURAL CALAMITIES AND PUBLIC SAFETY

**THE HONORABLE PRESIDING OFFICER
& MEMBERS OF THE SANGGUNIANG PANLALAWIGAN**

RE: MUNICIPAL ORDINANCE NO. 12 "AN ORDINANCE ENACTING THE PUBLIC SAFETY, SECURITY AND ORDER CODE OF THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE".

FINDINGS & OBSERVATIONS:

Subject Municipal Ordinance is enacted pursuant to Section 447 (a) – (1) - (v) (vi) of R A 7160 also known as the Local Government Code of 1991.

It is also observed that the above mentioned municipal ordinance complied with the required posting and public hearing as certified by the Sangguniang Secretary of the municipality concerned.

RECOMMENDATION:

In view of the above findings and observations, the committee hereby recommends that Municipal Ordinance No. 12 of Nueva Era, Ilocos Norte, be declared **VALID**.

Laoag City, October 01, 2018

JAMES PUAL S. NALUPTA
Chairman

DONALD G. NICOLAS
Vice-Chairman

RAMON M. GAOAT
Member

RIA CHRISTINA G. FARIÑAS
Member

ROGELIO R. BALBAG
Member



Republic of the Philippines
THE SANGGUNIANG PANLALAWIGAN OF ILOCOS NORTE
Laoag City, 2900

TENTH SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE **52ND REGULAR SESSION**
OF THE SANGGUNIANG PANLALAWIGAN, HELD AT THE
SANGGUNIAN SESSION HALL, PROVINCIAL CAPITOL,
LAOAG CITY, AT 2:50 O'CLOCK P. M.
TUESDAY, 22 AUGUST 2017.

Present:

Hon. Matthew Joseph M. Manotoc, Acting Vice-Governor,
and Presiding Officer,
Hon. Ria Christina G. Fariñas, Member,
Hon. Mariano V. Marcos II, Member,
Hon. Juan Conrado A. Respicio II, Member,
Hon. Ramon M. Gaoat, Member,
Hon. Da Vinci M. Crisostomo, Member,
Hon. James Paul C. Nalupta, Member,
Hon. Donald G. Nicolas, Member,
Hon. Rogelio R. Balbag, Member,
Hon. Domingo C. Ambrocio, Jr., PCL-IN, Ex-Officio Member.

Absent:

Hon. Eugenio Angelo M. Barba, Vice-Governor,
Hon. Vicentito M. Lazo, Member,
Hon. Paulino R. Baltazar, ABC-IN, Ex-Officio Member.

RESOLUTION NO. R2017-1467

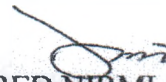
REVIEW OF ACTION ON ORDINANCE NO. 12 s. 2017
ENACTED BY THE SANGGUNIANGBAYAN OF
NUEVA ERA.

ON MOTION of Member CRISOSTOMO, Chairman Committee on PEACE AND ORDER duly seconded, the Body Resolved that:

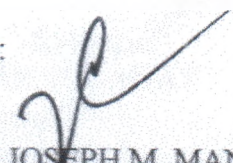
Ordinance No. 12 s. 2017 be **RETURNED** for the reasons cited in the Committee on PEACE AND ORDER's Report, which after presentation and deliberation, was accordingly approved and adopted, a copy of which is being furnished the Sanggunian concerned;


Copy of this Resolution be furnished to all concerned for their information and guidance.

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.


MILDRED NIRMLA R. LAMOSTE
Provincial Board Secretary

ATTESTED:


MATTHEW JOSEPH M. MANOTOC
Acting Vice Governor
and Presiding Officer

APPROVED 07 SEP 2017
DATE




Republic of the Philippines
PROVINCE OF ILOCOS NORTE
Laoag City

SPG 025-0

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

COMMITTEE REPORT

COMMITTEE ON PEACE AND ORDER

**THE HONORABLE PRESIDING OFFICER &
MEMBERS OF THE SANGGUNIANG PANLALAWIGAN:**

AUG 15 2017

9:15 AM

**RE: MUNICIPAL ORDINANCE NO. 12 S. 2017 OF NUEVA ERA-
AN ORDINANCE ENACTING THE PUBLIC SAFETY, SECURITY AND
ORDER CODE OF THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE.**

FINDINGS/OBSERVATIONS:

The subject ordinance is a codification of all penal ordinances of Nueva Era which covers risk, safety, security and order of the inhabitants.

It is noted, however, that there are penal municipal ordinances in the code the subject matter of which are covered by the Revised Penal Code and/or Special Laws. The acts or omissions punishable thereon are the same as those punishable under the Revised Penal Code or Special Laws but with different penalties.

RECOMMENDATION/S:

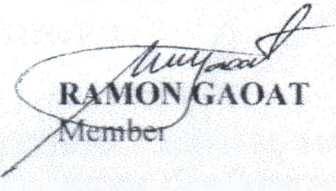
The committee recommends that Municipal Ordinance No. 12 s. of 2017 of Nueva Era be amended to include in all the penal ordinances contained in the code a reservation clause that the implementation of the said municipal penal ordinances are without prejudice to the provisions of the Revised Penal Code and/or Special Laws, as the case may be. Finally, it is recommended that the subject ordinance be RETURNED.

Laoag City, August 14, 2017

COMMITTEE ON PEACE AND ORDER


DA VINCI M. CRISOSTOMO
Chairman


VICENTITO M. LAZO
Vice Chairman


RAMON GAOAT
Member


JUAN CONRADO A. RESPICIO II
Member


JAMES PAUL C. NALUPTA
Member



Republic of the Philippines
THE SANGGUNIANG PANLALAWIGAN OF ILOCOS NORTE
Laoag City, 2900

TENTH SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE **43RD REGULAR SESSION**
OF THE SANGGUNIANG PANLALAWIGAN, HELD AT THE
SANGGUNIAN SESSION HALL, PROVINCIAL CAPITOL,
LAOAG CITY, AT 2:50 O'CLOCK P. M.
TUESDAY, 13 JUNE 2017.

Present:

Hon. Matthew Joseph M. Manotoc, Acting Vice-Governor,
and Presiding Officer,
Hon. Ria Christina G. Fariñas, Member,
Hon. Mariano V. Marcos II, Member,
Hon. Juan Conrado A. Respicio II, Member,
Hon. Ramon M. Gaoat, Member,
Hon. Vicentito M. Lazo, Member.
Hon. Da Vinci M. Crisostomo, Member,
Hon. Donald G. Nicolas, Member,
Hon. Rogelio R. Balbag, Member,
Hon. Domingo C. Ambrocio, Jr., PCL-IN, Ex-Officio Member,
Hon. Paulino R. Baltazar, ABC-IN, Ex-Officio Member.

Absent:

Hon. James Paul C. Nalupta, Member.

RESOLUTION NO. R2017-1205

REVIEW OF/ACTION ON ORDINANCES
ENACTED BY THE SANGGUNIANG BAYAN OF
NUEVA ERA.

ON MOTION of Member CRISOSTOMO, duly seconded, the Body Resolved that:

-Ordinance No. 12 be REFERRED to the Committee on PEACE AND ORDER;

-Ordinance No. 13 be REFERRED to the Committee on TOURISM;

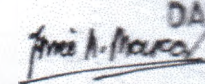
Copy of this Resolution be furnished to all concerned for their information and guidance.

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.


MILDRED NIRMLA R. LAMOSTE
Provincial Board Secretary

ATTESTED:


MATTHEW JOSEPH M. MANOTOC
Acting Vice-Governor
and Presiding Officer

APPROVED 27 JUN 2017
DATE

IMEE R. MARCOS
PROVINCIAL GOVERNOR



Republic of the Philippines
PROVINCE OF ILOCOS NORTE
Laoag City



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

COMMITTEE REPORT

COMMITTEE ON PEACE AND ORDER

**THE HONORABLE PRESIDING OFFICER &
MEMBERS OF THE SANGGUNIANG PANLALAWIGAN:**

**RE: MUNICIPAL ORDINANCE NO. 12 S. 2017 OF NUEVA ERA-
AN ORDINANCE ENACTING THE PUBLIC SAFETY, SECURITY AND
ORDER CODE OF THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE.**

FINDINGS/OBSERVATIONS:

The subject ordinance is a codification of all penal ordinances of Nueva Era which covers risk, safety, security and order of the inhabitants.

It is noted, however, that there are penal municipal ordinances in the code the subject matter of which are covered by the Revised Penal Code and/or Special Laws. The acts or omissions punishable thereon are the same as those punishable under the Revised Penal Code or Special Laws but with different penalties.

RECOMMENDATION/S:

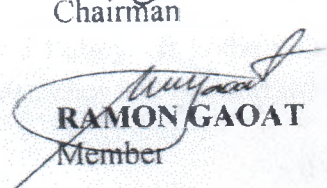
The committee recommends that Municipal Ordinance No. 12 s. of 2017 of Nueva Era be amended to include in all the penal ordinances contained in the code a reservation clause that the implementation of the said municipal penal ordinances are without prejudice to the provisions of the Revised Penal Code and/or Special Laws, as the case may be. Finally, it is recommended that the subject ordinance be RETURNED.


Laoag City, August 14, 2017.

COMMITTEE ON PEACE AND ORDER


DA VINCI M. CRISOSTOMO
Chairman


VICENTITO M. LAZO
Vice Chairman


RAMON GAOAT
Member


JUAN CONRADO A. RESPICIO II
Member


JAMES PAUD C. NALUPTA
Member

VG
ED
AUG 15 2017
9:15 AM
F



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

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 42nd **REGULAR SESSION** OF THE SANGGUNIANG BAYAN OF NUEVA ERA, ILOCOS NORTE, HELD AT THE SESSION HALL ON JUNE 5, 2017 AT 9:00 O'CLOCK IN THE MORNING, MONDAY.

PRESENT:

HON. ALDRIN R. GARVIDA	Vice Mayor & Presiding Officer
HON. JOSEPH B. ARZADON	SB Member
HON. JERRY D. ALEJANDRO	"
HON. ROGER O. ARZADON	"
HON. BENABEL A. LALUGAN	"
HON. OSIAS O. BUENO	"
HON. PETRONIO JR. H. RIQUELMAN	"
HON. AGRIFINA T. DUMLAO	"
HON. EDWIN B. YAGIN	ABC President

ABSENT:

HON. JURLANDINO CASTILLO	SB Member (On Sick Leave)
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**MUNICIPAL ORDINANCE NO. 12
Series 2017**

**AN ORDINANCE ENACTING THE PUBLIC SAFETY, SECURITY AND ORDER CODE OF THE
MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE**

WHEREAS, Section 447 (a)-(1)-(V) (VI) of RA 7160 known as the Local Government Code of 1991, provides that the Sangguniang Bayan as a legislative body of the Municipality has the power to enact adequate measures conferred upon it by law and to promote the General Welfare of the inhabitants.

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG BAYAN OF NUEVA ERA, ILOCOS NORTE, in session duly assembled that:

**CHAPTER I
GENERAL PROVISIONS**

ARTICLE A. SHORT TITLE

SECTION 1. Short Title. This ordinance shall be known as the **PUBLIC SAFETY, SECURITY AND ORDER CODE** of the Municipality of Nueva Era, Province of Ilocos Norte.

ARTICLE B. SCOPE AND POLICY

SECTION 2. Scope. The provisions of this code shall cover all activities within the Municipality of Nueva Era as far as they apply to the following areas; the **risk, safety, security and order of the general public.**

SECTION 3. Policy. It is the policy of the Municipality of Nueva Era to promote and ensure safe, security, order, convenience and comfort to its constituents and the general public.

ARTICLE C. AUTHORITY AND PURPOSE

SECTION 4. Authority. This code is enacted pursuant to the provisions of R.A. 7160 otherwise known as the Local Government Code of 1991 which mandate the Local Government Unit to adopt adequate measures to protect, safeguard and improve quality of life for every people of Nueva Era by imposing appropriate penalties



Republic of the Philippines
THE SANGGUNIANG PANLALAWIGAN OF ILOCOS NORTE
Laoag City, 2900

TENTH SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE **52ND** REGULAR SESSION
OF THE SANGGUNIANG PANLALAWIGAN, HELD AT THE
SANGGUNIAN SESSION HALL, PROVINCIAL CAPITOL,
LAOAG CITY, AT 2:50 O'CLOCK P. M.
TUESDAY, 22 AUGUST 2017.

SBO-VM	
NUEVA ERA	
RECEIVED	
DATE	9-27-2017
TIME	11:30 AM
SIGNATURE	<i>[Signature]</i>

Present:

Hon. Matthew Joseph M. Manotoc, Acting Vice-Governor,
and Presiding Officer,
Hon. Ria Christina G. Fariñas, Member,
Hon. Mariano V. Marcos II, Member,
Hon. Juan Conrado A. Respicio II, Member,
Hon. Ramon M. Gaoat, Member,
Hon. Da Vinci M. Crisostomo, Member,
Hon. James Paul C. Nalupta, Member,
Hon. Donald G. Nicolas, Member,
Hon. Rogelio R. Balbag, Member,
Hon. Domingo C. Ambrocio, Jr., PCL-IN, Ex-Officio Member.

Absent:

Hon. Eugenio Angelo M. Barba, Vice-Governor,
Hon. Vicentito M. Lazo, Member,
Hon. Paulino R. Baltazar, ABC-IN, Ex-Officio Member.

RESOLUTION NO. R2017-1467

REVIEW OF/ACTION ON ORDINANCE NO. 12 s. 2017
ENACTED BY THE SANGGUNIANGBAYAN OF
NUEVA ERA.

ON MOTION of Member CRISOSTOMO, Chairman Committee on PEACE AND ORDER duly seconded, the Body Resolved that:

Ordinance No. 12 s. 2017 be **RETURNED** for the reasons cited in the Committee on PEACE AND ORDER's Report, which after presentation and deliberation, was accordingly approved and adopted, a copy of which is being furnished the Sanggunian concerned;

Copy of this Resolution be furnished to all concerned for their information and guidance.

