

**CODE OF THE
GENERAL
ORDINANCE OF
THE
MUNICIPALITY OF
SAN FERNANDO,
BUKIDNON**

Date Approved: December 19, 2003

CHAPTER I

GENERAL PROVISIONS

Article A. Short Title Scope

Section 1A. 01. Title. This ordinance shall be known as the “Code of General Ordinance of Municipality of San Fernando, Province of Bukidnon”.

Section 1A. 02. Scope. This code covers all general ordinances and some special ordinances of the Municipality of San Fernando, Bukidnon enacted since its creation.

Article B. Definitions and Rules of Construction

Section 1B. 01. Words Defined in this Code. When used in this article:

Amusement – means a pleasurable diversion or entertainment. It is synonymous to creation, relaxation, avocation, pastime or fun.

Amusement Places – include theaters, cinemas, concert halls, circuses and other places of amusements where one seeks admission to entertain himself by seeing or viewing the show or performance. They include those places where one seeks admission to entertain himself by direct participation.

Business – means commercial activity customarily involved in as means of livelihood and typically involving some independence of judgment and power of decision.

Calling – means ones regular business , trade, profession, vacation or employment which does not require the passing of an appropriate government board or bar examination, such as professional actors and actresses, masseurs, commercial stewards and stewardess and the like.

Capital – significance the actual estate, whether in money or property, owned by an individual or corporation; it is a fund with which it transacts its business, which would be liable to each creditor and which in case of insolvency, passes on to a receiver.

Capital Investment – it is a capital a person puts in any undertaking or which he contributes to the common stock of partnership, corporation, or any other juridical entity or association.

Charges – refer to pecuniary liability, as rents or fees, against proper person organization.

Community Service – refers to work done to amend or make up for certain infringement of some provisions of this code in lieu of imprisonment. If an offender is required to render one (1) day community service, it is understood to mean that he must render the same in eight hours.

Cooperative – is a duly registered association of persons, with common bond of interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contributions to the capital required and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.

Corporation - includes partnership, no matter how created or organized, joint stock companies, joint accounts, associations or insurance companies but does not include general professional partnership and a joint venture or consortium formed for the purpose of undertaking construction projects or engaging petroleum, coal, geothermal, and other energy operations pursuant to an operating or consortium agreement under a service contract with the government. General professional partnerships are partnership formed by persons for the income of which is derived from engaging in any trade or business.

The term “**resident foreign**” when applied to a corporation means a foreign corporation engaged in a trade or business within the Philippines or having an office or place of business therein.

Fee - means a charge fixed by law or ordinance for the regulation or inspection of a business or activity.

License or Permit – is a right or permission granted in accordance with the law by a competent authority to engage in some business or occupation or to engage in some transaction.

Occupation – means one's regular business or employment, or an activity, which principally takes up one's time, thought and energies. It includes any calling, business, trade, profession or vocation.

Operator – includes the owner, manager, administrator or any other person who operates or is responsible for the operation of a business establishment or undertaking.

Person – means every natural or juridical being susceptible of rights and obligations or of being subject of legal relations.

Profession – means a calling which requires the passing of an appropriate government board or bar examination, such as the practice of law, medicine, public accountancy, engineering and the like.

Rental – means the value of consideration, whether in money or otherwise, given for the enjoyment or use for a thing.

Residents – refer to natural persons who have habitual residence in the Municipality where they exercise their civil rights and fulfill their civil obligations and to juridical persons for which the law or any other provision creating or recognizing them fixes their residence in the Municipality where they have conducted their principal business or occupation.

Revenue – includes taxes, fees and charges that a state or its political subdivision collects and receives into treasury for public purposes.

Services - means the duties, work or function performed or discharged by a government officer or by a private person contracted by the government, as the case may be.

Tax – means an enforced contribution, usually monetary in form, levied by the lawmaking body on persons and property, subjects to its jurisdiction for the precise purpose of supporting government needs.

Section 1B. 02. Words and Phrase.

Words and phrases embodied in this code but not herein specifically defined shall have the same meaning as found in legal dictionaries as well as in existing laws.

Section 1B. 03. Construction of Codal Provisions.

In construing the provisions of this code, the following rules of construction shall be observed unless otherwise inconsistent with the manifest intent of the provisions or when applied, they would lead to absurd or highly improbable results.

1. **General Rule.** All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such other words in this code which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar or appropriate meaning.
2. **General 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 extend and apply to several persons or things as well, every word importing the plural number shall extend and apply also to one person or thing.
3. **Computation of Time.** The time within which an act is to be done as provided in this code or in any rule or regulation issued pursuant to the provision thereof, when expressed in days shall be computed by excluding the first day and including the last day; except when the last day falls on a Sunday or a holiday in which case, the same shall be excluded from the computations and the next business day shall be considered the last day.
4. **Tenses.** The use of any verb in the present tense shall be include the future whenever applicable. The words “ shall have been” shall include past and future cases. The used of the word “shall” in this code means the act being required is mandatory, whereas when the word “may” is issued, it means permissive.
5. **References.** All references to the “chapters”, “articles”, or “sections” are to chapter. Articles or section on this code unless otherwise specified.

Section 2B.02 Definition of Terms: As used in this article;

Business Establishments – refers to sari-sari store, home sale and retail stores, eateries, funeral parlor, rice and corn agricultural processing establishment, catering services, beauty parlor, hollow block maker and business.

Business Plate number – refers to a permanent plate number awarded to a legitimate business establishment.

Person – refers to a natural or juridical personality engage in any business activity.

Section 2B. 03. Administrative Provision

1. All store owner, business operators and stall holder in public market shall secure business plate number from the office of the Municipal Treasurer and shall pay the amount of One Hundred Pesos (P100.00) for each business plate number in the office of Municipal Treasurer.
2. The Office of the Municipal Treasurer shall be responsible in the assigning of business plate number.
3. It is the responsibility of the store owners, business operators and store holder to surrender their business plate numbers once its business activity cease to operate.
4. The Municipal Treasurer office (MTO) shall formulate additional policies for the proper implementation of this article.
5. The Municipal treasurer’s Office shall seek assistance from the local Philippine National Police in the enforcement of this article.

Section 2B. 04 Penalty

Any person who violates any provision of this article shall be punished by a fine;

1st Offense – – – – – P 1,000.00
2nd Offense – – – – – P 2, 000.00
3rd Offense – – – – – P 2, 500.00

Article C. Financial Statement

Section 2C. 01 Regulated Acts.

No person who operates any business establishments shall be granted renewal of business without submitting financial statement.

CHAPTER II

BUSINESS ESTABLISHMENT

Article A. Business License

Section 2A. 01 Prohibited acts.

No Person shall operate or engage in any kind of business or any occupation without a business license.

Section 2A-02 Definitions of terms: As used in this Article.

Business – refers to any commercial activity customarily engaged in as a Means of livelihood through direct and indirect buying and selling of goods in the public.

Person – refers to a natural or juridical personally engage in any business activity.

License – is a right or permission granted in accordance with the law by a competent authority, too engage in some business or occupation or to engage in some transaction.

Section 2A.03 Administrative Provision

1. Duration and Renewal of License

The Mayor license shall be granted for a period of not more than one (1) year and shall expire until the last day of the month of the affectivity of the license.

It shall follow the date of issuance unless revoked or surrendered earlier. It shall be valid upon renewal and payment of the corresponding fee.

2. The Municipals Mayors Office (MMO) shall have the power to revoke the license for violation of law, persistent or habitual delinquency in the payment of taxes, fees, other justifiable reasons.

3. The Municipal Treasurer’s Office (MTO) shall cause the closure of all un renewed business license upon receipts of memorandum order from the office of the local Chief Executive.

Section 2A.04 Penalty

Any person who violates any provision of this article shall be punished by a fined;

- 1st Offense - P1,000.00
- 2nd Offense -Temporary Closure and a fine of P2, 000.00
- 3rd Offense -Permanent Closure of business and a fine of P2, 500.00

Article A. Business License

Section 2B.01 Prohibited Acts.

No person shall operate business without securing business plate number.

6. Conflicting Provisions of Chapters. If the provisions of different chapters conflict with or contravene each other, the provisions of each chapter shall prevail as to the specific matter and question involved therein.

7. Conflicting Provisions of Sections. If the provisions of different section in the same chapter are in conflict with each other, the provisions of the section that is last in point of sequence shall prevail.

Section 1B. 04. Amendment and Integration of Additional Provisions.

Any amendment on this code may be introduced to the chapter, article or section concerned.

All ordinances or provisions thereof enacted subsequent to the date of effectivity of this code shall be complied in such a way as to bear the corresponding chapter, article or section to which such ordinances or provisions pertain. Such new provisions shall be integrated into the corresponding chapter, article or section whenever a new printing or reproduction of this code is undertaken upon authorization of the Sanggunian.

Section 1B. 05. Existing Rights.

No right accrued, action or proceeding commenced before the effectivity of the is code shall be adversely affected by any provision hereof. Thereafter, all procedures or actions to be taken shall conform to the provisions of this code whenever possible.

Section 1B. 06. Reference to Code.

Whenever reference is made to any portion of this code, such reference is made to any portion of this; such reference shall apply to all amendments and additions now or may hereafter be introduced.

Section 1B. 08. Relation to the Prior Ordinance.

The provisions of this code which are substantially the same as that of previous or existing ordinances particularly when dealing with the same subject-matter shall be construed as restatement and not as a new enactment.

Section 1B. 10. Form 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 consolidation or simply for the sake of clarity and style.

Section 1B. 11. Applicability Clause.

All matters pertaining to the imposition of taxes, fees and charges herein collected shall be governed by this code and by existing revenue ordinances or the Municipal Revenue Code, Which may be enacted hereafter, as well as other pertinent laws.

Section 2C.02 Definition of Terms: as used in this article;

Financial statement – refers to a document which provides, summarized data or accounts information accumulated and processed periodically for the users.

Person – refers to a natural or juridical personality engage in any business activity,

Section 2C.03 Administrative Provisions

1. The bookkeeper or accountant of the business establishment shall duly certify the financial statement submitted by the licensee/permit tee,
2. The Municipal Treasurer office (MTO) shall seek assistance from the local Philippines National Police (PNP) in the enforcement of this article.

Section 2C. 04 Penalties.

Any person who violates any provision of this article shall be ground for non-issuance of business license.

CHAPTER III

Environmental and Natural Resources Management

Article A. Distance between Poultry and Livestock Farm

Section 3A.03 Administrative Provision:

1. Poultry and livestock farms shall be constructed not less than one (1) Kilometer distance from each other.
2. No Barangay or Municipal clearance permit shall be issued to farm operators without presentation of approved of environmental clearance certificate from the Department of Environment and Natural Resources Office (DENR)
3. The waste management facility such as lagoon shall be constructed and planning of trees along the perimeter shall be required from the operators.
4. The Municipal Health Office (MHO) shall formulate rules and regulations and conduct regular inspection on this farm
5. The Municipal Health Office (MHO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.
6. The Municipal Government shall reserved the right to revoked or cancel the permit of continued violation of any provision of this article.