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.

[Signature]
MILDRED NIRMILA R. LAMOSTE
Provincial Board Secretary

ATTESTED:

[Signature]
MATTHEW JOSEPH M. MANOTOC
Acting Vice Governor
and Presiding Officer

APPROVED 07 SEP 2017
DATE
[Signature]
MARCO R. MARCOS



Republic of the Philippines
PROVINCE OF ILOCOS NORTE
Laoag City

SPO 025-0

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

COMMITTEE REPORT

COMMITTEE ON PEACE AND ORDER

**THE HONORABLE PRESIDING OFFICER &
MEMBERS OF THE SANGGUNIANG PANLALAWIGAN:**

SPO-VG
RECEIVED
AUG 15 2017
TIME 9:15 AM
JANUARY 2017

**RE: MUNICIPAL ORDINANCE NO. 12 S. 2017 OF NUEVA ERA-
AN ORDINANCE ENACTING THE PUBLIC SAFETY, SECURITY AND
ORDER CODE OF THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE.**

FINDINGS/OBSERVATIONS:

The subject ordinance is a codification of all penal ordinances of Nueva Era which covers risk, safety, security and order of the inhabitants.

It is noted, however, that there are penal municipal ordinances in the code the subject matter of which are covered by the Revised Penal Code and/or Special Laws. The acts or omissions punishable thereon are the same as those punishable under the Revised Penal Code or Special Laws but with different penalties.

RECOMMENDATION/S:

The committee recommends that Municipal Ordinance No. 12 s. of 2017 of Nueva Era be amended to include in all the penal ordinances contained in the code a reservation clause that the implementation of the said municipal penal ordinances are without prejudice to the provisions of the Revised Penal Code and/or Special Laws, as the case may be. Finally, it is recommended that the subject ordinance be RETURNED.

Laoag City, August 14, 2017.

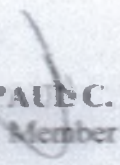
COMMITTEE ON PEACE AND ORDER


DA VINCI M. CRISOSTOMO
Chairman


VICENTITO M. LAZO
Vice Chairman


RAMON GAOAT
Member

JUAN CONRADO A. RESPICIO II
Member


JAMES PAUL C. NALUPTA
Member



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 DECEMBER 18, 2017 AT 9:00 O'CLOCK IN THE MORNING, MONDAY.

PRESENT:

HON. ALDRIN R. GARVIDA
HON. JOSEPH B. ARZADON
HON. JERRY D. ALEJANDRO
HON. ROGER O. ARZADON
HON. BENABEL A. LALUGAN
HON. OSIAS O. BUENO
HON. PETRONIO JR. H. RIQUELMAN
HON. AGRIFINA T. DUMLAO
HON. EDWIN B. YAGIN

Vice Mayor & Presiding Officer
SB Member

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ABC President

SB Member (On Sick Leave)

MUNICIPAL ORDINANCE NO. 12
Series 2017

AN ORDINANCE ENACTING THE PUBLIC SAFETY, SECURITY AND ORDER CODE OF THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE

HEREAS, Section 447 (a)-(1)-(V) (VI) of RA 7160 known as the Local Government Code of 1991, provides that the Sangguniang Bayan as a legislative body of the Municipality has the power to enact adequate measures conferred upon it by law and to promote the General Welfare of the inhabitants.

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG BAYAN OF NUEVA ERA, ILOCOS NORTE, in session duly assembled that:

CHAPTER I
GENERAL PROVISIONS

ARTICLE A. SHORT TITLE

SECTION 1. Short Title. This ordinance shall be known as the **PUBLIC SAFETY, SECURITY AND ORDER CODE** of the Municipality of Nueva Era, Province of Ilocos Norte.

ARTICLE B. SCOPE AND POLICY

SECTION 2. Scope. The provisions of this code shall cover all activities within the Municipality of Nueva Era insofar as they apply to the following areas **risk, safety, security and order of the general public.**

SECTION 3. Policy. It is the policy of the Municipality of Nueva Era to promote and ensure safe, security, order, convenience and comfort to its citizens and the general public.

ARTICLE C. AUTHORITY AND PURPOSE

SECTION 4. Authority. This code is pursuant to the provisions of R.A. 7160 otherwise known as the Local Government Code of 1991 which empowers the Local Government Unit to adopt adequate measures to protect, safeguard and improve the quality of life of every people of Nueva Era by imposing appropriate penalties for acts that endanger and undermine the order of the whole community.

SECTION 5. Purpose. This code is enacted for the following purposes;

- (a) Operationalize the powers and responsibilities of the Municipality in the delivery of general welfare services particularly in public safety, security and order.
- (b) To promote the principle of public safety, security and order in consonance to sustainable development.
- (c) To implement applicable measures to protect and enhance quality of life through active participation of the community.
- (d) To establish mechanism for implementing the provisions of this code.

ARTICLE D. RULES OF CONSTRUCTIONS

SECTION 6. GENDER and NUMBER. Every word in this code importing the masculine gender shall extend to both male and female. Every word importing the singular number shall also extend and apply to several persons on things as well; and every word importing plural number shall extend and applied to one person on thing as well.

SECTION 7. TENSES. The use of every verb in the present tense shall include the future when applicable. The word “shall have been” include past and future cases ‘shall” is mandatory and “may” is permissive.

SECTION 8. Reasonable and Computation of Time. In all cases where any act is required to be done within a reasonable time, the same shall be deemed to mean such time as may be necessary for the prompt performance of the act. The time within to act shall be computed by excluding the first day and including the last day. The computation, however, shall exclude Sundays and legal holidays.

SECTION 9. Forms and Style. Some provisions of this code preserved the original text and form in which they were passed, while others have been rewritten in the process of consolidating or simply for the sake of clarity and style.

SECTION 10. References. Whenever reference is made to any provision of the code, the references applies to all the amendments and additions hereinafter made.

CHAPTER II

REGULATORY PROVISIONS

ARTICLE E. PUBLIC MORALE

SECTION 11. Definition of Terms. When used in this article.

- (a) **PERSONS** – mean every natural or juridical being, susceptible of rights and obligations or of being the subject of legal relations:
- (b) **LOITERING** – shall mean as to remain idle in essentially one location, loafing or walking aimlessly:
- (c) **PUBLIC PLACES** – shall includes national, provincial, municipal or barangay streets, parks, plazas, churches, cemeteries, playgrounds, government buildings and their surroundings and such other places open to the public including undeveloped open spaces (private or public] within the municipality.
- (d) **Parks and open spaces** - shall refer to spaces either partially or fully developed, usually with benches, trees, grass, lamp posts and playground, intended for recreation and relaxation, especially of children. Park and open spaces may be classified as community park, sitio or village park, Subdivision Park and pocket Garden Park

- (e) **Obscene** – that which offends or wounds the imagination in sexual matters.
- (f) **Scandalous** – offensive, shocking acts.
- (g) **Seditious** – rebellious, unruly.
- (h) **Libelous** – insulting false and malicious statements.
- (i) **Beggar** – refers to one who is strong but deceives the public through some scheme, device, or method, or one who is incapacitated but solvent or is an owner of property whose immediate or near kin solvent.
- (j) **Gambling** – shall refer to a game of chance for stakes (money or property) that involves wager or money bets with uncertainty of the outcome.
- (k) **Intoxicating Liquor** – any liquor intended for use as a beverage, or capable of being used, which contains alcohol, no matter how obtained, in such percent as it will produce intoxicating.
- (l) **Bathing** – shall include but not limited to the acts of swimming and diving.
- (m) **Half-naked** – topless or wearing of clothing covering only the lower portion of the body.
- (n) **Smoking** – inhalation of the Smoke of burning tobacco encased in cigarettes, pipes and cigars.

SECTION 12. LOITERING IN PUBLIC PLACES

(a) Regulated Acts.

No person shall loiter in any places in such a manner to create or cause:

1. Danger of breach of peace;
2. Any disturbance or arrogance to the comfort and repose of any person;
3. Obstruction to the free passage of pedestrian or vehicle;
4. Interference to the lawful activity of any person.

(b) Penalty Clause – Any person violating the provisions of the above section shall be penalized with :

1st offense – 1,000.00 or community service for 5 hours

2nd offense- 1,500.00 or community service for 8 hours

3rd offense- 2,500.00 or community service for 12 hours.

(c) The implementation of the penalties indicated under this section are without prejudice to the provisions of the Revised Penal Code and/or Special Laws, as the case maybe.

SECTION 13. Putting of feet on the back or arms of any seat.

(a) Regulated Act

No person shall put his/her feet on back of the seats in social gatherings, conventions, meeting, public and private offices and programs of any kind held in public places.

(b) Penalty Clause – Any person violating the above section shall be penalized by a fine of Five Hundred Pesos (Php500.00).

SECTION 14. Sleeping in public places.

(a) Regulated Act

Sleeping in public places is strictly prohibited. However, the following are hereby exempted:

- (1) Family members who, during picnic or small gathering in parks and open spaces, take a nap or rest during the day;
- (2) Person who are attending a prayer vigil to honor their deceased loved ones inside cemetery during All Saints Day and All Souls Day;
- (3) Persons who are attending a prayer vigil or any event for a cause, in a certain public places and the conduct of which has the approval of the Municipal Government or National Government; and
- (4) Person who are inside their vehicles which are parked on designated parking areas.

(b) Penalty Clause – Person violating this section shall be penalized by a fine of not less than One Thousand Pesos (Php1,000.00) but not more than Two Thousand Five Hundred Pesos (Php2,500.00).

(c) The implementation of the penalties indicated under this section are without prejudice to the provisions of the Revised Penal Code and/or Special Laws, as the case maybe.

If the violator is under the influence of liquor, he/she shall be taken to the nearest barangay hall , police station or office to stay for not more than two hours.

SECTION 15. MENDICANCY (BEGGAR)

(a) Regulated Act

No person shall beg or serve as guide or accompany any person or beggar for the purpose of begging.

(b) Penalty Clause – Any person violating the above section shall be penalized by :

1st offense – turned-over to the DSWD.

2nd offense- Beggar and guide shall render community service for 8 hours

3rd offense- 15 days imprisonment for both the guide and beggar.

(c) The implementation of the penalties indicated under this section are without prejudice to the provisions of the Revised Penal Code and/or Special Laws, as the case maybe.

SECTION 16. MENTALLY DERANGED PERSON

(a) Prohibited Acts

- (1) Parents, spouses and close relatives(up to the 4th civil degree) of deranged persons who **willfully** abandoned them shall be penalized.
- (2) No public transport or private vehicles shall convey (accommodate) unescorted deranged persons from one place to another.

(b) Penalty Clause – Any person violating the provisions of this section shall be penalized by a fine of One Thousand Pesos (Php1,000.00).




(c) The implementation of the penalties indicated under this section are without prejudice to the provisions of the Revised Penal Code and/or Special Laws, as the case maybe.

SECTION 17. PUBLIC DISTURBANCE

(a) Prohibited Acts

- (1) No person shall shout malicious or maligning words in public that absolutely cause public nuisance and disturbance.
- (2) Immoral quarrel of married and unmarried (live-in) couple in public is strictly prohibited.

(b) Penalty Clause. Any person violating any provision of this section shall be penalized by a fine of One Thousand Five Hundred Pesos (Php1,500.00) or imprisonment at the discretion of the court in accordance to the provisions the Revised Penal Code and/or Special Laws, as the case maybe.



SECTION 18. Taking a bath naked or half-naked

(a) Prohibited Act

Taking a bath naked or half-naked in public is strictly prohibited except in rivers, mountains.

(b) Penalty Clause.

Any person violating this section shall be penalized by a fine of One Thousand Five Hundred Pesos (Php1,500.00) **without prejudice to the provisions the Revised Penal Code and/or Special Laws, as the case maybe.**

SECTION 19. WASHING /DRYING GARMENTS INPUBLIC

(a) Regulated Act

No person shall wash or hang clothes, linens, under wears, blankets and the like or drying on fixtures intended for public use or in public places like parks, schools (except in rivers) within the municipality.

(b) Penalty Clause – Any violation to this section shall be penalized by a fine of Five Hundred Pesos (Php500.00).

SECTION 20. ILLEGAL GAMBLING

(a) Prohibited Act

No person shall operate, maintain on conduct any game of chance such as jueteng, monte, Tong-its, majong, tupada and other gambling activities wherein bets of money, articles or representation of value are made or in the exploitation on the use of any other mechanical devices or paraphernalia to determine by chance the loser or winner thereof.

(b) Exemptions:

The following may be exempted from the provisions of Illegal Gambling:

(1) Bingo, social, raffles and similar activities held for fund raising purposes-provided that the organizers secures permit from the DSWD or Local Office; and

(c) Penalty Clause. Any person found violating the provisions of this sections shall be penalized by a fine without prejudice to existing laws:

1st offense – 1,000.00 or community service for 5 hours

2nd offense- 1,500.00 or community service for 8 hours

3rd offense- 2,500.00 or imprisonment in accordance to the provisions of the Revised Penal code and/or Special Laws, as the case maybe.

SECTION 21.BETTING ON SPORTS ACTIVITIES

(a) Basis of Action

It is a common experience that once betting is tolerated during Sport Competition, the usual consequence is quarrel between bettors and public disturbance is most likely to happen which usually cause damage and harm to people and property.

(b) Regulated Act

No person shall bet money or any object, article or representative of value upon the result of any boxing, basketball, volleyball, tennis, or other kinds of Sports Competitions including but not limited to drag or motor racing.



(c) Penalty Clause – Any person violating this section shall be penalized by a fine of:

1st offense – 1,000.00 or community service for 5 hours

2nd offense- 1,500.00 community service for 8 hours

3rd offense- 2,500.00 or imprisonment in accordance to the provisions of the Revised Penal code and/or Special Laws, as the case maybe.