Section 3A. 04 Penalties:

Any person who violates any provision of this article shall be fined Two Thousand Five Hundred Pesos (P2, 500.00) and an imprisonment of the six (6) months or both at the discretion of the court.

Article B. Illegal Fishing

Section 3B. Prohibited Acts.

No person shall any use any poisonous chemicals or substances, explosive and electrical gadgets as a means of fishing.

Section 3B. Definitions of Terms. As used in this Article;

Person – refers to any caught actually illegal in the Municipal Water of San Fernando.

Poisonous chemicals – refers to pesticide, insecticides, mollucide, and indigenous and natural toxic substances such as Toble, Lagtang and others.

Section 3B.03 Administrative Provisions

1. The Municipal Agriculture’s Office (MOA) shall formulate rules and regulations, and implement and monitor the enforcement of this article in coordination with the local Philippine National Police (PNP) and the Barangay Officials.

Section 3B. Penalty.

Any person who violates any provision of this article shall be fined of Two Thousand Five Pesos (P2,000.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article C. Municipal Permit for Gold Tunneling, Panning and other.

Section 3C.01 Regulated Acts.

No person shall engage in the gold digging, treasure hunting, panning ad tunneling without securing a Municipal Permit.

Section 3C.02 Definition of Terms: As used in this Article;

Gold digging – refers to any person involve in gold digging, treasure hunting, panning, tunneling, financer and buyer.

Treasure hunting – refers to the act of pursuing precious metals, money and jewelries.

Tunneling – refers to the act of constructing a underground passage or passage away.

Section 3C.03 Administrative Provisions.

1. The Municipal Environment and Natural Resources Officers (MENRO) designate shall formulate the implementing rules and regulation and monitor the implementation of this article.
2. The Municipal and Environment and Natural Resources Officer (MENRO) designate shall seek the assistance from the PNP in the enforcement of this article.

3. Securing exploration permit and Mayor's permit before conducting the said activity.

Section 3C.04 Penalty.

Any person who violates any provision of this article shall be fined of Two Thousand Five Pesos (P2, 000.00) or an imprisonment of six (6) month or both at the discretion of the court.

Article D. Protection of Eco-sites

SECTION 3C. 01 Prohibited Acts:

No person shall create or cause any destruction within the eco-sites.

SECTION 3D. 02 Definition of Terms: As used in this Article.

Eco-sites - refers to waterfalls, caves, lakes, mountains, rivers and natural springs.

Destruction – refers to cutting of trees, vandalism, contaminating the water source, digging holes and extraction of natural plants as orchids, ornamental plants and like.

SECTION 3D. 03 Administration Provision.

1. Any persons who want to explore or visit the eco-sites shall ask permission from the Municipal Tourism Office (MTO) for further instructions.
2. No person shall litter on the trail of Eco-site, nor throw lighted cigarettes.
3. Cleanliness shall be observed.
4. Anything that has been destroyed shall be replaced.
5. All person shall adopt this dictum “Get nothing but pictures, leave nothing but footprints, kill nothing but Time.”
6. The Municipal Tourism office (MTO) shall promulgate necessary rules and regulations for the proper implementation of this article.

Section 3D.04 Penalty.

Any person who violates any provision of this article shall be fined of Two Thousand Five Pesos (P2, 000.00) or an imprisonment of six (6) month or both at the discretion of the court.

Article E. Tree Planting

Section 3E.01. Regulated Acts.

No person of legal age shall be exempted from planting trees.

Section 3E.02 Definition of Terms: As used in this Article;

Legal age – refers to person 18 years old above and who are residents of this Municipality.

Roads – refers to public National, Provincial, Municipal, Barangay roads and street.

Tree – refers to fruit trees, shade, ornamental or forest trees, to include bamboo species.

Water Channels – refers to the bank of the water way like rivers, streams, creeks and lakes.

Section 3E.03 Administrative Provisions

1. Any person or entity who is holder of a title patent or tenure instrument to a parcel of land bordering of a water channel or other bodies of water shall plant trees, bamboo and other vegetative cover along the strip of land from the normal high water level. Trees and Bamboos planted along the strip of land in titled private lands maybe harvested in a sustainable manner provided the regulations imposed by the Municipal Environment and Natural Resources Office (MENRO) shall be complied with.
2. It shall be the duty of every resident of the barangay to plant trees along public roads and banks of water channels along the Municipality and shall maintain and ensure the growth of planted trees.
3. The Tree Planting shall be supervised by the Barangay Officials while the appropriate government agency shall distribute seedling.
4. The Municipal Environment and Natural Resources Officer (MENRO) designated shall formulate additional rules and regulation in the implementation and monitoring of this article.

Section 3E.04 Penalty

Any person who violates any provision of this article shall ground for non-issuance of barangay and Municipal clearances and certification.

CHAPTER IV

Health and Sanitation

Article A. A stray Animals

Section 4A.01 Regulated Acts;

No person shall wittingly or unwittingly set loose or let any animal go astray in any public or private office.

Section 4A.02 Definition of Terms: As used in this Article;

Astray Animals – refers to animals which is set loose or not under the complete control of its owner or the one in charge or in the possession thereof, found Roaming around in the public places or private places.

Domestic Animals – refers to those animals such as goats, pigs, carabaos, coas, horses, sheep's and other herbivores.

Public Places – refers to public plaza, municipal streets, canals, school premises, market such places open to the public.

Private Places – refers to privately-owned streets, yards, farmlands and lots owned by An individual other than the owner of the animal.

Section 4A.03 Administrative Provisions:

1. The Municipal Agriculture Office shall formulate rules and regulations to implement this article.
2. The Municipal Agriculture Office shall coordinate with the Municipal Health Office in the implementation.
3. The Municipal Agriculture Office shall seek assistance to the local Philippine National Police (PNP) in the enforcement of this article.

Section 4A.04 Penalty:

Any person who violates any provision of this article shall suffer after conviction the fine of the court under the following graduation of penalties;

1. P15.00 for the goats, pigs, carabaos, horses and cows per head by the first day plus the amount spent by the Municipal Government for the caring and feeding for the said animals.
2. P30.00 for second day plus the total value of the feeds and services administered to the to the animals by the Municipal Government.
3. P45.00 for the third day plus the total amount of feeds and services administered to said animals.
4. P50.00 for the fourth day and to the last day when claim by the owner plus the total amount of feeds and services rendered by the municipal Government.
5. If no person shall claim ownership of the said animals on times for a considerable period and duration, and the Municipal Government spent some amount for caring an amount equivalent to 75% shall accrue to the Municipal coofer under general fund and the remaining amount should be given to the owner and if he refuse to receive the same shall be treated as trust fund of the Municipality.

Article B. Cleaning the Roads

Section 4B.01 Regulated Acts:

No person shall be exempted from cleaning their residential lots and commercial lots fronting along public roads and streets.

Section 4B.02 Definition Terms: as used in this Article;

Commercial Lot – refers to the areas where business establishment is located to serve Public.

Person – refers to residential lot owners, caretakers, lessees and operators of business Establishments.

Residential Lots – refers to areas designated for private residential purposes.

Section 4B.03 Administrative Provision:

1. The Municipal Health Office (MHO) thru the Municipality Sanitary Inspector (MSI) shall conduct regular inspection in the proper implementation of this article.
2. In case of the absentee of the owners the Municipality Government shall cause the maintenance of cleanliness chargeable against the owner.

Section 4C.01 Regulated Acts.

No person shall maintain backyard Piggery without a septic tank.

Section 4C.02 Definition of Terms: As used in this Article;

Person – refers to the owner of the piggery.

Backyard Piggery – refers to the raising or breeding of not more than 5 pigs.

Septic Tank – refers to tank in which waste remain until purified by the action of anaerobic bacteria.

Section 4D.03 Administrative Provision;

1. The Municipal Health Office (MHO) shall formulate rules and regulations in the implementations of this article.
2. The Municipal Health Office (MHO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 4D.04 Penalty:

Any person who violates any provision of this article shall be fined of Five Hundred Pesos (P500.00).

Article E. Dog Vaccination

Section 4E.01 Regulated Acts:

No person shall be exempted from causing his dog to be vaccinated against anti-vaccine.

Section 4E. 02 Definition of terms: used in this Article:

Vaccine – refers to any incurable immunizing agent such as anti-rabies vaccine.

Person – refers to owners of dogs either for personal or commercial purposes.

Section 4E.04 Administrative Provision:

1. Owners of dogs are required to have their dogs vaccinated for anti-rabies vaccine and to secure a certificate from the vaccinator bearing the owners name and address, the date and expiry date of the vaccine.
2. Owners shall pay Twenty Pesos (P20.00) per dog vaccinated.
3. The Municipal Agriculture Office (MAO) thru its article shall be fined Three Hundred Pesos (P300.00).

Section 4D.04 Penalty:

Any person who violates any provision of this article shall be fined of Five Hundred Pesos (P300.00).

Article F. Fish Inspection

Section 4F.01 Regulated Acts:

No person shall sell fish and other sea and fresh water products without prior inspection by the sanitary inspector.

Section 4F.02 Administrative Provision:

1. All fish car operators' fish peddler and vendors entering the Municipality of San Fernando shall be subject to the regular inspection by the Municipal Health Office (MHO) thru the Municipal Sanitary Inspector or the authorized representative.
2. The Municipal Health Office (MHO) shall formulate rules and regulations to implement the provision of this article.
3. The Municipal sanitary Inspector shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 4F.03 Penalty:

Any person who violates any provision of this article shall be fined Five Hundred Pesos (P500.00). or an imprisonment of one (1) month or both at the discretion of the court.

Article G. Funeral and Embalming Establishment

Section 5G.01 Regulated Acts.

No person shall operate any funeral and embalming establishment without sanitary license.

Section 4G.03 Application and Renewal for Sanitary Permit

The application or renewal of the sanitary permit shall be filed to the Municipal Health Office (MHO).it shall be issued upon compliance with the sanitary rules and regulation; the new owner shall apply to the MHO within fourteen (14) days to have change. The permit shall apply to the MHO within (14) days to have change. The permit shall be valid for one (1) year. However, no sanitary permit shall be issued unless the applicant is license embalmer.

Section 4G.04 Administrative Provision.

1. Care and arrange the deceased during vigils and application of sanitary precaution in placing the remain inside the casket.
2. Assure all the caskets to be used hermitically tight.
3. Accompany the transfer of deceased person by land or by sea at a distance at 50 kilometer from the place of origin.
4. Embalming and dressing room shall be constructed by concrete or semi-concert materials.
5. There shall be minimum working space of 1.50 meters x 20 meters for every remains.
6. The floor shall be constructed with a concrete material, and at least 7.6 high from the floor.
7. Embalming shall be perform on the made of marble stab, or aluminum ort stainless steel.
8. Embalming assistant shall use personal protective equipment.
9. Washing facilities with soap detergent and spermicidal soap.

10. Embalmer and assistance shall provide with lockers and closets for personal protective equipment and separate closet for chemicals.
11. Operators shall construct a septic tank as a receptacle for waste from the human internal organs.
12. The Municipal Health Office (MHO) shall formulate rules and regulations for proper implementation of this article.

Section 4G.05 License to Engage in Embalming

Funeral homes farming with embalming services shall employ a license and registered with the department of health (DOH) and he shall have an up to death Health Officer.

Embalmers shall be licensed to practice embalming only after compliance with the requirements prescribed by the Department of Health (DOH).

Section 4G.06 Penalty

Any person who violates any provision of this article shall be fined Two Thousand Five Hundred Pesos (P2, 000.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article H. Garbage Receptacles Inside Public Utility Vehicle

Section 4H.01 Regulated Acts

No person shall operate public utility vehicles without a garbage receptacle installed inside the vehicle.

Section 4H.02 Definition of Terms; As used in this Article;

Garbage Receptacles – refers to anything that hold garbage

Public Utility Vehicle – refers to jeepney, motorela, buses and mini buses used to Transport commuters from their place of origin to destination and vice-versa.

Section 4H.03 Administrative Provisions:

1. All owners operators of Public Utility vehicle are required to install garbage receptacles inside their vehicles.

2. All receptacles should be printed yellow canary with work mark in block- **KEEP SAN FERNANDO CLEAN.**
3. The Municipal Health Office shall seek assistance to the local Philippine National Police (PNP) in the enforcement of this article.

Section 4H.04 Penalty:

Any person who violates any provision of this article shall be fined Three Hundred Pesos (P300.00).

Article I. Pasturing of Animals

Section 41.01 Regulated Acts:

No person shall pasture any domestic animals an any public and place.

Section 41.02 Definition of terms: As used in this Article;

Domestic Animals – refers to swine, goat, carabao, cow and other herbivores.

Public Place – refers to National, Provincial, Municipal or barangay roads, parks, plaza, Schoolyards and such other places open to the public.

Private Places – refers to privately-owned yards, farmlands and lots owned by an Individual other than the owner of the animal.

Section 31. 03 Impounding of Domestic Animals:

Animals caught shall be impounded in a designated place and shall be released to the owner only after the payment of the impounding fee prescribe in the existing tax ordinance.

Section 31.04 Administrative Provision:

1. On the following day after an animal is impounded, a notice of such impounding shall be posted in at least three (3) conspicuous places for a period of thirty (30) days within which the owner is required to claim and established ownership thereof.
2. If no person shall claim ownership of the Animal within (30) days, it shall be disposed through public auction on the thirty first (31st) day of impoundment under the following procedures:
 - a. The treasures or his authorized representatives shall supervise the conduct of the public auction.
 - b. The animal shall be sold to the highest bidder.
 - c. The proceeds of the auction sale shall accrue to the General Fund.

3. At any time before or during the auction, the owner may stop the sale by paying the corresponding impounding fee and the costs of publication and auction to the Municipal Treasurer.
4. Impounded Animal not sold in the auction shall be considered owned by the Municipal Government.

Section 4H.05 Penalty:

Any person who violates any provision of this article shall be fined One Thousand Pesos (P1,000.00) and pay the corresponding damages to public properties, if any, without prejudice to filing of appropriate charges court.

Article J. Pissing Ban in Public Places

Section 4J.01 Regulated Acts:

No person shall pee, piss or urinate in any public places except in designated places.

Section 4J.02 Definition of Terms: as used in this Article;

Designated Places – refers to restrooms, toilets, portable toilets and comfort rooms.

Piss or Pee – refers to the act of discharging urine from the bladder.

Public Places – refers to roads, streets, alleys, alleys, lanes, pathways, parks, plazas, side Walks, and part of portions of building, walls, fences and such other Places which are open to the public.

Section 4J.03 Administrative Provision:

1. The Municipal Health Office (MHO) shall formulate rules and regulations in the implementation of this article.
2. The Municipal Health Office (MHO) shall seek assistance from the local Philippine Police in the enforcement of this article.

Section 4J.04 Penalty:

Any person who violates any provision of this article shall be fined of Five Hundred Pesos (P500.00)

Article K. Protection of Water Reservation area

Section 4J.01 Regulated Acts:

No person shall use waters and grounds of water reservation areas for wallowing, bathing and tending animals.

Section 4J.02 Definition of Terms: as used in this Article;

Animals – refers to carabaos, cow, swine, horse, goats and domesticated animals.

Water Reservation Area – refers to a place where a large quantity of waters is accumulated and stored of domestic uses.

Section 4J.03 Administrative Provision:

1. The Municipal Health Office (MHO) shall formulate the implementing rules and regulations and monitor the enforcement thereof.
2. The Municipal Health Office (MHO) shall coordinate with the barangay Officials in implementing this article.

Section 4K.04 Penalty:

Any person who violates any provision of this article shall be fined of Two Thousand Five Hundred Pesos (P2,000.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article L. Quarantine for Suspended SARS Infected Person

Section 4L.01 Regulated Acts:

No person suspected or infected with SARS shall be exempted from compulsory quarantine.

Section 4L.02 Definition of Terms: as used in this Article;

Quarantine – refers to the enforcement of compulsory isolation of any person infected or suspected with SARS by the health authorities.

SARS – (Severe Acute Respiratory Syndrome), also known as a typical pneumonia caused by a new form of corona virus.

Section 4L.03 Administrative Provision:

1. Any person who have been contact with SARS victim shall undergo home confinement or be quarantined.
2. In order to prevent the entry and spread of SARS, the Municipal Mayor shall adopt measures against the spread of SARS through continuous massive information education campaign.

3. The Municipal Health Office (MHO) shall formulate rules and shall undergo testing and quarantine in any hospital rules and shall undergo testing and quarantine in any hospital and other places or institutions.
4. The Municipal Health Office (MHO) shall seek assistance for the local Philippine National Police (PNP) in the enforcement of this article.

Section 4L.04 Penalty:

Any person who violates any provision of this article shall be fined of Two Thousand Five Hundred Pesos (P2,000.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article M. Receptacle for Animal Manure

Section 4M.01 Regulated Acts:

No person shall bring his animal along the Municipal roads and streets without a receptacle.

Section 4M.02 Definition of Terms: as used in this Article;

Animal – refers to cows, carabaos, horses and other animals of the bovine family.

Receptacle – refers to any materials used to contain animal manure.

Section 4M.03 Administrative Provision:

1. An owner of an animal when traveling within the Municipal roads and streets shall provide a receptacle for animal manure.
2. The Municipal Health Office (MHO) shall coordinate with the Municipal Agriculture Office (MAO) in the formulation of Additional rules and regulations in the implementation of this article.
3. The Municipal Health Office (MHO) shall seek assistance to the local Philippine National Police (PNP) in the enforcement of this article.

Section 4M.04 Penalty:

Any person who violates any provision of this article shall be fined Fifty Pesos (P50.00).

Article N. Sanitary Toilets of All Households

Section 4N.01 Regulated Acts:

Every household shall maintain a sanitary toilet.

Section 4N.02 Definition of Terms: as used in this Article;

Household – refers to the number of the person dwelling under the same roof.

Person – refers to any natural or juridical person.

Sanitary Toilet – refers to flush toilets, water – sealed toilets, comfort room and Restroom.

Section 4N.03 Administrative Provision:

1. The Municipal Health Officer (MHO) and the Municipal Sanitary Inspector (MSI) shall conduct a necessary sanitary inspection and to submit periodic report to the Municipal Mayor.
2. The Municipal Health Office (MHO) shall seek the assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 4N.04 Penalty:

Any person who violates any provision of this article shall be fined of Two Hundred Pesos (P200.00).

Article P. Use of Any Iodized Salt in Any Food Outlet

Section 4O.01 Regulated Acts:

No person shall operate any food establishment without using iodized salt.

Section 4O.02 Definition of Terms: as used in this Article;

Food Outlet – refers to restaurants, cafeteria, food manufacturers and “carenderias” And catteries.

Person - refers to any natural or juridical person, owners and proprietors of food outlet Catering food services to the public.

Section 4O.03 Administrative Provision:

1. All food outlet catering food services to the public.
2. The Municipal Health Office (MHO) shall formulate rules and regulations to implement the provisions of this article.
3. The Municipal Health Office (MHO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 4O.04 Penalty:

Any person who violates any provision of this article shall be fined of Two Thousand five Hundred Pesos (P2, 500.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article P. Waste Disposal

Section 4P.01 Regulated Acts:

No Person shall dispose of garbage, filth and any other waste matter except in designated area.

Section 4P.02 Definition of Terms: as used in this Article;

Designated Places – refers to places designated by the Sanggunian as determined under the Municipal Sanitary Ordinance such as compost pit for biodegradable waste and sack rack for non-biodegradable.

Garbage – refers to kitchen waste, refuse, trash and rubbish.

Filth – refers to foul or dirty matter.

Waste Matter – refers to solid, semi-solid and liquid waste such as ashes, manure, dead animals, human and animal excreta, street sweeping, yard cuttings, industrial and institutional waste.

Section 4P.03 Administrative Provision:

1. All household and establishment shall secure their garbage and rubbish in adequate covered receptacles.
2. Every household shall provide waste disposal area through constructing compost pit and sack rack.
3. If there is a huge amount of garbage to be collected and the hauling requires more than one (1) truck-load the owner shall request the municipality that said refuse or garbage be collected and disposed of at his own expense.
4. As soon as the truck is already filled, it shall be brought immediately to the place of disposal. All garbage shall be disposed of within twelve (12) hours after its collection.

Section 4P.04 Penalty:

Any person who violates any provision of this article shall be fined Two Thousand Five Hundred (P2,500.00) or an imprisonment six (6) months or both at the discretion of the court.

CHAPTER V

Market and Slaughterhouse

Article A. Anti – mortem and postmortem Examination of Butchered Animals

Section 5A.01 Prohibited Acts.

No person shall slaughter animals without prior inspection and examination by the meat inspector.

Section 5A.02 Definition of terms: As used in this Article:

Anti-mortem – refers to expert examination of an animals body before slaughtering.

Person – refers to the owner, caretaker who slaughters animals.

Postmortem – refers to expert examination of animals after death for pathological or judicial purposes.

Slaughter – refers to the act of killing specifically the butchering of cattle and other animals for market.

Section 5A.03 Administrative Provisions

1. The owners must present credentials before they are allowed to slaughter the animals.
2. The Municipal Meat Inspector (MMI) shall inspect animals butchered diligently whether the meat is suitable for personal or public consumption
3. The Municipal Meat Inspector (MMI) shall inspect animals to be butchered, to determine ownership of the same, and that it must not be a product of an anomalous transaction and to confiscate credentials to a void future use of the same.
4. The owner shall present credentials before they are allowed to slaughter the said animals.

Section 5A. 04 Penalty

Any person who violates any provision of this article shall be fined of Five Hundred Pesos (P500.00) or an imprisonment of one (1) month or both at the discretion of the court.

Article B. Ban on the Slaughter of Pregnant Animals

Section 5B.01 Prohibited Acts

No person shall slaughter animals without undergoing pregnancy diagnosis.