SECTION 22. DRUNKENNESS

(a) Regulated Acts

No person shall under the influence of liquor or any narcotics in public places. A person is considered to be in the state of drunkenness or under the influence of liquor on narcotics if one has drunk or has taken alcoholic substance in any amount and commits the following:

- (1) An act causing injury to people or damage to property;
- (2) Makes unnecessary noise in public places which would cause alarm or disturbance to anybody;
- (3) Behaves in a scandalous way, or doing acts offensive to the senses such as but not limited to urinating, defecating, walking naked or half-naked, uttering defamatory statements that would ruin the reputation, honor and dignity of a person;
- (4) An act that would tend to obstruct, hamper, impede vehicular traffic and free passage of the pedestrian in any road or street;
- (5) Obstruct, hinder and unlawfully interferes the normal proceeding of any social, civic, political and religious affairs.
- (6) A person who directly force or induces another to drink or take excessively alcoholic or narcotics substance.

b) Penalty Clause. Any person found violating the provisions of this sections shall be penalized by a fine without prejudice to existing laws:

1st offense – 1,000.00 or community service for 5 hours

2nd offense- 1,500.00 or community service for 8 hours

3rd offense- 2,500.00 or imprisonment of not more than 6 months at the discretion of the court.

SECTION 23. Drinking Sprees/Noise - Making Revelries

(a)The conduct of revelries and drinking spree in all private homes throughout the municipality of Nueva Era is hereby regulated as follows:

(1) Audio- amplified machines such as stereos, karaoke, videoke, cassettes radio players and similar musical instruments shall not be allowed to exceed the normally accepted sound moderation after 10:00 PM up to 6:00 AM the following day.

(2) During the evening, merry makers, celebrants and revelers shall observe utmost moderation in creating unnecessary noises, on any activity which may tend to influence the creation of such noises, within the premises of their house or yard.

(b) Penalty Clause – The home owner and any person violating the provisions of this section shall be penalized by a fine without prejudice to existing laws:

1st offense – 1,000.00 or community service for 5 hours

2nd offense- 1,500.00 or community service for 8 hours

3rd offense- 2,500.00 or imprisonment in accordance to the provisions of the Revised Penal code and/or Special Laws, as the case maybe.

If the offender is a minor, his/her parents or guardians pay the fine.

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SECTION 24. Portraying / Illustrating / Displaying Indecent Behavior in Public.

(a) Prohibited Act

Portraying, Illustrating, Displaying Indecent behavior in public is strictly prohibited.

- (b) Penalty Clause** – Any violation to this section shall be penalized by a fine of Two Thousand Five Hundred Pesos (2,500.00) or imprisonment in accordance to the provisions of the Revised Penal code and/or Special Laws as the case maybe.

SECTION 25. Conducting Obscene, Scandalous, Libelous and Seditious Theatrical Performances

(a) Prohibited Act

Conducting obscene, scandalous, libelous and seditious theatrical performances in public is strictly prohibited.

- (b) Penalty Clause** – Any person violating this section shall be penalized by a fine of Two Thousand Five Hundred Pesos (2,500.00) or imprisonment in accordance to the provisions of the Revised Penal code and/or special laws as the case maybe.

SECTION 26. ILLEGAL DRUGS

(a) Definition of Terms

Illegal Drug Activities – shall mean all activities which includes using, selling or buying of illegal drugs, prohibited drugs and dangerous drugs (as define under the Dangerous Drug Act) holding of pot sessions, maintenance of drug dens, manufacturing and distribution of illegal drugs and all such other illegal drugs-related activities.

(b) Prohibited act

No person shall use, sell, administer, give away illegal drugs such as shabu, marijuana, cocaine and other prohibited drugs.

(c) Administrative Provisions

Any person found violating the provisions of DANGEROUS DRUGS ACT (R.A. 9165) shall be reported to the Municipal Police Station or barangay hall or offices for their action and disposition.

ARTICLE F. PEACE, ORDER AND SECURITY

SECTION 27. Definition of Terms. When used in this ARTICLE

- (a) Bladed Instrument** – this refers to any kind of deadly instrument such as knife, bolo, icepick, balisong, dagger, jabbing liga or chako and similar instruments.
- (b) High Powered Firearms** – refers to armalite, uzi, K-47, Browning-automatic and other long and short firearms.

SECTION 28. BLADED INSTRUMENT, SHARP OBJECT, BROKEN GLASSES

(a) Regulated Acts

- (1) No person shall possess in public any pointed, sharp instruments or bladed weapon or tools, EXCEPT where such articles are being used as necessary tool or implements to earn a livelihood or others of helpful usage in a given time.
- (2) No person shall intentionally break glass or bottles or cause the same or other sharp objects, such as but not limited to nail, scrap iron, tin cans etc. to spill on the road, streets or passage ways.
- (3) No person carrying on displaying of bladed instrument by vendors or butchers outside their place of work.

(4) Vendors of barbecue, banana cue, camote cue, tinap-an and the like, shall cut-off the sharp pointed portion of the stick before giving the items to the buying public.

(b) **Responsibility of Parents** – Parents or guardians shall be responsible for the violation of the above section by any of his/her minor children being involved.

(c) **Administrative Provision.** Any person violating the above section shall be penalized subject to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 29. High Powered Firearms

(a) Regulated Acts

No person shall carry high-powered or short firearms outside his/her residence, except peace officers on official missions, cashiers, finance officer, other person in-charge of delivery of money who possesses a permit to carry firearms outside residence or any person authorized to carry firearm outside their residence.

(b) Administrative Provision

The PNP of the Municipality of Nueva Era may request any person on board in any transport vehicle to open its baggage compartment or any other suspected space of the said vehicle for inspection of illegally carried or possessed fire arms. Provided that the inspection shall be done in accordance with existing laws, rules and regulations.

(c) Any person violating this section shall be penalized in accordance with to the provisions of the Revised Penal Code and/or special Laws as the case maybe.

SECTION 30. Use of Improvised Toy Gun

(a) Prohibited Acts

(1) No person shall sell toy gun improvised to look like a real gun which may be used for any criminal offense.

(2) No person shall own, keep, possess or play with any toy gun that utilize tanzan, tin, stone, wire or molded wax and all others as bullets which may cause injury to a person or property.

(b) **Liable Person** – Parents or guardian shall be responsible for the violation of this section by his/her minor son, daughter and ward.

(c) **Administrative Provision** – Implementation of penalties for violations in this section are without prejudice to the provisions of Special Laws.

SECTION 31. Throwing Stone and other Object to Public and Private Vehicles

(a) Basis of Action

There are incidences of throwing stone and other hard objects to public and private vehicles by irresponsible citizen that caused damages and harm to passengers and the vehicles as well, especially during night time.

(b) Prohibited Act

Indiscriminate throwing of stone and other hard objects to PUV, PUJ, Motorcycles, Tricycle and any other kind of vehicles at parked, stalled or moving vehicles shall be strictly prohibited.

(c) **Liable Person** – Parents or guardians shall be responsible for the violation of this section by his/her minor children being involved.

- (d) Administrative Provision** – Implementation of penalties for violations in this section are without prejudice to the provisions of Special Laws.

SECTION 32. Installation of Billboard and Signboards

(a) Prohibited Act

No person, organization or corporation shall install billboards and signboards without securing the necessary clearances/permits from the local chief executive thru the Municipal Engineer's Office.

- (b) Penalty Clause** – Any person/corporation violating the provision of this section shall pay a fine in the amount of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance to the provisions of existing Laws.

SECTION 33. Regulation of Digging and Excavation

(a) Regulated Act

No person shall undertake or cause to undertake any digging or excavation of any part or portion on public or private streets within this municipality unless a permit shall have been first secured from the office of the Municipal Mayor specifying the duration of the excavation.

(Refer Revised Municipal Revenue Code of the Municipality of Nueva Era, Chapter IV, ART. G, Sec. 66) Aside from payment of necessary fees, the applicant/proponent shall make sure that the area excavated shall be restored in its original form.

b. Penalty clause. Any person violating the provisions of this section shall be fined in the amount of One Thousand Pesos (1,000.00] but not more than Two Thousand Five Hundred Pesos (2,500.00] **without prejudice to the Revised Penal Code and/ or Special laws as the case maybe.**

SECTION 34. Municipal Water Reservoirs/Pipelines

(a) Basis of Action

The existing municipal water reservoirs of Local Government unit Nueva Era are at all times prone to eminent danger such as by poisoning or throwing unhealthy wastes into the water reservoirs or willfully destroying pipelines. In such case, there is an extreme need to protect our water resources to promote public safety at all times.

(b) Mandatory Provision

LGU- Nueva Era shall appropriate funds for the construction of a perimeter fence or any structures of our existing municipal reservoirs and to hire security personnel to maintain regular security, protection and safety.

(c) Prohibited Acts

Poisoning or throwing of wastes to the water reservoirs/destroying pipelines or water sources shall be strictly prohibited.

(d) Penalty Clause

Any Person or group of persons violating the forgoing provision shall be penalized by six (6) months imprisonment without prejudice to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 35. Destruction of Public (Municipal and Barangay] Lighting System

(a) Prohibited Act

No person shall intentionally and maliciously destroy of a public lighting system whether this was installed by private or public entities.

- (b) **Penalty Clause** – Any person violating this section shall pay a fine in the amount of One Thousand Pesos (Php 1,000.00) in addition to the payment of expenses damaged.
- (c) **Implementation of penalties for person violating under this section** are without prejudice to the provisions of the Revised Penal Code and/or special laws, as the case maybe.

SECTION 36. Destroying/Damaging Signboards/Public Properties

(a) Prohibited Acts

- (1) No person shall destroy, damage, deface, mutilate, unlawfully remove any government public signs, signboards, notices and work painted or placed on buildings, streets, sidewalks, halls, dap-ayan and waiting sheds.
- (2) No person shall destroy, damage, deface, mutilate any public property such as Municipal/Barangay Halls, schools, dap-ayan, playground, waiting sheds, barangay markers, roads and other public properties. It is also prohibited to mutilate and cut ornamental plants, trees or parts thereof growing in public park, schools, playground, athletic equipment or any other public property constructed or installed.

- (b) **Penalty Clause** – Any violation of the provision of this section shall penalized by a fine of not less than Two Thousand Pesos (Php2,000.00) but not more than Two Thousand five hundred Pesos (Php2,500.00) at the discretion of the court. In addition to penalties the violator shall pay the expenses for the restoration of damaged public properties.
- (c) **Implementation of penalties under this section** are without prejudice to the provisions of the Revised Penal code and/or special laws as the case maybe.

SECTION 37. Suppression of Affray and Disorder

(a) Prohibited Act

No person shall participate, assist or aid in affray and disorder in any public and private places, or utter slanderous, abusive and threatening language or disturb any meeting or congregation in lawful assembly.

- (b) **Penalty Clause** – Any person violation of this section shall be penalized by a fine of Two Thousand Pesos (Php 2,000.00) in accordance to the provisions of the Revised Penal Code and /or Special Laws, as the case maybe.

SECTION 38. STONING OF HOUSES

(a) Prohibited Act

No person shall throw stones or any hard objects at houses or any place abode.

- (b) **Penalty Clause** – Any person violating to this section shall be penalized by a fine of One Thousand Pesos (Php 1,000.00) and shall shoulder the cost of damages incurred as a result thereof.
- (c) **Implementation of penalties under this section** are without prejudice to the Revised Penal Code and/or special laws as the case maybe.

ARTICLE G. STRAY ANIMALS (STRAY AND DOMESTICATED)

SECTION 39. DOMESTICATED DOGS

(a) Mandatory Requirements

- (1) Dog over three (3) months of age shall be properly vaccinated with “anti-rabies” vaccine and shall be registered at the Municipal Treasurer’s Office.
- (2) A dog tag shall be issued and worn at all times.
- (3) Regular immunization and registration of dogs shall be done annually

- (4) Owners are required to provide cage or muzzle for their dogs to prevent them from inflicting damage and harm to the residents of barangay.

SECTION 40. STRAY DOGS

(a) Mandatory Requirements

- (1) Dogs with or without tag wandering in the public places without the owner/caretaker shall be considered "stray dogs".
- (2) Stray dogs shall be temporarily impounded at the designated municipal pounding area and shall be disposed after five (5) days, EXCEPT those dogs are claimed by the owner within the five (5) days grace period and also upon payment of the POUNDAGE FEE of fifty pesos (50.00] per day.
- (3) Dogs that become violent and pose an eminent danger to life of a person maybe exterminated on site.
- (4) Owners of dog shall report any unusual behavior of the dog to the municipal veterinarian/livestock inspector for ocular evaluation and recommendation deemed proper including disposal if circumstances warrant.

(b) Penalty Clause

- (1) Refusal of the owner to comply such requirements shall be penalized by a fine of Two Thousand Five Hundred (Php 2,500.00).
- (2) Dog owner whose dog has bitten a person or domesticated animals that cause injury thereof shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) and shall shoulder the cost or expenses incurred as a result thereof notwithstanding penalties provided by existing laws.

c. **Administrative Provision. Implementation of penalties under this section are without prejudice to the Revised Penal Code and/or special laws as the case maybe.**

SECTION 41. Pasturing Domestic Animals

(a) Prohibited Act

No person/owner of domestic animals like carabao, cow, goats and pigs pastured therein animals along the highways, roads, streets and pathways shall include municipal plaza, school premises, playgrounds and parks.

(b) Penalty clause- any person violating in this section shall be penalized by a fine of (Php 1,000.00) but not more than two five hundred pesos (Php 2,500.00) and in addition, shall pay the amount of cost of damage.

(c) Administrative Provision. Implementation of penalties under this section are without prejudice to the Revised Penal Code and/or special laws as the case maybe.