Section 5B.02 Definition of Terms: As used in this article:

Animals – refers to cow, carabao, horse goat, sheep, pig and other animals of the bovine family.

Pregnancy Diagnosis – refers to rectal palpitation conducted by pertinent technician or livestock Inspector.

Slaughter – refers to the act of butchering of animals for meat consumption.

Section 5B.04 Penalty

Person – refers to owner weighing scale.

Weighing scale – refers to advice use to measures a certain merchandise.

Section 5C.03 Administrative Provision

1. Calibration or weighing scales and measures shall be done by the duly license calibrator appointed/designated by the Municipal Treasurer Office.
2. Defective balance scales of similar in nature shall be confiscated and impounded by the Municipal Treasurer.
3. The weighing scales shall be closely monitored and that actual survey must be conducted.
4. The Committee on trade and Industry shall monitor the weighing scale.

Section 5C.04 Penalty

Any person who violates any provision of this article shall be punished by a fine.

- 1st Offense ~ ~ ~ ~ ~ P 1,000.00
- 2nd Offense ~ ~ ~ ~ ~ P 1,500.00 and confiscation of the license
- 3rd Offense ~ ~ ~ ~ ~ P 2,000.00 and the invalidation of license

Article D. Display of Goods along the Street

Section 5D.01 Regulated Acts

Goods – refers to dry and perishable goods.

Local Celebration – refers to religious fiesta, “Araw” and foundation Day.

Person – refers to transient or non-transient vendors and peddlers.

Street – refers to Del Pilar St. Lapu-Lapu St., Magallanes St., Damasco St., and Manolo Fortich St.

Section 5D.03 Administrative Provisions

1. The Municipal Treasurer’s Office (MTO) shall formulate rules and regulations for the proper implementation of this article.
2. The Municipal Treasurer’s Office (MTO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 3D.04 Penalty

Any provision who violates any provision of this article shall be fined;

- 1st Offense ~ ~ ~ ~ ~ P200.00
- 2nd Offense ~ ~ ~ ~ ~ P300.00
- 3rd Offense ~ ~ ~ ~ ~ P500.00

Article E. Display of Highly Perishable Goods

Section 5E.01 Prohibited Acts.

No person shall sell and display all kinds of highly perishable goods outside the market premises.

Section 5E. 02 Definitions of Terms. As used in this Article

Market premises – refers to any open space within the market compound.

Perishable Goods – refers to goods liable to speedy decay such as vegetables, fresh fishes Seafoods, meat, and fruits.

Person- refers to vendors and businessman who engage in selling of merchandise to The public.

Section 5E.03 Administrative Provisions.

1. The Municipal Treasurer’s Office (MTO) shall formulate rules and regulations for the proper implementation of this article.
2. The Municipal Treasurer’s Office (MTO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 5E.04 Penalty

Any person who violates any of the provision of this article shall be fined of Three Hundred Pesos (P 300.00).

Article F. Market stall Occupant

Section F.01 Prohibited Acts

No person shall sell or lease the occupied market stall within the Municipal Public Market.

Section 5F.02 Definitions of Terms. As used in this Article.

Market stall – refers to any awarded space or booth in the public market pavilion where merchandise of any kind is sold.

Person – refers to market stall occupant.

Section 5F.03 Administrative Provision

1. The Municipal Treasurer’s Office (MTO) shall formulate rules and regulation for the proper implementation of this article.
2. The Municipal Treasurer’s Office (MTO) shall seek the assistance of the local Philippine National Police (PNP) in the enforcement of this article.

Section 5F.04 Penalty

Any person who violates any provision of this article shall be fined of Four Hundred Pesos (P400.00).

Article G. Permit to Butcher Large Cattle

Section 5G.01 Regulated Acts

No person shall butcher large castle without securing Mayor’s Permit

Section 5G.02 Definition of Terms: As used in this Article;

Large castle – refers to cow, horse, carabao and other animals of the bovine’s family.

Person –refers to the owner of the large castle, association, corporation or organization.

Section 5G. 03 Administrative Provisions

1. The Municipal Mayor’s Office shall formulate rules and regulation for the proper implementation.
2. The enforcement of this article shall vested in the Municipal Agriculture Office (MAO) or his authorized representatives.

Section 5G.04 Penalty

Any person who violates any provision of the article shall be punished by a fine.

- 1st Offense ~ ~ ~ ~ ~ P 1,000.00
- 2nd Offense ~ ~ ~ ~ ~P 1,500.00 and temporary closure of the store
- 3rd Offense ~ ~ ~ ~ ~P 2,000.00 and life time invalidation of permit.

Article H. Registration Weighing scale

Section 5H.01 Regulated Acts

Any person engage in buying and selling of any goods using any kind of weighing scale shall register there weighing scale.

Section 5H.02 Definitions of Terms: As used in this Article;

Person – refers to a natural or juridical person such as businessman, association, corporation or organization.

Weighing scale – refers to a device use to measure certain merchandise.

Section 5H. 03 Administrative Provisions

1. The Municipal Treasurer’s Office (MTO) shall formulate rules and regulation for the proper implementation of this article.
2. The Municipal Treasurer’s Office (MTO) shall the assistance of the local Philippine National Police (PNP) in the enforcement of this article.

Section 5H.03 Penalty

Any person who violates any provision of this article shall be fined of Five Hundred Pesos (P500.00).

CHAPTER VI

Parks, Plaza and Playground

Article A. Ban of Picking of Flowers and Plants within the Municipal Plaza and Parks

Section 6A.01 Prohibited Acts

No person shall pick flowers and plant within the Municipal plaza and parks.

Section 6A.02 Definition of Terms: As used in this article;

Picking of Flowers – refers to removing of flower from its branches.

Plaza and Parks – refers to a track of land for public use or recreational grounds,
Usually containing shades of trees.

Section 6A. 03 Administrative Provisions

1. The Municipal Tourism Office (MTO) shall formulate necessary rules and regulations for proper implementation of this article.
2. The Municipal Tourism Office (MTO) shall seek the assistance fro the local Philippine National Police (PNP) in the enforcement of this article.

Section 6A. 04 Penalty

Any person who violates any provision of this article be fined or Two Hundred Pesos (P200.00)

CHAPTER VII

Peace and Order

Article A. Curfew Hour for Minors

Section 7A. 01 Regulated Acts

No minor shall stay outside of his residential compound or premises or roam, wander, and saunter around or loiter in any public road, park, plaza or any public place inn this Municipality, during the period of curfew hours, unless otherwise exempted under the provisions of this article.

Section 7A. 02 Definition of Terms: As used in this Article;

Curfew Hour – refers to the period of time between ten o'clock in the evening (10:00 P.M) and four o'clock in the morning (4:00 A.M) when certain individuals who are below eighteen (18) years of age are not allowed to stay outside of their residential compound or premises.

Minors – refers to people who are below eighteen (18) years of age.

Public Roads – refers to National, Provincial, Municipal or Barangay Roads or Street, including alleys or callejons.

Public Places – refer to any place to which the Public has access including parking Lots; vacant property owned by the minors parents or guardians; vacant property owned by the government; and such other places open to the public.

Section 7A. 03 Exemptions. This article shall not apply in the following circumstances:

1. When a minor is being accompanied by his parent, guardian or adult person in charge of his custody.
2. When the minor is going to, or coming from, scholastic functions like attending evening classes, commencement exercise, convocations, educational programs or other similar activities.
3. When the minor is on an errand to save life or property like calling for the services of a physician, midwife, priest, police officer, fireman and other similar circumstances;
4. When the minor is going to, or coming from, any religious, social, civic or sports programs and similar activities;
5. When the minor is responding to emergency situations during occurrence of natural or man-made calamities.
6. When the minor can show proof or explain to the satisfaction of the apprehending officer, that he just arrived from travel and is on his way home and similar activities.
7. One (1) day before and after Christmas Day, New Years Day; Election Day or other similar events of public interest.
8. Two (2) days before and after the town “Fiesta or fiesta” of the Barangay where the minor resides; or

9. On such other dates or occasions when the Sangguniang Bayan decides, through a resolution, to suspend the implementation of this article.

Section 7A.04 Administrative Provisions

1. Whenever a minor is apprehended for alleged violation of this article, he shall be placed under temporary custody of the police officer on duty at the Police Headquarter but only for the remaining period of curfew hours and shall be released immediately thereafter or sooner thereof upon request of their parents, guardian or any immediate members of their family. He shall not be placed behind bar or imprisoned like a convicted felon.
2. No person who has been granted a Mayor's Permit to operate a business or trade activity shall admit or allow to stay, in his establishment any minor during the period of the curfew, except when the minor is employed as helper or working therein, or a member of the family of the operator, manager or person in—charge of such establishment.
3. Additional rules and regulations shall be issued by the Chief of the Local Philippine National Police (PNP) for the proper enforcement of this article.

Section 7A.05 Penalty

This article being intended only for minors, carries no penalty clause. However, minors who are caught violating the curfew hours shall be apprehended and brought to the police headquarter or station not for purpose of detention but only for protective custody until four o'clock in the morning (4:00 A.M). No fine or penalty of whatever kind shall be imposed again against the apprehended minors.

Article B. Public Disturbance

Section 7B.01 Prohibited Acts

No person shall create or cause public disturbance.

Section 7b.02 Definition of Terms: As used in this Article;

Public Disturbance – refers to any act or omission by person which annoys or offends the senses and disturb the public peace while wandering about or engaged in any daytime amusement result to:

- a. Excessive volume of any sound system and sound system and sound emitting device, instrument or appliances.
- b. Excessive noise cause by horn blowing and running engine of vehicle;

- c. Medley or discordant voices, a mock serenade of discordant noise made on kettles, tin, horns and similar objects; and
- d. Other similar public disturbance.

Section 7B.03 Administrative Provisions

1. *Operators or owners of refreshment parlors, disco houses, dancing halls, KTV bars, cinemas and similar establishment shall install appropriate soundproofing devices in their respective establishment.*
2. The enforcement of this article shall be vested in the local Philippine National Police (PNP).
3. The Local Philippine National Police (PNP) and the barangay officials shall coordinate for the effective implementation of this article.

Section 7B.04 Penalty

Any person who violates any provision of this article shall be fined of One Thousand Pesos (P1, 000, 00) or an imprisonment of five (5) days or both at the discretion of the court.

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Article C. Vandalism on Private and Public Places

Section 7C.01 Regulated Acts:

No person shall destroy any public or private property.

Section 7C.02 Definition of Terms: As used in this article;

Person – refers to any natural or juridical person living in this municipality.

Vandalism – refers to any wanton destruction or spoiling of what should be preserved, including but not limited to writing or painting unnecessary letters, words, signs or symbols on any portion of edifices or structures.

Section 7C.03 Administrative Provision:

1. The local Philippine National Police (PNP) shall formulate the implementing rules and regulations for the proper enforcement and implementation of this article.
2. The local Philippine National Police (PNP) shall coordinate with the Barangay Official for an effective monitoring.

Section 7C.04 Penalty:

Any person who violates any provision of this article shall be fined of Two Thousand Five Hundred Pesos (P2, 000.00) or an imprisonment of Three (3) months or both at the discretion of the court.