ARTICLE H. ENVIRONMENT

SECTION 42. Definition of Terms as used in this article the following words and phrases shall be defined as follows:

- (a) ENVIRONMENT** –refer to the quantity, quality, diversity and sustainability of renewable and non-renewable natural resources such as atmosphere, climate, sound and odor that are critical determinate of the quality of life. In a board sense, it shall include the total environment such as economic, social, culture, political and historic factors.
- (b) MUNICIPAL WATERS** – include streams, brooks and rivers within the territorial jurisdiction of the municipality that are not subject to private ownership.

- (c) **SOLID WASTE** –refers to all perishable, non-perishable and discarded materials including but not limited to food waste, rubbish, ashes, street cleanings, dead animals, abandoned vehicles, commercial, industries, hospital, funeral and agricultural waste and special wastes whether combustible or non-combustible such as paper, rags, cartoons, woods, tin cans, or litter of any kind.
- (d) **WASTE MANAGEMENT** – includes all both solids and liquid wastes.
- (e) **LICENSE** – is a privilege granted to any person to utilize natural resources within any land, or establish or operate a manufacturing plant or conduct any activity involving the utilization of natural resources covered by the license.
- (f) **PERMIT** – is a short term privilege or authority granted by Local Government Unit to a person to utilize any limited natural resources or undertake a limited activity within a piece of land without any right or occupation or possession therein.
- (g) **LITTERING** - throwing of small litter on streets, sidewalks or other public places including government buildings and offices and public utility vehicles.
- (h) **PARKS AND OPEN SPACES** – shall refer to spaces either partially or fully developed, usually with benches, trees, grass, lamp posts and playground, intended for recreation and relaxations, especially of children. Parks and open spaces may be classified as community park, subdivision park and pocket garden park.

SECTION 43. ACTS PROHIBITED AND PUNISHABLE

(a) Prohibited Acts

Acts prohibited and punishable under this section shall include, but not limited to the following:

- (1) Indiscriminate cutting of trees in both private and public lands is hereby prohibited.
- (2) The use of unregistered or unlicensed hunting paraphernalia such as guns, air guns, shotguns, and the like shall be banned and prohibited, unless a current and valid permit for the use thereof as issued by the proper authority subject to prior clearance and permit by the municipal Mayor.
- (3) The trafficking of flora and fauna shall be prohibited unless the Municipal Mayor and the DENR have issued a current and valid permit for the traffic thereof.
- (4) Slash and burn, farming (KAINGIN).
- (5) Cutting of bamboo shoots and sell at the public market or anywhere.

(b) Administrative Provision. Implementation of penalties under this section are without prejudice to the Revised Penal Code and/or special laws as the case maybe.

SECTION 44. DANGEROUS TREES

(a) Definition of Terms

- (1) Owner – refers to real and actual possession of the property.
- (2) Caretaker – refers to person who physically assigned as the administrator or custodian of the said property.

(b) Prohibited Acts

- (1) Owners or Caretakers who refuse to cut down trees that posed danger to people and properties shall be penalized accordingly.
- (2) Owner of the tree that caused damage to property shall shoulder the actual cost of the damage.

(c) Requirements – The complainant shall facilitate and shoulder the expenses in securing necessary clearance and permits.

(d) Administrative provision. – Any person violating under this section shall be penalized in accordance with the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 45. TREASURE HUNTING

(a) Prohibited Act

Treasure hunting activity in this Municipality is strictly prohibited unless the treasure hunter can produce permit duly signed by the president of the Republic as required by law.

- b. **Administrative Provision. Implementation of penalties under this section are subject to the provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 46. FISHING RESTRICTIONS

(a) Prohibited Acts and Punishable under this Section shall include but not limited to the following:

- (1) Catching fish in any waters, rivers, streams, rice fields, brooks and ponds by means of any electrical gadgets or apparatus including "SAREP".
- (2) Catching fish in any waters, rivers, stream, brook and ponds by means of dynamite and other blasting apparatus.
- (3) Catching fish in any waters, rivers, stream and brook by means of cyanide and other obnoxious substance, insecticides and pesticides.
- (4) Catching fish in any waters, river, brook and ponds by means of fishing gears with fine fish nets or those that permit the capture of fry and juveniles.

- (b) **Penalty Clause** – Any violation of the provision of this section shall be penalized by a fine of not less than One Thousand Pesos (Php 1,000.00) but not more than Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance to the **provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 47. ANTI-LITTERING

(a) Prohibited Acts

It shall be unlawful for any person to:

- (1) Litter on streets, scenic pots, tourist areas, rivers, irrigation, canals and ditches, parks, plazas, playground, market, municipal building and all private and public places.
- (2) Urinate on streets and all public and private places.
- (3) Throw cigarettes butts, chewing gums, bubble gums and the like
- (4) Spit phlegm or saliva in public places.
- (5) Pile/and or burn garbage and wastes along the road.
- (6) Dirty the roads with excess water from wells, pumps, bathroom and kitchen.
- (7) Dump and burn rice husks, rice straws and other waste materials such as but not limited to waste of farm implements crossing and passing along the road.

- (b) **Penalty Clause** – Any person violating the provisions of this section shall be penalized by a fine of:

1st Offense – Php1,000.00 or community service of 5 hours

2nd offense – Php 1,500.00 or community service of 8 hours

3rd offense – Php2,500.00. or imprisonment in accordance to the **provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 48. USE OF HIGHWAYS, ROADS AND STREETS

(a) Prohibited Acts

No Person shall use any portion of any public roads, sidewalks, alleys or lanes for the following purposes.

- (1) Drying of palay, corn and other agricultural products along the legal width of the streets, road or highway within the municipality.

- (2) Repairing and washing of vehicles and other home appliances.
- (3) Using part of the street, road or highway as an extension of repair/vulcanizing shops and services.
- (4) Hawking or peddling of any goods, merchandise, wares or any articles of commerce.
- (5) Placing of construction materials or waste of demolished/renovated buildings.
- (6) Installation of stalls, advertisements or other similar structure.
- (7) Placing junk or unused vehicles and equipments.
- (8) Construction and installing structures such as road humps, basketball boards and rings or any structure that tends to impede or pose hazards to passing vehicles and travelers or when such structure encroach on any portion of legal width of the road, street or highway.
- (9) No person shall place or tie their fighting cocks, goat or any kind of animals at the shoulder of the streets, roads or highway.
- (10) Bathing or laundering or other similar purpose on side walk or shoulder of the road/street.
- (11) No person shall use of drinking of intoxicating liquor at any portion of public roads, alleys or sidewalks.

(b) Penalty Clause – Any person who violates the provisions of this section shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 49. VANDALISM

(a) Prohibited Act

It is hereby declared unlawful for any person to deface any public or private building, edifices or parts thereof such as, walls, fences, facades, floors, pavements or other parts liable to be defaced by means of writing, painting or other similar techniques.

(b) Penalty Clause – Any person violating the provision of this section shall be penalized by a fine of not less than One Thousand Pesos (Php1,000.00) nor more Two Thousand Five Hundred Pesos (Php2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 50. WASTE DISPOSAL

(a) Prohibited Acts

- (1) No person shall dump or dispose no-biodegradable debris, plastic debris such as discarded fishing nets and lines, packing bands, straps, synthetic ropes, plastic bags and wrappers, bottle sheets, medical containers and equipment into river banks, streams, brooks, irrigation canals, sewage and sewerage canals and all private and public lands.
- (2) No person shall dump or dispose waters into river banks, streams, brooks, irrigation canals, sewage and sewerage canals and all private and public land.
- (3) No industrial or manufacturing facility shall be operated and given permit without proper solid and waste water disposal system and facilities.

(b) Penalty Clause – Any violation of the provisions of this section shall be penalized by a fine of not less than One Thousand Pesos (Php1,000.00) but not more than Two Thousand Pesos (Php2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 51. BARANGAY CLEAN UP

(a) Mandatory Requirements

- (1) All Barangays shall conduct a mandatory once a month river clean up in river banks, creeks, irrigation canals, estuaries and water ways.
- (2) In case of flash floods, the affected Barangays shall conduct an immediate clean up.

SECTION 52. CLEANING AND GREENING OF PRIVATE LOTS

(a) Mandatory Requirements

- (1) It shall be the duty of every household, house owner, tenant, land owner to maintain the cleaning and greening of their respective properties including one half (1/2) of the road fronting or abutting their property.
- (2) Owners of idle lands are required to keep their idle lots clean in order to protect such idle lands from becoming breeding places of mosquitoes, flies, mice, rats, snakes which are detrimental to public health and safety. In case of inability or failure to comply with this provision, the Barangay government shall undertake the cleaning and clearing at the expense of the owner.

Section 53. COMPOSTING AND DISPOSAL OF WASTE

(a) Mandatory Requirements

- (1) Every household is required to dig two (2) pits, one for disposal of biodegradable wastes or composting and the other for disposal of non-biodegradable wastes such as plastic, cans, metals, bottles and other non-biodegradable waste of materials.
- (2) All owners and operators of barber shop and beauty parlors are required to dispose of their waste properly in trash cans and compost pit.
- (3) All owners and operators of eateries and refreshment parlors, carinderia, bakeries and other eating places are required to keep their establishment including their premises sanitary, provided with adequate garbage disposal system food cabinets are properly covered or screen to protect the food from dust, flies, rodents, cockroaches and other germs carrying insects.
- (4) Households and owner of business establishment shall provide and make available their own trash cans and garbage bins within their place business to discourage the wanton discarding of trash and waste materials.

- (b) **Penalty Clause** – Failure of food establishments, owners and operators of Barber Shop & Beauty Parlors to comply the provisions of this preceding section shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php2,500.00) and /or cancellation of their business permit and in accordance to the provisions of existing laws.

ARTICLE I. HEALTH AND SANITATION

SECTION 54. DEFINITION OF TERMS as used in this article

- (a) **Over the counter or OTC DRUG** – refer to any pharmaceutical especially on drug preparation by a physician.
- (b) **Other Drug and Medicines subject to Abuse** – refer to those OTC preparations which will be used by drug addict or user and are considered dangerous drug by BFAD, DDB and/or NBI Narcotics Division.
- (c) **Side vendors** shall refer to any person or individual who sells or vends any agricultural product, food(cooked) dry good, item or article, including any person who attends to those above-cited products which are intended to be sold, at any temporary location, side walk, alley, vacant space or portion thereof as maybe authorized by the LGU Nueva era.

SECTION 55. OVER THE COUNTER OR OTC DRUGS

(a) Prohibited Act

No person shall give, sell or dispense over-the-counter or OTC Drugs such as cough preparations and other pharmaceutical preparations subject to abuse, of whatever kind, brand or quality to the general public, unless it is recorded in an appropriate record book, indicating there in the name and address of the buyer, the generic and/or the brand name of the OTC Drugs subject to abuse, and the quantity sold.

- (b) Penalty Clause -** Any person who violates any provision of the above section shall be fined in the amount of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance **to the provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 56. INDISCRIMINATE DISPOSAL OF TOXIC PRODUCTS

(a) Prohibited act

Throwing of toxic products, materials or substances at public places shall be strictly prohibited.

- (b) Penalty Clause –** Any person violating to this section shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php2,500.00) and imprisonment in accordance **to the provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 57. SANITARY TOILET

(a) Mandatory Requirement

All households are required to install sanitary toilet within their houses or premises, provided, that the hole or septic tank is constructed not less than 10 meters away from the source of potable water such as spring and wells. In areas covered by small houses or lite materials or are temporary in nature and which are close to one another, a community toilet constructed at the expense of the owners concerned may be allowed at the discretion of the health officer.

(b) Prohibited Act

No person shall dispose their human waste to any places but not limited to river, riverbanks, creeks, irrigation canals etc.

- (c) Penalty Clause –** Any person violating the above mentioned section shall be penalized by a fine of One Thousand Pesos (Php1,000.00) or imprisonment at the discretion of the court **in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 58. SELLING OF SOW MEAT FOR COMMERCIAL PURPOSE

(a) Prohibited Act

No person shall display and/or sell sow meat for commercial purposes.

- (b) Penalty Clause –** Any person violating this section shall be penalized by a fine of One Thousand Five Hundred Pesos (Php 1,500.00) and revocation of business permit or imprisonment in accordance **to the provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 59. SIDE WALK VENDING ACTIVITIES

(a) Mandatory requirements.

- (1) All side walk vendors shall be required prior to vending to be responsible in maintaining the cleanliness of the premises where he/she is vending and selling.
- (2) Provide his/her vending premises with a waste can or waste basket, where all place hi/her garbage or trash and dispose of the same after vending hours.

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(3) Side walk vendors selling food, whether cooked or raw shall also required to secure a health certificate from the Municipal Health officer.

(4) All side walk vendors shall be allowed to use only handy containers for their products for sale such as bilao, water pail, sacks, small hand carried tablets, baskets, bags and foldable store-type.

(b) Penalty Clause

Failure of vendor to comply the provisions of this preceding section shall be penalized by a fine of five hundred pesos (Php 500.00) or imprisonment in accordance to the provisions of existing laws.

SECTION 60. VENDORS WITHIN THE VICINITY OF SCHOOLS

(a) Prohibited Act

The municipal government of Nueva Era hereby prohibits vendors to sell food items within the vicinity of public and private elementary and high schools.

(b) Penalty Clause

Violations under this section shall be penalized by a fine of One Thousand Pesos (Php 1,000.00).

SECTION 61. OPERATION OF DRUG STORES DURING CALAMITIES

(a) Mandatory Act

All drug store/pharmacies in the municipality shall keep their stores open and continue their operation during calamities or disaster.

(b) Exemption

Drug stores or pharmacies which are directly affected or hit by calamity or disaster are exempted from this section. Directly affected or hit shall mean that the establishment has been destroyed or submerged in water.

(c) Penalty Clause – Any person violating to this section shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php2,500.00) .