Article B. illegal Gambling

Section 8B.01 Regulated Acts.

No person shall take part, directly or indirectly, in any form of illegal form of gambling

Section 8B.02 Definitions of Terms: As used in this Article:

Illegal gambling – refer to illegal or unauthorized activities or games of.

- a. “masiao” , “last three”, “last three” and other similar forms of lotteries, including bookie operations;
- b. “chikecha”, “tong-its”, “piyat-piyat” and other card games;
- c. Mahjong more the one (1) table.
- d. Hantak and the like.
- e. Slot machines, video-karera and other mechanical contraptions and devises;
- f. “tari-tari”and the like; and
- g. Any other game or scheme, whether upon chance or skill, wherein wagers consisting of money, articles of value or representatives of value, are at stake or made.

Person – refers to any person who takes part directly or indirectly in illegal gambling such as the;

- a. Bettor
- b. Any person who maintains and finances any prohibited game within the purview of the preceding action;
- c. “bangkero” or banker;
- d. Bet taker, graffer, referee and the operator of “Tupada” or “tari-tari”;and
- e. Any person who knowingly and without lawful purpose is found to have in his possession lists, sights, records, symbols, devices and paraphernalia used in this prohibited games of chance.

Section 8B.03 Administrative Provisions

1. The local Philippine National Police (PNP) shall formulate the necessary rules and regulations for the implementation of the provisions of this article.
2. The administration and enforcement of the provisions of this article shall be vested in the local Philippine National Police (PNP) in coordination with the Task Force which shall be created by the local chief executive through an Executive order .
3. Exemptions: Holding this illegal Gambling activities during wakes, local celebration, foundation day provided by the special permit from the local Philippine National Police (PNP).

Section 8B. 04 Penalty

Any person who violates any provision of this article shall be fined of Two Thousand Five Hundred Pesos (P2, 500.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article C. Intoxicating Liquor Ban to Minors

Section 8C.01 Prohibited Act

No person shall serve or allow the serving of any intoxicating drinks or beverages to minors.

Section 8C.02 Definition of Terms

Intoxicating liquor – refers to a drink or high alcoholic content which include distilled spirits like liquors and wines other than beer, “basi”, “tuba” and similar fermented beverages.

Minor – refers to persons who are below 18 years of age.

Section 8C.03 Administrative Provisions:

1. The Local Philippine National Police (PNP) shall formulate or promulgate necessary rules and regulations for the implementation of this article.
2. The administration and enforcement of this article shall be vested in the local Philippine National Police (PNP).
3. There shall be coordination between the local Philippine National Police (PNP) and the Barangay officials for effective implementation of this article.

Section 8C.04 Penalty

Any person who violates any provision of this article shall be punished by a fine of Two Thousand Five Hundred Pesos (P2, 000.00) or imprisonment of six (6) months or both at the discretion of the court.

Article D. Pecuniary Interest in Public Transaction

Section 8D.01 Regulated Acts

No person shall engage in business transaction with direct or indirect pecuniary interest.

Section 8D.02 Definition of Terms: AS used in this article.

Pecuniary Interest – refers to personal interest of money.

Person – refers to the public officials and employees.

Section 8D.03 Administrative Provisions

1. The personnel Office shall formulate rules and regulation for the proper implementation of this article based on RA 6713 otherwise known as the code of ethical standard for public officials and employees.
2. The local chief executive and the Personnel office shall coordinate for the enforcement of this article.

Section 8D.04 Penalty

Any person who violates any provision of this article shall be fined of Two Thousand Five Hundred Pesos (P2, 000.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article E. Pornographic Films

Section 8E.01 Prohibited Acts

No person shall show pornographic films for commercial or any recreational purposes.

Section 8E.01 definition of Terms: As used in this article:

Person – refers to any natural or juridical person who operates movies or video houses for a fee.

Pornographic films – refers to any exhibitions or showing of video films defecting pornographic or nude presentation for the viewing consumption of the public.

Section 8E.03 Administration Provisions

1. The local Philippine National Police (PNP) shall formulate necessary rules and regulations for the proper implementation of this article.

Section 8E. 04 Penalty

Any person who violates any provision of this article shall be fined of One Thousand Pesos (1,000.00) or an imprisonment of two (2) months or both at the discretion of the court.

CHAPTER IX

Public Policy

Article A. Construction of Infrastructure along Banks

Section 9A.01 Prohibited Acts

No person shall construct any infrastructure along banks of water channels;

Section 9A.02 Definition of Terms: As used in this Article:

Infrastructure – refers to any facility whether public or private works such as buildings, structure dikes, dams and others.

River Banks – refers to a slope of land along edge of a river or water channels.

Water Channel – refers to river, streams, creeks, lakes and spring.

Section 9A. 03 Exemptions:

Infrastructure authorized by the law and other issuance, such as, but not limited to the following;

- a.) Structure intended for erosion control and beautification.
- b.) Irrigation facilities
- c.) Hydro-Electric Power Facilities
- d.) Fish Ponds maintained by the government

Section 9A.03 Administrative Provisions:

1. Construction of infrastructure shall be prohibited within the following prescribed strip of land along water channels.

- | | | |
|---------------------------|---|-----------------|
| a.) Urban and residential | - | Tree (3) meters |
|---------------------------|---|-----------------|

- b.) Agricultural Area ~ Twenty (20) meters
- c.) Forest Area ~ Forty (40) meters

2. The Municipal Engineer’s Office (MHO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.
3. There Municipal Engineer’s Office (PNP) in the enforcement of this article.

Section 9A.04 Penalty:

Any person who violates any provision of this article shall punished with a fine of not less One Thousand Pesos (P1, 000.00) or an imprisonment of two (2) months.

Article B. Men Entering Places Reserved for Women

Section 9B.01 Prohibited Acts:

No male person above ten (10) years old shall enter into place designated for women.

Section 9B. 02 Definition of Terms: As used in this article:

Places Reserved for Women – includes toilets, closet, comfort rooms, lavatories, bathrooms, dressing rooms or powder rooms or of any public or private places which are intended for women.

Person – refers to a male individual.

Section 9B.03 Exemptions

The provision of section 1 of this article shall not apply janitors or persons assigned to clean the places mentioned in section 2 hereof while performing there work on their usual time provided that no one is in as at the time using the places aforementioned. The said provisions shall not be applicable to owners, managers, building superintendents, health officer’s employees. While in the course of inspecting the places in connection with their functions. However, it is financially viable, all business, commercial and industrial establishments are hereby required to hire female cleaners and caretakers to clean the places aforementioned.

Section 9B. Penalty

Any violation of this article shall be fined of Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article C. Municipal Permit For The Transport of Animals

Section 9C.01 Regulated Acts:

No person shall transport any large animals outside the Municipality for agriculture or commercial purposes without the certificate of ownership and Municipal Permit to transport.

Section 9C.02 Definition of Terms: As used in this Article;

Large Animals – refers to carabaos, horse, and cows of mobile family.

Person – refers to any person, buyer, transporter, owner or caretakers of any large cattle.

Transport – refers to the act of transferring the animal from one place to another.

Section 9C.03 Administrative Provisions:

1. The Municipal Agriculture Office (MAO) shall formulate rules and regulation to implement the provisions of this article.
2. The Municipal Agriculture Office (MAO) shall seek assistance from the local Philippine National Office (PNP) in the enforcement of this article.

Section 9C.03 Penalty:

Any person who violates any provision of this article shall be fined of One Thousand Pesos (P1, 000.00) or an imprisonment of (1) month or both at the discretion of the court.

Article D. Prostitution

Section 9D.01 Regulated Acts:

No person shall engage in sexual relation as a means of livelihood or trade.

Section 9D.02 Definition of Terms: As used in this Article;

Pimp – refers to a person who acts as middle person or go-between from a third person and a prostitute for purposes of facilitating prostitution whether or not sexual relation is actually performed or consummated.

Prostitute – refers to a person who engages in sexual relations with another person profit, gain or fee.

Sexual Relation – refers to any act committed for sexual gratification to include sexual intercourse, acts of lasciviousness and other similar conduct.

Solicitor or Procurer - refers to person who secures or engages in the services of a

prostitute for sexual relations.

Section 9D. 03 Administrative Provisions

1. Pursuant to section 1 of this Article, it shall be unlawful for any person:
 - a. To have sexual relations with a prostitute for some consideration, including but not limited to sums of money.
 - b. To solicit, procure, pimp or pander;
 - c. To act as a middle person or go-between for a third person and a prostitute in any place or purposes of prostitution.
 - d. To establish or maintain a house of prostitution or place where any lascivious acts are perpetrated.
2. The Administration and enforcement of this article shall be vested in the Local Philippine National Police (PNP).

Section 9D.04 Penalty

Any person who violates the provision of this article shall be punished by a fine of Two Thousand Five Hundred Pesos (P2, 000.00) or imprisonment of six (6) months or both at the discretion of the court. However prostituted minors shall not be penalized with imprisonment but shall be turned over to the Municipal Social Welfare and Development Office (MSDWO) for custody.

CHAPTER X

Public Property

Article A. Drying of Clothes in Public Places

Section 10A.02 Regulated Acts:

No person shall dry clothes and other household items or cause the same to be dried in any public places.

Section 10A.02 Definition of Terms: As used in this Article;

Household Items – refers to any garments such as carpets, tapestries, blankets, bed sheets, canvass, car mats, floor mats and other similar items.

Public Places – includes schools, plazas, parks, public markets and other places open to the public including the fences or enclosure.

Section 10A.03 Administrative Provision:

1. The Municipal Mayors Office (MMO) shall formulate rules and regulations in the implementation of this article.

2. The Municipal Mayors Office (MMO) shall seek the assistance from the local Philippine National Police in the enforcement of this article.

Section 10A.04 Penalty:

Any person who violates any provision of this article shall be fined of Five Hundred Pesos (P500,00)

Article B. Drying and storing of Farm Products in Public Places.

Section 10B.01 Regulated Acts:

No person shall dry and store their farm products in Public Places.

Section 10B.02 Definition of Terms: As used in this Article;

Farm Products – refers to corn, rice, peanuts cassava and others.

Person – refers to any residents or non-residents of this Municipality.

Public Places – refers to National, Provincial, Municipal roads and streets, Municipal plaza and parks, tennis courts, gymnasium except multi-purpose pigments.

Section 10B.03 Administrative Provision:

1. The Municipal Agriculture's Office (MAO) through the authorized officer shall formulate rules and regulation to implement the provision of this article.
2. The Municipal Agriculture's Office (MAO) shall seek the assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 10B. 04 Penalty

Any person who violates any provision of this article shall be fined or Two Hundred Pesos (P200.00).

Article C. Regulation of the Municipal Hall as Sleeping Quarter

Section 10C.01 Regulated Acts:

No person shall use the Municipal Hall as a sleeping quarter.

Section 10C.02 Definition of Terms: As used in this Article;

Person – refers to any person natural or juridical person, government official or employee.

Municipal Hall – refers to a structure for building located in the Poblacion.