ARTICLE J. FIRE PREVENTION

SECTION 62. Definition of Terms –as used in this Article

(a) Fire- the state or form of combustion that is manifested in light, flame, and heat (flames)

(b) Flammable- easily set on fire and likely to burn rapidly (likely to catch fire)

(c) Combustible Materials-many substance that burns easily.

(d) Firecracker- A firework made of a small paper cylinder with gun powder, designated to explode with a loud noise.

(e) LPG-liquefied petroleum Gas.

SECTION 63. Prohibition on Open Burning

(a) Prohibited Acts

No person, natural or juridical shall ignite, cause to be ignited or maintain any open fires.

(b) EXEMPTIONS –The following may be exempted from the provision in this SECTION.

(1) Open fires for cooking of food for human consumption.

(2) Fires for recreational or religious ceremonial purposes.

(3) Fires for the prevention and control of pest and diseases.

(4) Fires for the disposal of dangerous materials of wastes, provided that a clearance and permit is secured from the Municipal Mayor.

(5) Fires for training personnel in the method of firefighting

- (6) Fires purposely set for recognized agricultural forest and wildlife management practices; and
- (7) Open fires approved by the Local Government Unit and the DENR.

(c) Penalty Cause - Any person violating the above mentioned section shall be penalized by a fine of One Thousand Pesos (Php1,000.00) or ten (10) days imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 64. Establishments for Flammable/Combustible Materials

(a) Prohibited Acts

- (1) No person shall construct a station or warehouse for gasoline, petroleum and other allied products within a residential area.
- (2) No residential building or portion thereof shall be used as storage of gasoline, petroleum or other allied products, LPG and similar items in commercial quantity or for commercial purpose.
- (3) Business establishments selling or storing these products aforementioned shall first secure local fire and other clearances and permits before starting their business.
- (4) No establishments other than gasoline station shall sell gasoline in retail.
- (5) No building or portion thereof shall be used as storage for high piled combustibles materials unless permit or clearances from the municipality is properly secured.

(b) Penalty Clause – Any person, firm or corporation violating the above mentioned section shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 65. NO SMOKING

(a) Prohibited Act

Smoking cigarettes and other tobacco products shall be prohibited in the following area;

- (1) Government buildings and offices, clinics and dispensaries including its premises;
- (2) Public and private school classrooms and its premises;
- (3) Parks, plaza and playgrounds;
- (4) Gasoline station and its compound;
- (5) Inside any public utility conveyance and public streets, alleys, waiting sheds and churches.

(b) Administrative Provision

Provided further that owners/occupants and administrators of such areas shall cause to posted a “NO SMOKING” sign the information and compliance of the public. Provided finally that “SMOKING AREA” equipped with proper ventilation and garbage dispose facilities shall be clearly designated for smokers.

(c) Penalty Clause - Any violation of the preceding section shall be penalized by a fine of not less than One Thousand Pesos (Php 1,000.00) nor more than Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 66. DESIGNATED AREA FOR FIRECRACKERS

- (a)** The Local Chief Executive shall determine the designated area to be used for firecracker user in consultation with the NUEVA ERA FIRE MARSHALL OFFICE.
- (b)** The Local Chief Executive shall determine the designated area to be used for the sellers of firecracker in consultation with NUEVA ERA FIRE MARSHALL OFFICE.
- (c)** Selling of firecrackers is limited only to allowable classification of firecrackers and prohibited to minors.

- (d) Firecrackers within the municipality is prohibited except during celebration of the municipality and barangay within identified area.

Penalty Clause - Any violation of this section shall be penalized by a fine of not less than One Thousand Pesos (Php 1,000.00) nor more than Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 67. SAFETY MEASURES FOR HAZARDOUS MATERIALS

(a) Mandatory Requirements

Fire safety measures shall be required for storage, handling and/or use of hazardous materials involving:

- combustible fibers
- plastic of any kind, foam, rubber sponge, rubber
- combustible or flammable liquids of gases of any kind
- flammable prints, varnishes, stains and organic coating
- blasting agents, explosives, industrial explosive and the like
- fireworks of any kind
- matches in commercial quantities
- minerals, materials or other compound where heated or exposed to heat of flames becomes fire or generate excessive smoke or toxic gas

(b) Regulated Acts

Any person, firm or corporation handling and storing hazardous materials shall secure the necessary clearances and permits from the Nueva Era Fire Marshall Office and Mayor's office respectively.

- (c) **Penalty Clause** - Any person, firm or corporation violating the above mentioned section shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 68. FIRE SAFETY FOR BUILDING AND OTHER STRUCTURES AND PROHIBITION OF ILLEGAL SETTLERS WITHIN THE MUNICIPALITY..

(a) REGULATED ACT.

It shall be unlawful for any person, firm or establishments to construct a building, occupy a newly- completed building or start and operates, directly or indirectly, a business in the building without the valid fire safety inspection certificate, clearance or permit from Nueva era Bureau of fire protection (BFP) office.

(b) It shall be unlawful for any individual or group to enter, occupy or settle whether permanent or temporary in nature without the consent or permission from the land owner (if private] or in a any public property or land without the consent of the necessary government agency

(c) **PENALTY CLAUSE**- Any person, firm or establishments violating the above mentioned

Section shall be penalized by a fine of two thousand five hundred pesos(Php 2,500.00). or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 69. FIRE EXTINGUISHER REQUIREMENTS FOR BARANGAYS

(a) Mandatory Requirements

All Barangay of LGU-NUEVA ERA shall be required to have their own fire extinguisher as fire safety measures and such fire extinguisher shall be installed at the Barangay Hall.(refer to Nueva Era BFP office).

SECTION 70. GASOLINE STATIONS

(a) MANDATORY REQUIREMENT

The Municipal Government of Nueva Era hereby mandates motorists and gasoline stations owner within the Municipality to comply with safety measures in refueling of motor vehicles.

(b) PROHIBITED ACTS:

The following acts are hereby prohibited within the forecourt:

- 1.) Igniting a lighter or match for whatever purpose
- 2.) Using mobile phone
- 3.) Running the engine while refueling.
- 4.) Straddling/citing on the vehicle/ motorbike while refueling
- 5.) Using an unauthorized plastic container for take-out purchase of gasoline/ petroleum products.

(C.) NOTICE OF WARNING.

The owner/Operator of the refueling station shall post the signs along the entrance premises or in such conspicuous place within the forecourt as warning to costumers, station pump crew employees, and the public, in general.

- 1.) NO SMOKING
- 2.) SWITCH OFF ENGINE, Running the engine while refueling can cause fire.
- 3.) GET OFF FROM MOTORBIKE OR TRICYCLE while refueling.
- 4.) USE ONLY approved containers for take-out purchase of petroleum products.

(c) PENALTY CLAUSE:

- 1.) Any person, motorists and station crew fond violating the provisions under this section shall be penalized for every infraction a fine of one thousand pesos (Php 1,000.00) or an alternative penalty of donations of our unit of blood to the blood bank of the municipal Government.
- 2.) Gasoline owner/Operator/Station crew shall be meted a graduated penalty for violation to the provisions under this section as follows.
 - 1st Offense-fine of Php1,000.00
 - 2nd Offense-Fine of Php1,500.00
 - 3RD Offense – fine of Php2,500.00

Or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 71. SAFETY MEASURES FOR HAZARDOUS OPERATION OR PROCESSES

(A)Mandatory Requirements

Fire safety measures shall be required for the following hazardous operation and processes:

- Welding and soldering
- Disposal of combustibile waste materials
- Refining, distilition and solvent extraction
- Smelting

(b) Regulated Acts

Any firm or corporation engaging in hazardous operation and processes shall secure the necessary clearances and permits from the Nueva Era fire Marshall Office and the Mayor's office respectively.

- (c) Penalty Clause** –Any person, firm or corporation violating the above mentioned section shall be penalized by a fine of two thousand five hundred pesos (Php 2,500.00) or imprisonment **in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.**

SECTION 72. FIRE SAFETY AND WARNING DEVICES

(a) Mandatory Requirements

Owners, occupants, administrators of building, structure and their premises on a especially hazardous in nature or when access by fire apparatus is unduly difficult, shall provide fire safety and warning system and develop fire safety programs, to wit:

- Fire protection features such as sprinkles system, hose or standpipe system and other firefighting equipment.
- Fire alarm system
- Firewalls to separate adjoining building or warehouse and storage areas from other occupancies in the same building
- Fire exit program or plan for each floor of the building
- Roof vents for use by firefighters
- Self-closing fire resistive door heading to corridors
- Fire dampers in centralized air condition ducts
- Properly marked and lighted exits with provision of emergency lights adequately illuminated exit ways in case of power failure.

(b) Penalty Clause— Owners, occupants or administrators violating the above mentioned section shall be penalized by a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment in accordance to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 73. OTHER PROHIBITED ACTS

The following acts are prohibited and/are punishable under this section:

- (a)** Obstructing or blocking the exit ways or access to building clearly marked for safety purposes, but not limited to aisle in interior area, any part of stairways or exit of any kind or tolerating or allowing said violations.
- (b)** Prevention, interference or obstruction during firefighting operation.
- (c)** Obstructing a designated fire lane or access to fire hydrants.
- (d)** Lacking fire exits during the period when people are existing inside the building.
- (e)** Giving false and malicious fire alarms.
- (f)** Use of jumpers or tampering on electrical wiring and installations, or overloading the electrical system beyond its designated capacity for the safety of the building or structure.
- (g)** Minor children playing fire and other hazardous preparations, the liability shall fall under the responsibility of the parents or guardians.

PENALTY CLAUSE:

Any person, firm or corporation found guilty of the above section shall penalized by a fine of two thousand five hundred pesos (PHP 2,500.00) in accordance to the provisions of the Revised Penal code and/r special laws or by closure of such building or structure, their premises of facilities if do not comply with requirements, or both fine and closure as the case maybe.

ARTICLE K. PUBLIC TRANSPORT AND COMMUNICATION

SECTION 74. DEFINITION OF TERMS – as used in this article, the following words and phrases shall be defined as follows:

- a. **FRANCHISE** –is a right or privilege, affected with public interest that is conferred upon private persons or corporations, under such terms and conditions as the government and its political subdivisions may impose in the interest of public welfare, security and safety.
- b. **VEHICLE** – refers to any kind of contrivance, whether motor, muscular and traction engine driven, on wheels and runners used to carry people or goods from one place to another over land.
- c. **MOTORCYCLE for HIRE** –is a vehicle composed to a motorcycle fitted with a single wheel side car or a motorcycle with a two-wheel cab operated to render transport services to the general public for a fee.
- d. **OPERATORS** – are persons engaged in the business of operating tricycles.
- e. **DRIVER** – shall mean any person who has license to operate a motor vehicle.
- f. **PARKING** – shall refer to the position of any vehicle when placed in idle and immobile state for a period of time longer than the ordinary period of loading and unloading.
- g. **LOADING and UNLOADING** – refers to the act of taking in or discharging of passengers or cargoes by any vehicle.

SECTION 75. NATIONAL FRANCHISE

(a) Regulatory Acts

- (1) All public conveyances of national franchise (operating in the municipality) shall register with the Mayor's Office for monitoring and other purposes.
- (2) Parking, loading, unloading and other regulation local traffic laws must be observed and strictly followed.
- (3) Services of the dispatcher shall be at their option. The Local Government Unit (LGU) shall not take responsibility thereof.

(b) Penalty Clause – Any person violating the above mentioned section shall be penalized by a fine of One Thousand Pesos (Php1,000.00) or imprisonment in accordance to the provisions of the revised penal code and/or special laws as the case maybe.

SECTION 76. LOCAL FRANCHISE

(a) Mandatory Acts

MOTORCYCLE-FOR-HIRE (MCH) shall observe the following operating conditions, including other conveyances of Municipal Franchise.

1. Motorcycle-for-hire routes must be within the boundaries only prescribed in their permit.
2. Motorcycle-for-hire operation must comply the local franchise and other requirements.
3. Operators and drivers must observe and follow Land Transportation Office (LTO) and Local Government Unit (LGU) rules and regulations including decency, sleeveless shirt and short pants are not allowed.
4. Passengers carrying capacity must be observed.
5. Refusal to convey passenger is strictly prohibited.

(b) Penalty Clause – Any person violating the above mentioned section shall be penalized by a fine of Five Hundred Pesos (Php500.00) or revocation of permit or as provided in the Traffic Code of the Municipality.

SECTION 77. MOTORCYCLE FOR HIRE

(a) Regulate Acts

1. Carrying capacity shall be limited to 4 including the driver.
2. Drivers shall wear uniform prescribed by the motorcycle-for-hire association.
3. Drivers shall not wear sleeveless shirt, short pants and sleepers.
4. Wearing of shoes is a must.

(b) Penalty Clause - Any person violating the above mentioned section shall be penalized by a fine of One Thousand Pesos (Php1,000.00) or revocation of the franchise or permit.

SECTION 78. OVERLOADING OF PASSENGERS AND FARM PRODUCTS

(a) Prohibited Acts

1. No person operating any vehicle shall allow more passengers his vehicle than its registered capacity.
2. No person operating any vehicle shall allow any passenger to ride on the cover or on top, on the step board, fender or bumper of his vehicle for any purpose.
3. Overloading of farms products from and to market or any other places is strictly prohibited.

(b) Penalty Clause

Driver or owner of vehicle violating the provision of this section shall be penalized by a fine of Two Thousand Pesos (Php2,000.00) or imprisonment in accordance to the provisions of existing laws.

SECTION 79. PROPER GROOMING OF DRIVERS

(a) Basis of Action

It has been observed that some drivers of any kind public utilities who do not have the regular practice of proper grooming create a hindering situation where the passengers voluntarily prevent themselves to avoid such public utility because of bad odor and other irritating manifestation on behalf of the driver.

(b) Regulated Act

All drivers of motorcycles, tricycles or motorcycle-for-hire shall observe proper grooming to project good and positive image towards the prospective passengers and the whole community as well.

(c) Penalty Clause – Any person violating the above mentioned section shall be penalized by a fine of Two Hundred Pesos (Php200.00).

SECTION 80. DRIVING/OPERATING OF VEHICLE HALF-NAKED (TOPLESS)

(a) Prohibited Act

No person shall operate/drive of any vehicle (Motorcycle, Tricycle, Bicycle, etc.) shouting, half-naked/topless along national road, Municipal road/streets, playground and public plaza.

(b) PENALTY CLAUSE-Any person violating in this section shall be penalized by a fine of five hundred pesos (Php 500.00).

SECTION 81. PARKING IN HIGHWAY

(a) Prohibited Acts

No person shall stop, stand or park a vehicle or motorcycle except when necessary to avoid conflict with other traffic or in compliance with law or directions of traffic officers, in any of the following places.

1. Within an intersection
2. Within four (4) feet in front of a public or private driveway

3. Within four (4) meters of fire hydrant
4. Within four (4) meters of the driveway entrance to fire station
5. Within ten (10) meters of the intersection of curve lines along municipal streets and national roads
6. On a cross walk
7. On a sidewalk, except as otherwise provided here in
8. At any place where official signs have been enacted prohibiting parking

(b) Penalty Clause – Violation to any provisions of this section shall be penalized by a fine of Three Hundred Pesos (Php 300.00).

SECTION 82. PARKING OF VEHICLES

(a) Prohibited Acts

All motorized vehicles including tricycles, motorcycles, buses, mini-buses and private vehicles shall park only at the designated parking places designed by the Local Government Unit (LGU) covering the municipal hall and the public market area.

(b) Penalty Clause – Any person violating the above mentioned section shall be penalized in the manner thru citation ticket ordinance provides.

(c) Administrative Provision. Implementation of penalties under this section are without prejudice to the provisions of the Revised Penal Code and/or special laws as the case maybe.

SECTION 83. OVERNIGHT PARKING

(a) Regulated Acts

1. Delivery trucks and panel shall park only in the parking places designed by the Local Government Unit (LGU) at the Nueva Era Public Market from 8:00 o'clock in the evening up to 6:00 o'clock in the morning.
2. Stalled vehicle caused by engine trouble and/or flat tire must be removed/towed away as soon as possible from the road, street or highway.

(b) Penalty Clause

Delivery trucks, salesman and owner /driver of the vehicle violating the above section shall be penalized by a fine of Five Hundred Pesos (Php 500.00).

SECTION 84. HUMPS

(a) Prohibited Act

Construction of humps in any roads and streets in this municipality shall be strictly prohibited.

(b) Penalty Clause – Construction of humps shall be penalized by a fine of One Thousand Five Hundred Pesos (Php 1,500.00).

SECTION 85. USING CELLPHONE WHILE DRIVING

(a) Prohibited Act

The drivers contacting and sending text messages through cellphone while driving any kind of vehicles shall be strictly prohibited.

(b) Penalty Clause –Any person violating the above section shall be penalized by a fine of One Thousand Pesos (Php 1,000.00).



- (p) "Internet Pornography" – refers to the visual representation or images showing prohibited acts, through any of the electronic devices or means, with the end in view of satisfying the lust or sexual desire of another, regardless of geographic location, including but not limited to the following:
- Digital camera
 - Camera equipped mobile phones
 - Webcam or similar gadgets
- (q) "Webcam" – is a video or digital camera, usually attached directly to a computer, designated to take photographs or images and transmit them over the internet.
- (r) "Gaming shop or Gaming Center" – refers to a establishments with two or more computers connected on a local area network that offers either on line games (connected to the internet) or LAN games (not connected to the internet).
- (s) "Computer Rental Shop" – refers to business establishments with two or more computer units that offers internet services, typing, printing services and gaming shop or center.
- (t) "LAN (Local Area Network)" – refers to a group of computers with associated devices that share a common communication line and typically share resources and data within a small geographic area.
- (u) "Pornographic Site" – refers to a website with display of erotic behavior intended to cause sexual excitement.
- (v) "Satanic Site" – refers to the sinister, devilish, diabolic, wicked, evil and fiendish website on the internet.
- (w) "Violent Site" – refers to a web site on the internet which downloads brutal, furious, vicious and forceful materials.
- (x) "Surfing" – refers to the act of exploring a sequence of web sites in a random or unplanned manner.

SECTION 87. PROHIBITED ACTS OF MINORS – minors are prohibited from doing the following acts:

- (a) Drinking and selling of liquor or alcoholic beverages
- (b) Smoking cigarettes and other tobacco products
- (c) Loitering from 9:00 PM to 4:00 AM of the following day
- (d) Roaming in parks/amusement centers during school hours.

Exemptions:

- 1) Minors loitering within the time and place mentioned herein – above with sufficient justifiable reasons. (I.e. school or work related activities) Provide that students must present their school IDs, while out of school youths and working students must present their job IDs to the apprehending officer. Likewise, minors accompanied by their parents and/or legal guardians are exempted, and those who are going out or returning to their houses for legitimate or visible purposes/emergency cases.
- 2) Students attending a school activity accompanied by school officials or their respective teachers and authorized by the principal/administrator of the school.
- 3) When the students has been permitted to leave school campus for some school related activity and has in his/her possession a valid school issued, off-campus permit, letter or authorization
- 4) Minors accompanied by guardians/parents or older persons.

SECTION 88. The legal guardian/parents of the child shall be properly informed of the violation committed before the sanctions are carried out by the apprehending officer/s.

SECTION 89. All establishments such as video arcades, computer shops, sari-sari stores and billiard/pool halls are tasked to display a copy of the ordinance in front of their shops.

CHAPTER III MINOR/BUSINESS OR INDIVIDUALS CATERING MINORS

SECTION 86. DEFINITION OF TERMS –as use in this chapter

- (a) "Minor" – any person below 18 years of age.
- (b) "Business Establishments" – amusement/entertainment centers which include billiard halls, videoke bars, video arcades, computer shops, internet cafes, eateries and the likes.
- (c) "Cigarettes and cigarette paraphernalia" – cigar or cigarettes whether imported or manufactured locally, including tobacco and such other leaves whether imported or grown locally and the rolling paper by which these leaves may be used for smoking.
- (d) "Habit inducing Solvents" – any substance or chemical mixtures which induces condition of intoxication, inebriation or stupefaction resulting in the dulling of the brain or nervous system, depression, giddiness, paralysis or irrational behavior or distorting the auditory, visual or mental processes.
- (e) "Pupil" – refers to a young person, enrolled in the Kindergarten class and in Grade 1 up to Grade 6 in any elementary school in this municipality
- (f) "Student" – refers to one who is enrolled or is studying in the Secondary School level in any private or public school in this municipality who is below 18 years old.
- (g) "Youth" – shall refer to any person eligible to enter and be in the Kindergarten class, and to children from seven (7) years old to below 18 years old whether or not enrolled in any private or public school in this municipality.
- (h) "Parent" – refers to the biological or natural parent, the step-parent, foster parent, adoptive parent, whether father or mother of the child or minor.
- (i) "Guardian" – other than the parent, refers to a person or an entity or agency as the case maybe:
 1. Who under an order or decision of the court is the guardian of the person of a child or minor;
 2. Who takes charge of the custody or who is taking care of a minor who may either be a relative or not;
 3. To which has been entrusted the minor or child for care and custody pursuant to a court order;
 4. Who is at least 18 years old and authorized by a parent or guardian to accompany a minor to the public place or to have the care and custody over him/her.
- (j) "Linger or stay" – means to loiter or remain, as well as to refers to leave when requested to do so by a police officer, or the owner or other person in control of a public place. This term also encompasses activities which may be mobile, such as walking, driving and riding about in a public place or business establishment.
- (k) "Take Custody" – to gather and extend protection and security.
- (l) "Public Social Welfare Institutions" – DSWS, LGU accredited social welfare institutions which provide street children/elders/infants/orphans with basic necessities such as food, clothing, shelter and basic education.
- (m) "School Hours" – refer to hours prescribe to students to be in school for their classes, that is, from Mondays thru Fridays, but may include "make-up" classes during weekends.
- (n) "Internet" – refers to the worldwide system of computer networks in which a user at any one computer can directly get information from any other computer in the network.
- (o) "Internet Café" – a place of business that has a number of networked personal computers with access to the internet for surfing, chatting, E-mailing and research and available for the use by customer for a fee by hour as fraction of an hour. The business establishment may or may not be serving coffee and/or similar beverages. Also included are cyber café, arcades, and lounges.

SECTION 90. Any minor caught using dangerous drugs or substances or engaged in activities contrary to morals or public policy shall be dealt with in accordance with pertinent ordinances, provisions of P.D. 603(Child and Youth Welfare Code), And such other national laws as may be applicable.

SECTION 91. PROHIBITED ACTS of Business Establishments that cater to Minors – The following acts of business establishments shall be prohibited:

- (a) All owners, proprietors, operators of Carinderias, Sari-sari Store, Computer Shops and other recreational stations in this municipality are prohibited from allowing (minors) pupils and students to stay or standby inside their establishment during school hours 7:00 AM to 11:30 AM and 1:00 PM to 5:00 PM and during curfew hours 9:00 PM to 4:00 AM of the following day

a.1. Basis of Action :

It is common observation that pupils/students usually stay or standby inside recreational stations, sari-sari stores, computer shops and carinderias during school hours. There is a dire need to discourage said practice so that the pupils/students would concentrate more in their studies as what their parents expects of them, and that they would also be spared from being indulged in illegal activities specially on the use of illegal drugs and the like that their presence in or in front of stores or carinderias may cause temptation or a possibility to be invited to those other buyers/consumers presently having their drinking session or any related activities in that establishment.

a.2. EXEMPTIONS:

Pupils or students may be allowed to stay in the mentioned establishment provided during allotted recess, snack time and vacant period legally issued by the local school officials or their respective teachers and authorized by the principal. In no case shall not exceed 15 minutes.

- (b) All owners, operators/proprietors of computer shops, billiard or other recreational stations in this municipality are prohibited from allowing pupils or student to linger, stay or play computer/video, billiard or other games or the like during school hours and/or at curfew hours (9:00 PM to 4:00AM of the following day).
- (c) Billiard or pool hall shall not be established, put up or operated within two hundred (200) meters from any school or education institution of any place of worship. Owners, managers or operators of billiard or pool halls shall not allow minors to enter, loiter, or play in any billiard or pool hall during school hours or curfew hours (9:00 PM to 4:00 AM of the following day)
All owners and operators of billiard and pool halls to be put up and operated within this municipality shall first secure permit for the said establishment by the municipal Business Permit and Licensure Office (BPLO).
- (d) Owners, Operators or Managers of cockpits are prohibited from allowing minors to enter its premises during cockfights.
- (e) Establishments/Individuals selling cigarettes, other tobacco products and cigarette paraphernalia are prohibited from selling, transferring and/or conveying these products to minors.
- (f) Establishments/individuals serving/selling intoxicating liquor or alcoholic beverages are strictly prohibited from serving/selling and/or conveying these products to minors.
- (g) Establishments/Individuals selling rugby and other habit inducing products are prohibited from selling these products to minors.
- (h) Business establishments catering to minors are mandate to display a notice at the entrance of the establishment containing the words "NO MINORS ARE ALLOWED FROM 9:00 PM TO 4:00 AM". The notice shall be clear and noticeable to the public.

SECTION 92. BUSINESS ESTABLISHMENT SERVING/ SELLING LIQUOR

The sale of liquor in the Municipality of Nueva Era is strictly prohibited from 9:00 PM to 8:00 AM of the following day. The owners, managers/personnel of commercial/business establishments should inform their customers/clients of this prohibition.

SECTION 93. The Municipal Engineer and the Business Permit and Licensing Office (BPLO) shall take this prohibition into consideration in the issuance or non-issuance of the required building and business permits. The Business Permit and Licensing Office (BPLO) must disseminate the information to all establishments.

SECTION 94. REGULATION OF INTERNET CAFES/COMPUTER RENTAL SHOPS/COMPUTER GAMING SHOPS OR CENTERS.

The Municipal Government hereby regulates the establishment and operation of internet cafes, computer rental shops, computer gaming shops or centers and providing penalties for violation thereof.

A. COVERAGE. This section shall cover the following:

1. Any business establishment with more than one (1) computer unit, offering for a fee, services including but not limited to E-mail, games, chatting, surfing, research and other services which requires the use of computers and access to the internet. These business establishments are classified as internet cafes or computer rental shops/computer gaming shops or centers.
2. Other business establishment which offer a combination of services such as food and internet, recreation and other similar business fusions requiring the use of computers and access to the internet, such as cyber café, arcades and other similar establishments.

SECTION 95. CLASSIFICATION OF COMPUTER SHOPS. –Computer shops are hereby classifies as follows:

- (a) **INTERNET CAFÉ** – a place of business that has a number of networked personal computers with access to the internet for surfing, chatting, E-mailing and research and available for use by customers for a fee by the hour or fraction of an hour. The business establishments may or may not be serving coffee and/or similar beverages. Also included are cyber café, arcades, lounges.
- (b) **COMPUTER RENTAL SHOP** – refers to a business establishment with two (2) or more computer units that offers internet services, typing, printing services and gaming shop or center.
- (c) **COMPUTER GAMING SHOP OR CENTER** – refers to a establishment with two(2) or more computers connected on a local are network that exclusively offers either online games (connected to the internet) or local area network (LAN) games (not connected to the internet).

SECTION 96. REQUIREMENTS. In securing business license, any person(s) who shall establish and operate an internet café/computer rental shop/computer gaming shop or center are required to submit the following documents to the Business Permits and Licensing Office (BPLO).