Section 10C.03 Exemptions:

1. Members of the PNP, AFP, and CAFGU who are assigned to guard the Municipal.
2. Any employee officially permitted by the local executive officer to render overtime work.
3. During events of calamities, disaster, peace and order disturbances.

Section 10C.04 Administrative Provision:

1. Any employee who may work must secure office order from the local executive officer duly attested by their office heads.
2. The Municipal Mayor's Office shall formulate rules and regulation to implement the provision of this article.
3. The Mayor's office shall seek the assistance to the Philippine National Police in the enforcement of this article.

Section 10C.05 Penalty

Any person who violates any provision of this article shall be apprehended by the people and shall be under the custody of the police being released in the following morning.

Article D. Squatting

Section 10D.01 Regulated Acts

No person shall occupy any public places.

Section 10D.02 Definition of Terms: As used in this Article.

Occupy – refers to the one holding possession, who utilize the area introduction of improvements such as construction of houses whether temporary or permanent, erecting fences and other similar improvements.

Person – refers to squatter, or one who settle in public area without permission or right.

Public Places - refers to roads, street allowance, market area without permission or right.

Section 10D.03 Administrative Provision:

1. The Municipal Engineer's Office (MEO) shall implement and monitor the enforcement of this article.
2. The Municipal Mayor, upon recommendation of the Municipal building official shall be responsible for the issuance of a written notice of ejection to the people who occupy public sites.
3. After a grace period of ninety (90) days the Municipal building officials shall order the immediate demolition of all structures and improvements.
4. The Municipal building officials shall be responsible for the assessment of appropriate damages.

Section 10D. 04 Penalty:

Any person who violates any provision of this article shall be fined of Two Thousand Five Hundred Pesos (P2, 500.00) or an imprisonment of six (6) months or both at the discretion of the court.

CHAPTER XI

Public Safety

Article A. Anti-drug Abuse

Section 11A.01 Regulated Acts:

All residents of this Municipality are hereby required to participate in its campaign to eradicate drug abuse and addiction by providing the local government and the local Philippine National Police with credible information leading to the arrest of suspected drug users, “pushers” or supplies.

Section 11A.02 Definition of Terms: As used in this Article:

Drug Abuse and Addiction – means a state of psychological or physical dependence, or both, on a dangerous drug, arising in a person following administration or use of that drug on a periodic or continuous basis. The dangerous drug aforementioned refers to both prohibited and regulated drugs as defined in the revised penal code.

Drug Pusher or Supplier – refers to any person who sells, administers, delivers, or gives away to another, on any terms whatsoever, or distributes, dispatches in transit or transports any dangerous drug or who acts as a broker in any or such transactions. Person who cultivate or culture any plant, which is the source of prohibited act, are deemed include in this definition.

Drug User – refers to a person who injects, intravenously or intramuscularly, or who Consumes, either by chewing, smoking, smiting, eating, swallowing, drinking, or otherwise introducing into the swallowing, drinking, or otherwise introducing into the physiological system of the body, any of the dangerous drugs.

Section 11A.03 Administrative Provisions:

1. Any person who provides the credible information leading to the arrest and prosecution of any suspected user, pusher or supplier shall be granted monetary reward based on a the existing ordinance enacted for that purpose.
2. The local Philippine National Police (PNP) shall formulate rules and regulations for the proper implementation of this article.

Section 11A. 04 Penalty.

This article, being enacted to encourage the local residence to participate in the local government's campaign to eradicate drug abuse and addiction, carries no penalty clause.

Any suspected user, pusher or supplier who arrested based on the information given by a local resident shall be prosecuted before a court before a court of competent authority and penalized pursuant to the provisions of the Dangerous Drugs Act other pertinent laws.

Article B. Business Establishments Allowed to Serve Intoxicating Liquor

Section 11B.01 Regulated Acts

No person shall serve or allow the serving of any intoxicating drinks or beverages, other than fermented liquors or beers, to customer in any business establishment unless the said establishment or place is a duly licensed as a "Bar" or "Cocktail Lounge".

Section 11B.02 Definition of Terms: As used in this Article:

Bar – includes beer gardens or place where intoxicating and fermented liquors or malt are sold, disposed of given away or served to costumer to compensation,, even without, where the services of hostesses or waitresses to entertained by occasional dancing to music rendered by a regular dance hall, night or day club. A "cocktail lounge" is considered a "bar" even if there are no hostesses or waitress to entertain the costumers.

Intoxicating liquor – refers to drink of high alcoholic content which include distilled spirits like liquors and wines other than beer, "basi" , "tuba" and similar fermented beverages.

Section 11B.03 Administrative Provisions

1. Any person desiring to establish a business where costumers could be served intoxicating liquor shall first secure a permit therefore from a mayor to operate a "Bar" or "Cocktail Lounge".
2. No "Bar" or "Cocktail Lounge" as defined in this article shall be established, operated or maintained within a radius of two Hundred (200)n meters from any religious, educational or public institutions.
3. No operators of duly licensed "Bar" or "Cocktail Lounge" shall serve or allow to be served inside his establishment or parts thereof, any intoxicating liquor to persons who are below eighteen (18) years old.
4. Violation of this provision shall be a sufficient ground for the revocation of the Mayor's Permit being applied for, without prejudice to the filing of the appropriate charge before a competent court.

Section 11B.04 Penalty

Any person who violates any provision of this article shall be fined of Two Thousand five Hundred Pesos (P2, 500.00) or an imprisonment of (6) months or both at the discretion of the court.

Article C. Possession or Carrying of Deadly Weapon

Section 11C.01 regulated Acts:

No person shall possess or carry any kind of deadly weapon in any part of this municipality except within the residential home, privately owned real estate, office or places of work.

Section 11C.02 Definition of Terms: As used in the Article.

Deadly Weapon – refers to bowie knife, dagger, ice pick and other kinds of bladed, pointed, round or blunt instrument that can cause physical injuries or death when used against another person including “Chako” brass knuckles, and other similar devices.

Section 11C.03 Exemption:

The following are exempted from the provision of this article:

1. Military and police personnel who, under existing laws, are allowed to possess and carry firearms provided that they can produce the necessary papers or documents containing such authorization upon demand of the law enforcement officer concerned.
2. Private individuals who were granted a license to possess firearms, provided that they can show or have in their person the proper authorization to also carry firearms outside of their residence.
3. Person whose works or jobs require the use of such deadly weapons while going to and from their places of work, subject, however, to convincing proofs.

Section 11C.04 Administrative Provision:

1. The enforcement of this article shall be vested in the Local Philippine National Police (PNP)
2. The local Philippine National Police (PNP) and the Barangay officials shall coordinate for the effective implementation of this article.

Section 11C.05 Penalty:

Any person who violates any provision of this article shall be fined Two Thousand Five Hundred Pesos (P2, 000.00) or six (6) months imprisonment or both at the discretion of the court.

Article D. Regulation during Local Celebration

Section 11D.01 Regulated Acts:

There is hereby-promulgated regulation during local celebration.

Section 11D.02 Definition of Terms: As used in this Article:

Local Celebration – refers to any activity done in commemorating an event, to include fiesta, fairs, foundation day, festivals, carnivals, parade, procession or any other similar activity.

Organizer – refers to a person or a group sponsoring an activity having common Objective to celebrate an event.

Section 11D.03 Administration Provisions

1. Any person, organizer, chairman or coordinates of any local celebration shall submit to the office of the Local Chief Executive the following documents, before issuance of Mayor’s Permit to conduct any activity at least fifteen (15) days before actual conduct of the celebration.
 - a. Letter request to the Local Chief Executive for permit to conduct celebration.
 - b. Detailed Action Plan
 - c. Schedule of Activity
 - d. List of names of person involved in the preparation of the proposed activities.
2. The above-required documents shall be furnished to the office of the Local Chief of Police, the Municipal Health Officer (MEO) for the information and for these offices to provide other necessary measures to ensure safety of the inhabitants of this Municipality.
3. The organizer and the coordinators shall coordinate with the local Chief Executive and the chief of Police regarding all activities before and during local celebration and to designate marshals, to guarantee safety and order among participants of the affairs being conducted.
4. The Chief of Police shall;
 - a. Provide emergency safety measures to cope with any eventually during local celebration.
 - b. Maintain peace and order.
 - c. Ensure safety of all person from criminal elements.
 - d. Monitor movements of people and deploy police personnel where festivities are being held.
 - e. Overseas the smooth traffic flow of people and vehicles and install traffic sign and enforce traffic rules and regulations.
 - f. Assign police personnel on full alert status during the local celebration.
5. That the Municipal Health Office (MHO) having control over the Barangay Health Worker (BHW), first aid team and the Rural Health Unit (RHU) personnel shall.

- a. Assign Medical and First Aid Team in areas where local celebration are held and provide emergency safety measures to cope up with any eventually as far as any medical service concern.
 - b. Instruct the Local Sanitary Inspector (LSI), to supervised proper sanitation and hygiene of proprietors of makeshift temporary eating places, carenderies, turo-turo catering including the distribution of the garbage and trash receptacles on strategic places in the locally and the cleaning, clearing clog drainage and sewers.
6. In order to provide safety for commuters and prevent road obstruction during local celebration, all government projects involving repair of pothole, digging and other excavations on road shall be done immediately before any actual local celebration.
 7. That the organizers and coordinators of local celebrations shall supervise the proper placement of streamers, bunting and other materials ion alleys and roadways.
 8. The installation of electrical materials for lighting, sound and communication system shall be supervised by the Municipal Engineers Office together with the organizer and coordinator of a local celebration.
 9. That no combustible decorative materials such as series lights shall be installed near electric light bulbs or lighted candles.
 10. The Municipal Engineer's shall regulate and designate places where pyrotechnic materials shall be displayed during celebration and authorized person to handle fire cracking and other pyrotechnic materials
 11. The Municipal Engineer shall review the design of floats, platforms, towers, stages, pagodas to ascertain the maximum capacity load, soundness and safety of the structure.

Section 11D.05 Penalty

Any person who violates any provision of this article shall be fine of Two Thousand Five Hundred Pesos (P2,000.00) or an imprisonment of (6) months or both at the discretion of the court.

Article E. Selling of Flammable Fuel

Section 11E.01 Prohibited Acts

No person shall sell flammable fuel inside the public market.

Section 11E.02 Definitions of Terms: As used in this Article;

Flammable Fuel – refers to petroleum products such as gasoline, diesel fuel and

liquefied petroleum gas (LPG) except kerosene.

Section 11E.03 Administrative Provisions

1. The chief of the local Bureau of Fire Protection (BFB) or any designated official shall supervise and monitor any violation of this article.
2. The Bureau of fire protection (BFP) shall seek the assistance from the local Philippine National Police (PNP) in the enforce of this article.

Section 11E.04 Penalty

Any person who violates any provision of this Article shall be fined of Five Hundred Pesos (P500.00) or an imprisonment of one (1) month or both at the discretion of the court.

Article F. Top Loading of Passenger

Section 11F.01 Prohibited Acts

No person shall allow top loading of passengers in all public utility vehicles.