- (a) **Barangay Clearance**
- (b) **Residence Certificate**
- (c) **Sanitary Permit from Municipal Health Office**
- (d) **Fire Safety Clearance from Municipal Fire Department**
- (e) **Picture of establishment with permanent signboard**
- (f) **Contract of lease, business permit of lessor (if leased)**
- (g) **Accreditation with Internet cafe Association or any Municipal Government Accredited Internet Association**
- (h) **Other documents as may be required by the BPLO**

SECTION 97. BUILDING SPECIFICATION – Internet Café or Computer Rentals Shops/ Computer Gaming Shops or Centers must comply with the following building specifications:

- (a) **Proper Ventilation** (as may be specified by the Municipal Engineering Office)
- (b) **Front wall panel is fifty percent (50%) transparent** (free from any obstruction) to allow a clear view of the interior of the establishment

- (c) Adequate lighting both inside and outside of the establishment to allow a clear view of the interior at all times.
- (d) No enclosed cubicles.

SECTION 98. PROHIBITED ACTIVITIES. The following acts are hereby prohibited among customers inside internet cafes/computer rental shops/computer gaming shops or centers:

- (a) Perform or exhibit in front of a digital camera, computer video camera, camera equipped mobile phones, webcam and the like, any of the following acts either for free or for consideration, promise or reward.
 - a1. Actual or simulated sexual intercourse, including genital-genital, oral-genital and anal-genital or oral-anal, whether between same or opposite sex.
 - a2. Bestiality (sexual relations with an animal)
 - a3. Masturbation
 - a4. Sadistic or masochistic abuse
 - a5. Use of vibrator or any instrument where the genitals, breast or pubic area of any person is exhibited
 - a6. Watching somebody performing activities from a1 to a5.
 - a7. Other activities which are of similar nature
- (b) Surf the internet at websites which contain pornographic or lewd materials, satanic/violent materials or those that advertise or promote prostitution is likewise prohibited;
- (c) Produce, distribute and transmit images on visual representation depicting the above cited prohibited acts in (a).
- (d) Use, consume or trade prohibited drugs, intoxicating liquor/beverages, cigarettes within the premises.
- (e) Gamble on-line and/or bet among customers inside the premises.
- (f) In the case of students of minor age, the following acts are likewise prohibited:
 - 1. Enter the premises wearing school uniform (except students who will be doing research work/school work in internet café or computer rental shops during vacant/ free school hours).
 - 2. Enter the premises during school hours (except students who will be doing research work/school work in internet cafes or computer rental shops during vacant/ free school hours). Computer gaming shops or centers are strictly prohibited from allowing the entry of students during school hours.
 - 3. Enter the premises without Identification Card (I.D.) and class schedule duly issued by the Class Adviser/School Principal.
- (g) For both students and out-of –school of minor age, entry to the premises during curfew hours (from 9:00PM to 4:00 AM of the following day) is likewise prohibited, except when accompanied by a parent or guardian.

SECTION 99. DUTIES AND RESPONSIBILITIES OF OWNERS / PROPRIETORS / MANAGERS OF INTERNET CAFES / COMPUTER RENTAL SHOPS / COMPUTER GAMING SHOPS OR CENTERS

–Owners / proprietors / managers of internet cafes / computer rental shops / computer gaming shops or centers are required to perform and undertake the following measures in their operation:

- (a) Ensure strictly that customers comply with the prohibitions of this Ordinance. The I.D.s and class schedules of students (minor) must be checked as basis for allowing/disallowing them to enter the premises.
- (b) Display necessary warning against access to pornographic and on-line gambling sites, “INTERNET PORNOGRAPHY AND ON-LINE GAMBLING ARE PROHIBITED”
- (c) Install filtering software to remove access to all pornographic and on-line gambling sites.

SECTION 100. STUDENTS’ CLASS SCHEDULE – Any student of minor age who shall enter internet cafes or computer rental shops / computer gaming shops or centers must present his Identification Card (ID) and class schedule. The class schedule must be signed by the class adviser/school principal.

SECTION 101. REGULAR INSPECTION/VISIT – The inspection team, composed of representatives from the Business permit and Licensing Office (BPLO) and the Philippine National Police (PNP) of Nueva Era shall conduct regular inspection of above-mentioned establishments during their business hours to ensure compliance with this Ordinance. The inspection team shall recommend appropriate measures to be applied on the establishment for the violation of the ordinance.

In case of complaints received from any concerned citizen against an internet café or computer rental shops/computer gaming shop or center, the inspection team shall act within seven days and submit a report to the local Chief executive not later than (15) days from the first inspection day.

SECTION 102. PARENTAL AUTHORITY AND CUSTODY – when there is probable cause to believe that the mother, father or guardian induced the minor to engage in internet pornography, the Municipal Social Welfare Office – Nueva Era shall temporarily assume the custody and parental authority over the minor.

SECTION 103. DISPOSITION OF MATERIALS –Any material containing the lewd exhibition shall be destroyed by the member of the PNP-Nueva in the presence of respective from the Municipal Mayor's Office. The equipment used in the production/ showing/ printing of obscene and pornographic materials shall be confiscated and used as evidence in court. Disposition of materials or equipment shall be determined by the court.

SECTION 104. It shall be unlawful for any computer and/or video gaming shop operators to extend credit to minors. Complaints regarding any violation of this provision should be filed before the Business Permit and Licensing Office (BPLO), which shall immediately conduct an investigation of the complaint upon due notice to the owner/operator of subject establishment.

SECTION 105. PENALTY – Violations under chapter III (sec. 94,95,98 b&c, 103] shall be penalized as follows:

- (a) Violations of a minor under this chapter shall be penalized by a fine of One Thousand Pesos (Php1,000.00) to be paid by the parents or guardian of said minor. The minor shall be required to attend a Values Orientation Rehabilitation course. In case of incapacity to pay the fine the parents/guardian of the minor shall render four(4) hours of community service.

Students roaming in parks, amusement centers, internet cafe / computer chops and other similar places during their prescribe school hours shall be reprimanded with the presence of his/her parents or guardian or concerned school authorities.

Minors who shall violate **SECTION 98 (f)** prohibited act shall be turned-over to their parents/guardians. A report of the violation shall be furnished to the school principal for erring students (minor) for proper disciplinary action.

Minor who shall violate **SECTION 98 (g)** prohibited act shall be penalized by a fine of One Thousand Pesos (Php 1,000.00) to be paid by the parents/guardian. In case of incapacity to pay the fine, the parents/guardian shall render four(4) hours of community service.

- (b) Violation by persons, owners/proprietors/managers of businesses (cockpits, billiard and pool halls, establishments selling rugby, adhesive products, cigarettes, other establishment catering to minors serving/selling liquor and internet cafes/computer rental shops/computer gaming shops or centers) under this chapter shall be penalized by a fine of Five Thousand Pesos (Php 5,000.00). in case of incapacity to pay the fine, the offender(s) shall render sixteen (16) hours of community service. Revocation of business permit and license to operate shall be imposed in addition to the fine for the third offense,

without prejudice to the filing of appropriate action in court for violation of this code and other laws. Renewal of permit and license will only be granted upon compliance with all the provisions of this code.

Any person who shall perform any of the following acts under **SECTION 98 (a) (Prohibited Acts)** shall be penalized by a fine of Three Thousand Pesos (Php3,000.00) without prejudice to the filing of appropriate action in court. In case of incapacity to pay the fine, the offender shall render eight (8) hours of community service. Provided that, in case the performer, actor or exhibitor is a minor, he/she shall be considered a victim pursuant to Republic Act No. 7610 otherwise known as "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act", and shall be placed under protective custody as provided in said act.

CHAPTER IV **ALTERNATIVE PENALTIES/PENALTY FOR MINOR OFFENDERS**

SECTION 106. COMMUNITY SERVICE – Community service may be imposed to any natural or juridical person who has violated any provision of this code and who has no capacity to pay the fine provided that the violator is physically and mentally fit to render such service. If the violator is a juridical person, the owner/s, manager/s, administrator shall render the community service.

The following are the community services which may be imposed upon violators:

- (a) Cleaning of sidewalks, streets, parks, river banks, public buildings, structures and surroundings.
- (b) Dredging of garbage from river.
- (c) Watering the plants in park.
- (d) And other tasks that may be assigned by the implementing agencies which are of similar nature.
- (e) Practice of profession (e.g. nurses, teachers) for the needy, children or elders.
- (f) Charity civic works.

SECTION 107. The community service shall be imposed for a minimum of one hour (1) and a maximum of eight (8) hours per day. Any implementing agency shall impose community service to violators in the following manner:

- (a) For a fine of Php500.00 and below – 1 to 3 hours of community service
- (b) For a fine of above Php500.00 to Php1,000.00 – 4 hours of community service
- (c) For a fine of above Php1,000.00 to Php2,000.00 – 5 hours of community service
- (d) For a fine of Php2,000.00 to Php2,500.00 – 8 hours of community service

SECTION 108. BLOOD DONATION –Blood donation may be imposed as an alternative penalty for

violators who has no capacity to pay the fine, provided that the penalty involved shall not exceed One Thousand Pesos (Php1,000.00) and that he/she is healthy, physically fit and thus, qualified to donate blood. The Municipal Health Office shall certify if an offender is qualified donor.

SECTION 109. SPIRITUAL COUNSELLING –implementing agencies/authorities may impose the alternative penalty of spiritual counseling to violators of this code in case of incapacity to pay the fine and inability to render community service due to disability, illness or weak health condition which hinders a person to execute tasks which requires physical exertion.

SECTION 110. VALUES ORIENTATION/REHABILITATION COURSE – Values orientation and rehabilitation course shall be imposed to minor offenders. The course shall also address the psychological, emotional and spiritual needs of minor.

SECTION 111. PENALTY FOR FAILURE TO RENDER COMMUNITY SERVICE – Person in breach of the provisions of this code who undertakes to render community service/other alternative penalties in lieu of the payment of fine as herein required shall be liable to pay a fine of Two Thousand Five Hundred Pesos (Php2,500.00) in addition to the fine prescribed for the subject violation, or shall be liable for imprisonment for a period not exceeding six (6) years or both at the discretion of the court.

CHAPTER V

PRANK CALLS TO EMERGENCY HOTLINE NUMBERS

SECTION 112. DEFINITION OF TERMS as used in this CHAPTER

- (a) **PRANK CALLS** – shall refer to telephone calls or text made or sent by any person to any emergency numbers which do not involve a report of an emergency situation or a request for emergency assistance by are made solely for the purpose of making fun of such hotline numbers or sow confusion among emergency responding units.
- (b) **PRANKSTER** – shall refer to the person who is making a prank call.
- (c) **EMERGENCY HOTLINE NUMBERS** – shall refer to the following:
HOTLINE number of (Nueva Era) PNP PATROL, hotline of the (NUEVA ERA) BUREAU OF FIRE PROTECTION (BFP), (Hotline of NUEVA ERA LYING-IN CLINIC), or government and private hospital hotlines, hotline of the National/ Regional/ Local Disaster Coordinating council: (RESCUE) hotlines or cellphones of such other government and/or private hotlines whose entities provide quick response to emergency situations.
- (d) **EMERGENCY SITUATIONS** – shall refer to incidents of fire, flood, earthquake, civil disturbances, acts against national or local security, public disorders, terroristic attacks, commission of crimes, accidents and other incident that require rescue or retrieval and immediate medical assistance.

SECTION 113. The municipal government hereby penalizes any person who makes prank call/s to any emergency hotline numbers of government and private entities.

SECTION 114. The following acts shall be punishable:

- (a) Making prank call or sending false or untrue text messages through any service provider to any emergency hotline number.
- (b) Making a call or sending text messages to emergency hotline numbers for the purpose of reporting false or make-believe emergency situations.
- (c) Making a call or texting an emergency number and leave said line hanging for the purpose of paralyzing the emergency hotline so called.
- (d) Making lewd calls or sending lewd text messages to emergency numbers. And
- (e) Calling / texting said emergency hotline numbers to mock, ridicule insult or otherwise, hurl invectives at the phone operator, or utter distasteful and/or derogatory remarks against any individual other than operator.

SECTION 115. IDENTIFICATION OF PRANKSTERS. Pranksters can be identified through caller's ID. Telephone number, both land and mobile and can also be identified using voice recording system where every conversation that transpired are being recorded for future reference. Using the caller's ID and voice recording can be documented in the daily journal. The pranksters can be apprehended when prima facie is established and formal complaint has been filed and a warrant of arrest has been issued.

SECTION 116. Prank calls can be monitored, recorded and properly identified through the registered owner of the land line indicating there in the address location of the owner. Mobile phone user can be identified if registered.

SECTION 117. For conviction of pranksters, the journal indicating the telephone number used, time/place committed and the voice recording shall be presented to the court as evidences. Proof of ownership of the land line phones used or proof of purchase of the mobile phones used by the suspected prankster can be verified and obtained from the National Telecommunications Commission.

SECTION 118. Violations under this chapter shall be penalized by a fine of Two Thousand five hundred Pesos (Php2,500.00) without prejudice to the filing of appropriate action in court.

CHAPTER VI INSTALLATION OF BILLBOARD/SIGNBOARD

SECTION 119. GROUND SIGNS/ADVERTISEMENTS – The owners of all commercial business and industrial establishments and religious and educational institutions within the municipality of Nueva Era are hereby prohibited from placing or putting up ground signs or advertisements on stands or posts within the mandatory (5) meters public parking easement fronting their respective establishments and institutions.

SECTION 120. BILLBOARDS, SIGNBOARDS, STREAMERS – No billboards, signboards or steamers, containing promotions, advertisements, project announcement or any commercial materials shall be posted, placed, stringed, attached and/or installed on any public facilities, including but not limited to public parks and its facilities, public structures and facilities, and trees and plants found on sidewalks.

SECTION 121. The installation of any commercial sign or billboard which is private in nature in all Barangay and Municipal Street signs is prohibited.

SECTION 122. SIGNBOARDS DURING INFRASTRUCTURE PROJECTS – In the case of infrastructural projects undertaken by a government or private contractors, the sign, billboards or signboards should be attached to a stand and placed on the street pavement at the approach and of the construction project and should be visible as a traffic warning to both motorists and pedestrian.