Section 11F.02 Definition of Terms: As used in this Article;

Public Utility Vehicle – refers to any vehicle offered for public transportation for a fare Include to buses, jeepneys, motorelas, multicabs and vans.

Person – refers to the drivers or operators of any public vehicle.

Section 11F.03 Administrative Provisions

1. The local Philippine National Police (PNP) shall enforce and implement the provision of this article and shall promulgate additional rules and regulations in the implementation of this article.

Section 11F.04 Penalty

No person who violates any provision of this article and shall be fined of Five Hundred Pesos (P500.00) or an imprisonment of Ten (10) days or both at the discretion of the court.

CHAPTER XII

Public Utility

Article A. illegal Connection of Electrical Wiring In the Public Market

Section 12A.01 Prohibited Acts:

No person shall connect or tap electrical connection along the electrical wirings within the Municipal Public Market.

Section 12A.02 Definition of Terms: As used in this Article.

Electrical Wiring – refers to the Electrical network installed by the Municipal government within the Municipal public Market.

Section 12A. 03 Administrative Provision:

1. The Municipal Engineer’s Office (MEO) shall condemn all electrical outlets installed the Municipal Government within the public.
2. The Municipal Engineer’s Office (MEO) shall formulate rules and regulations for the proper implementation of this article.
3. The Municipal Engineer’s Office (MEO) thru the Municipal Mayor’s Office (MMO) shall seek assistance from the Local Philippine National Police (PNP) in the implementation of this Article.

Section 12A. 04 Penalty.

Any person who violates any provision of this article shall be fined Two Hundred Pesos (P200.00) or an imprisonment of Ten (10) months or both at the discretion of the court.

Article B. Municipal Cemetery

Section 12B. 01 Definition of Terms : As used in this Article.

Municipal Cemetery – refers to the Municipal cemetery in the Poblacion or an other public cemetery that may be establish by the Municipality.

Cadaver Niches – refers to niches intended to accommodate cadavers inside coffins or other containers.

Bone Niches – refers to small niches at the bone niches section intended to Accommodate the bone and skull and other remains of a cadaver exhumed after being buried for five (5) years.

Cemetery Caretaker – refers to a person employed by the Municipal Government to manage the cemetery.

Burial Permit – refers to the permit issued by the local economic enterprises division.

Resident’s Cadaver – refers to the remains of a deceased resident who pursuant to the Conditions stated in the preceding paragraph.

Section 12B.02 Cemetery Sectioning:

1. Section for Honor Niches – area consisting of lots reserved for the interment of deceased former and present officials of the both Municipal Government of San Fernando, Bukidnon both elective and appointive, who die during their incumbency; PNP/AFP members, military men and CAFGU/ Bantay – Bayan or the

like who die in line of duty. Interment shall be for perpetuity unless otherwise desired by the Sangguniang Bayan.

2. Section for Perpetual Bone Niches – area where perpetual bone niches are constructed or maybe constructed by the Municipal Government in four (4) tiers to be leased for perpetuity to the public preservation of exhumed bones or skeletal remains from the leased burial lots and cadaver niches.
3. Common Depository for Bones or Skeletal Remains – all excavated, extracted and exhumed bones or skeletal remains not transferred to the perpetual niches for bones shall be deposited in the common depository bones.
4. Section for Cadaver Niches – border area surrounding the cemetery where the Municipal Government for lease to the public constructs cadaver niches for a period of five (5) years without renewal.

Section 12B.03 Free Burial:

To direct the ground burial of indigent residents and paupers shall be free of charge that there shall be a certification from the Municipal Social Welfare and Development Office (MSDWO) attesting to the fact that the deceased is indigent or a pauper.

Section 12B.04 Rental Fees for Burial of Non-Residents Cadaver or remains.

There shall be collected rental fees for the burial of the remains of non-residents double the rate charged on the burial of the deceased is indigent or a pauper.

Section 12B. 05 Rules and Regulations:

1. No burial or cemetery permit shall be issued without a death certificate.
2. No person shall make any marking in the memorial ground burial other than the numbers on the prescribed concrete cross.
3. No person shall bury or enter any cadaver or human remains in the cemetery without a burial permit from the Local Economic Enterprise Division and the necessary proof of payment for the rental acquisition of spaces or niches to be utilized.
4. Burial using niches or spaces with the ground burial Section and Section of Cadaver Niches shall be covered with a lease contract, without which no burial shall be allowed in the said section.
5. No person shall be exhume and transfer any cadaver and skeletal remains to any place outside of the cemetery without presenting to the caretaker a permit from the Municipal Health Office.

Section 12B. Administrative Provision:

1. The Economic Enterprise Division shall exercise direct supervision administration and control over Municipal cemetery and all the personnel thereof. All payment shall be made to a collected by the same office.
2. Any person who desires to construct any tomb and mausoleum shall secure first the approval of the Municipal Building Official.

3. The cemetery caretakers shall gather and place any skeletal and other human remains in the common depository for bones.

Section 12B.07 Penalty:

Any person who violates any provision of this article shall be fined One Thousand Pesos (P1, 000.00) or an imprisonment of one (1) month or both at the discretion of the court.

CHAPTER XIII

Public Works

Article A. Ban on Dragging Along Public Concrete Roads and Streets

Section 13A. 01 Regulated Acts:

No person shall pass along the Municipal concrete roads dragging iron or wood without a protector.

Section 13A. 02 Definition of Terms: As used on this Article:

Person – refers to any natural or juridical person operating a vehicle used for dragging iron, steel or wood.

Plow Protector – refers to rubber or a bamboo material covering the plow mould- board to touch the surface of concrete road.

Section 13A. 03 Administrative Provision:

1. The Municipal Engineer's Office (MEO) shall formulate rules and regulations to implement the provision of this article.
2. The Municipal Engineer's Office (MEO) shall seek assistance to the Local Philippine National Police in the enforcement of this article.

Section 13A.04 Penalty

Any person who violates any provision of this article shall be fined Five Hundred Pesos (P500.00) or and imprisonment of ten (10) days or both at the discretion of the court.

Article B. Destruction of Public Roads and Bridges

Section 13B.01 Prohibited Acts:

No person shall destroy or cause the Public roads and bridges within the Municipality.

Section 13B.02 Definition of Terms: As used n this Article:

Person – refers to any natural or juridical person such as association, corporation or organization who uses or passes along the public roads and bridges.

Public Bridges – refers to structure erected to afford passage for pedestrian, vehicle, railroads.

Public Roads – refers to an open way for public passage, includes national, provincial, Municipal or Barangay Roads or Streets.

Section 13B.03 Administrative Provision:

1. The Municipal Engineer’s Office (MEO) shall formulate rules and regulation to implement the provision of this article.
2. The Municipal Mayor’s Office (MEO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 13B. 04 Penalty:

Any person who violates any provision of this article shall be fined One Thousand Pesos (P1,000.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article C. Documentary of Contractors/Sub-Contractors on Implemented Projects.

Section 13C.01 Regulated Acts:

No person shall construct, commence any project without furnishing a copy of Program of Works to the Office of the Municipal Mayor’s and the Punong Barangay.

Section 13C.02 Definition of Terms: As used in this Article:

Person – refers to constructor and Sub-contractors who construct buildings, roads, bridges and other infrastructure projects.

Program of works – refers to the sequence of instructions of work plan, or detailed specification of projects or detailed performance of a desired operation.

Section 13C.03 Administrative Provision:

1. Municipal Engineering Office shall formulate rules and regulations to implement the provision of this article.
2. The Municipal Engineering Office thru the Municipal Mayor’s Office shall seek assistance to the Philippine National Police (PNP) in the enforcement of this article.

Section 13C. 04 Penalty:

Any person who violates any provision of this article shall be fined Three Hundred Pesos (P300.00).

CHAPTER XIV

Trade and Business

Article A. Ownership of Large Animals

Section 14A. 01 Regulated Acts:

No person owns any large animal without issuance of certificate of ownership and transfer of ownership certificate.

Section 14A.02 Definition of Terms: As used in this Article:

Issuance of Ownership – refers to the act of giving original certificate of ownership to a lawful owner.

Large Animal – refers to a cow or bull, carabao, horse and other animal of the bovine owner.

Person – refers to natural or juridical person, such as owners, or caretakers of animals.

Transfer of ownership – refers to legal transfer of certificate of ownership from the lawful owner to the new owner by virtue of sale or barter of large animal.

Section 14A.03 Administrative Provision:

1. An owner of a large animal shall be required to pay a fee of Five Pesos (P5.00) per head upon issuance of ownership and an additional payment of (10.00) upon issuance of transfer of unit.
2. That the current payment of credentials shall be as follows.
 - a. Issuance of ownership of large animals, P50.00 per head.
 - b. Issuance of transfer of ownership of large animals P30.00 per head.
3. The Municipal Treasurer's Office (MTO) shall formulate rules and regulations in the implementation of this article.
4. The Municipal Treasurer's Office (MTO) shall seek the assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 14A.04 Penalty:

Any person who violates any provision of this article shall be fined Five Hundred Pesos(P500.00).

Article B. Sell of Carabaos for Meat Consumption

Section 14B. Regulated Acts:

No person shall sell carabaos aging from seven (7) months old to eight (8) years old.

Section 14A.02 Definition of Terms: As used in this Article:

Person – refers to any natural or juridical person who owns a carabao aging (7) months old to eight (8) years old..

Section 14A. 03 Administration Provision:

1. The Municipal Agriculture Office (MAO) shall formulate rules and regulations to implement the provision of this article.
2. The Municipal Agriculture Office (MAO) shall seek the assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 14A.04 Penalty:

Any person who violates any provision of this article shall be fined Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment of six (6) months or both at the discretion of the court.

Article C. Video Game Operation

Section 14C.01 Regulated Act:

No person shall operate video game machines within Three Hundred meters (300M) from any learning institutions.

Section 14C. 02 Definition of Terms:

Learning Institution – includes but not limited to kindergarten learning centers and both public and private elementary and secondary schools.

Video Game Machine – refers to all types of Computer games, play stations and other machines.

Section 14C.03 Administrative Provision:

The local Philippine National Police (PNP) shall coordinate with the Barangay Officials in monitoring establishments known to have engaged in the business of providing video-game entertainment for a fee.

Section 14C.04 Penalty:

Any person who violates any provision of this article shall be fined One Thousand Pesos (P1,000.00) or an imprisonment of two (2) months or both at the discretion of the court.

CHAPTER XV

Traffic and Transportation

Article A. Mayor's Permit for Dispatcher

Section 15A. 01 Regulated Acts:

No person shall engage as terminal dispatcher without a Mayor's Permit.

Section 15.02 Definition of Terms:

Dispatcher – refers to any person who facilitate the orderly loading and unloading of passengers vehicles.

Passenger Vehicle – refers to Public utility buses (PUB's), jeepneys, minibuses, jitney motorela and other types of transport vehicle for a fare.