SECTION 123. ELECTION CAMPAIGN STREAMERS/MATERIALS – Promotional or election campaign materials shall be posted only on authorized places designated by the Commission on Election.

SELECTION 124. PERMITS – Any business and commercial establishments, religious organizations, community organizations and non-governmental organizations which seeks to install billboards, signboards or streamers on any places, shall secure a clearance from the Barangay having territorial jurisdiction thereof, prior to securing a permit from the Business Permit and Licensing Office.

SECTION 125. Construction of any government project to be undertaken within the Municipality of Nueva Era shall be required to obtain a permit from the Office of the Municipal Engineer of Nueva Era.

SECTION 126. REMOVAL OF SIGNBOARDS, BILLBOARDS, STREAMERS – The Government of Nueva Era shall have the right to remove without notice, any billboards, signboards or streamers that are not places in designated areas.

Page 34.
Mun. Ordinance No. 12
Series of 2017

SECTION 127. PENALTY – Violation under this chapter except for Sec. 122, and 123 which are subject to the provisions of existing national laws shall be penalized as follows:

A fine of Two Thousand five hundred Pesos (Php2,500.00) at each instance plus confiscation of such billboards, signboards or streamers. Violation for three (3) consecutive times within the same year shall be sufficient ground for the revocation of business permit and license.

CHAPTER VII

PUBLIC SAFETY TO BE OBSERVED DURING LOCAL CELEBRATIONS IN THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE

SECTION 128. STATEMENT OF POLICY – It is the policy of the Municipal Government to protect the people of Nueva Era and ensure public safety during local celebrations such as fiestas, festivals, anniversaries, concerts, fair, carnivals, parades, programs, processions, sports activities and similar assemblies or any undertakings open to the public.

Page 36.
Mun. Ordinance No. 12
Series of 2017

SECTION 129. DEFINITION OF TERMS – as use in this chapter

(a) **LOCAL CELEBRATION** – includes fiestas, anniversaries, and concerts, fair, carnivals, parades, programs, processions, sport activities or any undertaking open to the public.

(b) **PERSON** – Refer to both natural and juridical persons including but not limited to schools, Local Government Units as corporate bodies, clubs, associations, organizations, fraternities and corporations.

LAVISH FIESTAS, POMPOUS PROGRAMS AND OTHER OSTENTATIOUS CELEBRATIONS – anything more than a simple and moderate celebration taking into consideration the circumstances of the person, time and place as well as economic realities.

(d) **PARADE** –shall mean the exhibition in a slowly manner an organized march or to make a show of an organized march.

(e) **FLOATS** –a platform on wheel carrying an elaborate artistic motif and grouping of people which shall be used in the parade.

(f) **STAGE** – a platform improvised or permanent where a show or an exhibition shall be held in a local celebration.

(g) **PYROTECHNICS** – the use of firecrackers/fireworks for display in a local celebration.

(h) **ELECTRICAL INSTALLATIONS** – any facility to be used in local celebrations requiring the use of electricity.

(i) **MEDICAL AND FIRST AID TEAMS** – a group of persons knowledgeable in Cardio Pulmonary Resuscitation (CRP) and similar technique including the application of first aid to take care of fractures and wounds.

SECTION 130. GOVERNMENT REGULATION OF FIESTAS AND OTHER LOCAL CELEBRATIONS

(a) Issuance of Mayor's Permit

Any individual, group or organization intending to hold any local celebration shall secure a permit from office of the Mayor at least fifteen (15) days before the actual conduct of the affair. School programs and activities, religious celebration and all other undertakings, if held exclusively within the compound, premises, office or property of the person/organization holding or sponsoring a local celebration shall be exempt from the coverage of this SECTION.\

(b) Procedures in the application of Mayor's Permit

Any person, corporation, club, organization or association holding, organized or sponsoring a local celebration shall first secure a Mayor's Permit through a letter of application which shall contain the following:





1. Name and address of applicant
2. Nature of organization whether civic, political, religious, social or academe.
3. Statement whether recognized or registered with the government.
4. Purpose for which the permit is sought.
5. Duration and area to be covered by the local celebration.

(c) Supporting Documents

1. Copy of Certificate of Registration issued by the Securities and Exchange Commissioner Certificate of Accreditation in case of Non-Government Organization or People's Organization.
2. Copies of the Articles of Incorporation and By-Laws; if any
3. I.D. picture of authorized representative.
4. Detailed Action Plan for the Local celebration including the Program of Activities/Invitation Program.

(d) Application Fee

Upon filing an application for a Mayor's Permit, the applicant shall be required to pay a fee of Two Hundred Pesos (Php200.00) – refer to revised Municipal Revenue Code of Nueva Era (Chapter IV, ART.E,Sec.57 & ART. R. Sec. 109) which shall be non-refundable.

(e) Lavish Fiestas, Pompous Programs and Other Ostentatious Celebration

Lavish fiestas, pompous programs, and other ostentatious celebrations and undertakings inconsistent with economic and development objectives shall be discouraged.

SECTION 131. RESPONSIBILITY FOR PUBLIC SAFETY

1. The Municipal Mayor

- (a) Enforce all laws and ordinances relative to the prevention of crime and maintenance of Peace and order including the provisions of this Code in close coordination with the local Chief of Police and the Chairman or Director or Organizer of the local celebration.
- (b) Coordinate the activities of all sectors involved in the planning, preparation and conduct of local celebrations.
- (c) In cases of difficult or complex situations, the Local Chief Executive may request the assistance of the Provincial Governor on the Director of the Department of Public Safety

2. The Chief of Police

- (a) Maintain Peace and Order in the Municipality
- (b) Provide protection and ensure safety of all persons from criminal elements.
- (c) Monitor movements of people and deploy police officers where festivities are being held.
- (d) Install appropriate traffic signs and enforce traffic ordinances.
- (e) Designate specific areas for ambulant vendors.
- (f) Draw up plans for the smooth flow of traffic including rerouting and temporary closure of roads, if necessary
- (g) Upon the request of a Sangguniang Barangay assign and deploy PNP personnel as shall be necessary on the occasion of Barangay celebrations in close coordination's with the Punong Barangay.
- (h) Provide other emergency safety measures to cope with any eventuality during local celebrations.

3. The CHAIRMAN/DIRECTOR or ORGANISER of LOCAL CELEBRATIONS

- (a) Ensure that all safety precautions as contained in the Code of Public Safety are strictly observed in the planning, preparation and actual conduct of local celebrations.
- (b) Designate marshals to guarantee safety and orderliness during parades, processions and similar activities.

- (c) Coordinate closely with the Mayor and the Chief of Police before and during the conduct of the local celebration.
- (d) Prepare a detailed Action Plan for the local celebration to be submitted to the Office of the Mayor and the Chief of Police.
- (e) Secure a Certificate on the safety of electrical installation from a duly licensed Electrical Engineer.

4. The Municipal Engineer

- (a) Ensure road safety by repairing potholes, man holes, diggings and other excavation at least a month before any local celebration.
- (b) Clear sidewalks of any obstruction and supervise proper placement of buntings and streamers and other materials along alleys and roadways.
Monitor the loading capacity of any transport facilities including floats to be used in the festivities.
- (c) Monitor the structural soundness and safety of floats, stages and other structures to be constructed for use in local celebration.

5. Bureau of Fire Protection Office

- (a) Be on full alert to respond to fire emergencies during local celebrations
- (b) Ensure the availability and readiness of fire trucks and other fire fighting equipments including paramedic teams.
- (c) Draw up plans and measures to ensure fire safety and readiness.

6. Municipal Health Officer

- (a) Formulate medical and first aid strategies and assign medical stations in properly designated places in the Municipality.
- (b) Fielding of first aid teams/personnel knowledgeable on the application of cardio-pulmonary resuscitation (CPR) and similar techniques including the application of first aid to take care of fractures and wounds.
- (c) Assign medical vehicles/ambulance to transport accident victims to designated medical stations, health clinics, health centers or to nearest hospital.

7. Sanitary Inspector

- (a) Responsible for the hygienic supervision of vendors, stalls, ambulant vendors, temporary eating places and all persons selling foods and beverages of any kind during local celebrations with the purpose of determining whether or not the foods sold are hygienic and fit for human consumption.
- (b) Requires sponsor/organizers of local celebrations to provide trash or garbage receptacles and temporary latrines for the duration of the local celebrations
- (c) Supervise the cleaning/clearing of clogged drainage and sewers to prevent the breeding of insects such as mosquitoes, cockroaches, etc.

SECTION 132. HANDLING OF FIRECRACKERS, PYROTECHNICS AND OTHER COMBUSTIBLE MATERIALS.

1. The Municipal Mayor thru the Chief of Police shall monitor and regulate the use of firecrackers and pyrotechnics pursuant to the provisions of existing laws.
2. Sponsors and organizers of local celebrations shall designate a responsible person who has sufficient knowledge and experience in the handling of firecrackers and pyrotechnics for the purpose of using the

same; designate a place where the firecrackers/pyrotechnics display are to be hurdled and ensure that it shall be isolated and away from the crowd.

In no case shall the organizers of local celebrations allow a minor to handle or light a firecracker or any other pyrotechnics materials.

3. In no case shall combustible and non-combustible materials be combined with electrical bulbs nor balloons be inflated or used as decorations near electric bulbs or lighted candles.

SECTION 133. OTHER PROVISIONS

(a) Issuance of Implementing Rules and Regulations

The Municipal Mayor may issue Executive Orders to supply details and provide for the effective implementation of this provision of this ordinance.

SECTION 134. PENALTY FOR ANY VIOLATION

Any violation of for this chapter in this ordinance shall be punished by imprisonment of not more than ten (10) days or a fine of not more than One Thousand Five Hundred Pesos (Php1,500.00) or both at the discretion of the court.

If the offender is a corporation, Local Government Unit, organization, club, association or any juridical person, the penalty shall be imposed upon the officer or official liable for the violation.

The implementation of penalties under this section are without prejudice to the provisions of the Revised Penal Code and/or special laws as the case maybe.

CHAPTER VIII

TOY PELLET GUNS/AIR GUNS AND PISTOLE

SECTION 135. TOY PELLET GUNS. The use of toy pellet guns is prohibited.

SECTION 136. USE OF AIRGUNS AND PISTOLS FOR HUNTING BIRDS.

(a) PROHIBITED ACT.

The use of air guns and pistols for hunting birds and other winged animals is prohibited.

SECTION 137. Administrative Provision. Violations under this Chapter shall be penalized subject to the provisions of the Revised Penal Code and/or special laws as the case maybe.

CHAPTER IX

EXISTING ORDINANCE/CODE WITH PUBLIC SAFETY PROVISIONS

SECTION 138. Existing Municipal Ordinances/Codes of the Municipality of Nueva Era with Provisions covering Public Safety, Security and Order.

The following shall form and parcel of this Code:

1. Related provisions of the Revised Municipal Revenue Code of NUEVA ERA
2. Related provisions of the Municipal ENVIRONMENTAL CODE of NUEVA ERA
3. Related provisions of Municipal Code for the protection of Children
4. Related provisions of the TRAFFIC and ORDER CODE of NUEVA ERA





CHAPTER X

PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) – PEACE AND ORDER COUNCIL/POLICE ADVISORY COUNCIL – RESCUE

SECTION 139. PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) – The PLEB shall have jurisdiction to hear and decide to hear citizen's complaints or cases filed before it against erring officers and members of the Philippine National Police (PNP).

SECTION 140. PEACE AND ORDER COUNCIL – The Peace and Order Council identify and discuss the various problems related to Peace and Order being raise by different sectors of society and recommends actions for the resolution of said problems.

SECTION 141. POLICE ADVISORY COUNCIL –The Police Advisory Council acts as a consultative body for the anti-crime and recommends strategies to improve the peace and order program of the Philippine National Police (PNP) – Nueva Era.

SECTION 142. RESCUE (hotline number) –The Disaster Management Office also known as **Rescue (hotline number)**, was created to oversee, manage and supervise actual rescue relief emergency operations and coordinate as may be required or necessary other units or agencies during disasters, typhoons and calamities.

CHAPTER XI

FINAL PROVISIONS

SECTION 143. IMPLEMENTING RULES AND REGULATIONS (IRR) – The office of the Local Chief Executive shall formulate the Implementing Rules and Regulations (IRR) for the effective implementation of this code.

SECTION 144. INFORMATION DISSEMINATION CAMPAIGN. Barangays are directed to formulate information materials/signages and conduct massive information dissemination campaign for the implementation of the provisions of this ordinance.

SECTION 145. SEPARABILITY CLAUSE – If any section or provision of this code, or part of this code is declared not valid by the body or court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections or parts which shall continue to be in full force and effect.

SECTION 146. APPLICABILITY CLAUSE – All other matters relating to the impositions in this Code shall be governed by pertinent provisions of existing laws and other ordinances.

SECTION 147. REPEALING CLAUSE –All Local Ordinances or parts thereof which are inconsistent with any of the provisions of this Code are hereby repealed or modified accordingly.

SECTION 148. EFFECTIVITY – This code 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.

APPROVED, this 18th day of December 2017.

Page 39.
Mun. Ordinance No. 12
Series of 2017

Voting Profile:

In Favor: Members J. Arzadon, J. Alejandro, R. Arzadon, B Lalugan, O. Bueno,
P. Riquelman Jr., A. Dumlao, and E. Yagin.

Against: N o n e


Abstained: N o n e

CERTIFIED CORRECT:


LILY U. DALAG

Secretary to the Sangguniang Bayan

ATTESTED:


ATTY. ALDRIN R. GARVIDA
Vice Mayor & Presiding Officer
JAN 15 2018

APPROVED:


CAROLINE A. GARVIDA
Municipal Mayor
JAN 15 2018