Section 15A. 03 Administrative Provision:

1. Requirements for applying Mayor's Permit;
 - a. Must be at least at 18 years of Age.
 - b. He must secure a medical certificate from Municipal Health Office or any government physician.
 - c. Recommendation from operators or transport organization.
 - d. The applicant shall pay the amount P100.00 annually prior to the issuance of Mayor's permit.
2. The local Philippine National Police (PNP) shall formulate or promulgate necessary rules and regulations for the implementation and the enforcement of this article.
3. The administration and enforcement of this article shall be vested in the local Philippine National Police.

Section 15A. 05 Penalty:

Any person who violates any provision of this article shall be fined Five Hundred Pesos (P500.00).

Article B. Parking Area for PUB, PUJ, MCH, Motorela

Section 15B.01 Regulated Acts:

No person shall park his public utility vehicle in any non-designated parking area.

Section 15B.02 Definition of Terms: As used in this Article.

Person – refers to any person driving a public utility vehicle.

Park – refers to a vehicle that has been brought to a stop on the shoulder or proper edge of a highway and remains inactive in that place or close thereto for an appreciable period of time.

Section 15B. Administrative Provision:

1. The Municipal Market Terminal shall be designated parking area for PUB and PUJ's flying to and from the Municipality of San Fernando.
2. Municipal Market Terminal shall be designated as the parking area for motorcycle for hire.
3. The local Philippine National Police (PNP) shall formulate or promulgate necessary rules and regulation for the implementation of this article.
4. The administration and the enforcement of this article shall be vested in the local Philippine National Police (PNP).

Section 15B.04 Penalty:

Any person who violate any provision of this article shall be fined Three Hundred Pesos (P300,00.) or an imprisonment of ten (10) days or both at the discretion at the court.

Article C. Parking and Regulations on Municipal Street

Section 15C.01 Regulated Acts:

No person shall park his vehicle in any part of the road connecting the public Market for more than one and half hours.

Section 15C.02 Definition of Terms: As used in this Article:

Person – refers to a person, drivers or owners of a vehicle.

Section 15C.03 Administrative Provision:

1. The Roads connecting to the public market shall be the following.
 - a. Magallanes Street
 - b. Manuel L. Quezon Street
 - c. Elpedio Quirino Street
 - d. Lapu-lapu Street
 - e. Zamora Street
2. The local Philippine National Police (PNP) shall formulate or promulgate necessary rules and regulations shall enforce the provision of this article.

Section 15C.04 Penalty:

Any person who violates any provision of this article shall be fined of Four Hundred Pesos (P400.00).

Article D. Registration of Bicycles

Section 15D.01 Regulated Acts:

No person shall drive an unregistered bicycle within the Municipality.

Section 15D.02 Definition of Terms: As used in this Article:

Person – refers to a person who own a bicycles.

Section 15D.03 Administrative Provision:

The following shall be followed and enforced.

1. All bicycle owners shall install and provide functional light and horn to their respective vehicle to be used as warning device.
2. The Municipal Treasurer's Office shall issue a plate number upon payment of registration and plate number to the applicant.
3. Bicycles shall only be registered after presenting necessary evidences of ownership to the registration officer staff designated by the Municipal Treasurer.
4. The local Philippine National Police (PNP) shall formulate and promulgate necessary rules and regulations for the implementation of this article.
5. The administration and enforcement of this article shall be vested in the local Philippine National Police (PNP).

Section 15D. 04 Penalty

Any person who violates any provision of this article be fined of Two Hundred Pesos (P200.00).

Article E. Regulations of Motorcycle for hire

Section 15E.01 Regulated Acts:

No person shall operate for hire without a Mayor's Permit.

Section 15E.02 Definition of Terms: As used in this Article:

Carrier or conductor – refers to registered operator and regular part time with the latter getting a share from the income for one day operation, or for every trip of the motorcycle for hire.

Charges – refers to the agreed prices between the operators and the public, which is

Regulated and ratified by the Sangguniang Bayan concerned, to protect the public, for the services rendered in the particular goods determined by the distances covered and the road conditions.

Motorcycle – refers to vehicle with two wheels equipped with guard railing or carries on each side, used for the cargoes loaded on them and where the feet of the riding persons rests while In transit.

Motorcycle Operator – refers to a person ready to engage in the transportation of goods for hire as a public employment and carry the same method by which business is conducted, his established routes.

Public use – refers to as the mean same use by the Public as defined under the law.

Registration of Motorcycle – id known as the official act of registering the engine number, chasis number, colors, type and model of unit, to be consolidated in the Office of the Municipal Treasurer, and made part of the Public records, kept for the same purposes.

Section 15E.03 Administrative Provision:

A. Policies:

It is the policy of the Municipality that;

1. The motorcycle or carrier operating shall be registered.
2. The Motorcycle operators for hire shall be held responsible for their operations.

B. Rules and Regulations:

1. The owner of the Motorcycle for hire shall present the documents as a proof of registration with Land Transportation Office upon the Application with the Municipal Government.
2. The Application shall present a certificate that the motorcycle for hire shall be used for the transport of agricultural goods and products from the point of origin to the center of trade and commerce and vise – versa.
3. In case of violation of the of the rules and regulations mentioned in the preceeding paragraph, the operator of the motorcycle for hire shall be liable of such violation.\
4. The Municipal Treasurer Office shall issue a registration sticker to the applicant.

Section 15E.04 Administrative Provision:

1. The local Philippine National Police (PNP) shall formulate rules and regulations for the implementation of this article.
2. The Administration and enforcement of this article shall be vested to the local Philippine National Police (PNP).

Section 15E.05 Penalty:

Any person who violates any provision of this article shall be fined Five Hundred Pesos (P500.00).

Article F. Registration of Vehicles and Farm Machineries

Section 15F.01 Regulated Acts:

No person shall drive and operate unregistered vehicles and farm machineries.

Section 15F.02 Definition of Terms: As used in this Article:

Person – refers to a person driving and operating farm machineries .

Farm Machineries – refers to any machinery used for farming such as tractors, hand tractors, kuliglig and others.

Section 15F. Administrative Provision:

1. All vehicle and farm machineries owner shall submit Xerox copy with necessary documents establishing ownership.
2. All owners register their farm machineries to the Municipal Government and shall pay the corresponding fees to the Municipal Treasurer Office in the amount of P150.00 per unit annually.
3. The local Philippine National Police (PNP) shall formulate or promulgate necessary rules and regulations for the implementation of this article.
4. The administration and enforcement of this article shall vested in the local Philippine National Police (PNP).

Section 15F.04 Penalty:

Any person who violates any provision of this article shall be fined Five Hundred Pesos (P500.00) or an imprisonment of six days or both at the discretion with the court.

Article G. Regulated Acts:

No person driving a vehicle shall pass along the temporarily closed streets during town fiesta celebration.

Section 15F. 02 Definition of Terms: As used in this article:

Person – refers to any person driving s vehicle but not limited to buses, jeepneys, multi-cabs, commercial trucks, private services vehicles, motorcycle, motorela and

trisekad.

Section 15F.03 Administrative Provision:

- a. Corner Galorport and Provincial Road
 - b. Damasco Street fronting Provincial Road
 - c. Ramon Magsaysay Street fronting provincial road
 - d. Quirino Street-from corner Zamora Street to Provincial Road.
1. The Local Philippine National Police (PNP) shall formulate or promulgate necessary rules and regulations for the implementation of this article.
 2. The administration and enforcement of this article shall be vested in the local Philippine National Police (PNP).

Section 15F.04 Penalty

Any person who violates any provision of this article shall be fined Three Hundred Pesos (P300.00).

CHAPTER XVI

Aliens

Article A. Registration of Aliens

Section 16A. 01 Regulated Acts:

Any aliens entering into a jurisdiction of this Municipality shall register with the Punong Barangay of the Place of his destination.

Section 16A. 02 Definition of Terms: As used in this Article:

Aliens – refers to foreign nationals entering into the Municipality as tourist or visitors and other persons who work as missionaries, consultants and scientists.

Section 16A.03 Administrative Provision:

The barangay secretary shall keep an updated record in all inhabitants of the barangay containing the following items of information, name, address, place, and date of birth, sex, civil status, citizenship, occupation and such other items of information as may be prescribed by law or ordinance.

Section 16A.04 Penalty:

Any person who violates any provision of this article shall be fined of Five Hundred Pesos (P500.00).

Article B.

Posting of Billboards, Advertisements posters, | Placards flyers and etc.

Section 16A.02 Definition of Terms: As used in this Article;

Advertisement – refers to public notice, as in the news papers or giving notice or any method of attracting public notice of commercial products of sale or promotion.

Placards – refers to a printed or written paper publicly displayed.

Posters – refers to a placard or bill used for advertisement for public information.

Section 16A. 03 Administrative Provisions:

1. The Municipal Engineer’s Office (MEO) shall seek assistance from the local Philippine National Police (PNP) in the enforcement of this article.

Section 16A. 04 Penalty

Any person who violates any provision of this article shall be fined of Two Thousand Five Hundred Pesos (P2, 500.00) or an imprisonment of six months or both at the discretion of the court.

CHAPTER XVII

Child Welfare Code

Article A.

Title – Policy, Principles and Definitions of Terms

Section 17A. Title

This ordinance shall be known as “An ordinance providing for child survival, development, protection and participation and establishing a comprehensive children support system in the Municipality of San Fernando, Bukidnon and for other purposes” otherwise known as the Child Welfare Code in the Municipality of San Fernando, Bukidnon.

Section 17A. 02 Declaration of Principles and Policies.

In the Municipality of San Fernando is hereby declared a child friendly Municipality,. As such it is the Policy of the Municipal Government that the rights of the for survival, protection, participation and development of their potential must be given priority, it shall support the role of the family providing for the children and promote the effort communities to nurture and care of the children, forms infancy, especially during earliest stages of childhood, up to adolescence, consistence herewith, the Municipal Government shall endeavor to strengthen the establishment of comprehensive children and family support system in the entire sector to achieve the goals for the protection, participation and development of children.

Furthermore, it shall ensure that all programs aimed at achieve the goals for the survival, protection and participation and development of children are given priority when resources are allocated, thus exerting efforts to ascertain that those programs are protected in times of economic austerity and structural adjustments.

Section 17A.03 Definition of Terms:

- a. Children refers to a person below eighteen (18) years of age or those over but are unable to fully care of themselves to protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical disability of condition.
- b. Survival rights deal with the provision in relation to parental and governmental duties and liabilities, adequate living standard and access to basic health services and;
- c. Development rights pertain to access child educational opportunities access to relevant to relevant information, play leisure, cultural activities, and the right to freedom of thought, conscience and religion.
- d. Protection rights cover those which guard children against all forms of all child abuse, exploitation and discrimination in major areas where child is considered in extremely difficult circumstances.
- e. Participation rights including the child freedom to express oneself or in matter affecting his/her life as part of preparation for responsible parenthood and to freedom association;
- f. Circumstances, which gravely threaten or endanger the survival and normal development of children, which include, but are not limited to the following:
 1. Being the community when these are an armed conflict or being affected by armed conflicted activities.
 2. Working under conditions hazardous life, safety and moral/which unduly interfere with their normal development without provisions of their educating.
 3. Living in or for themselves in the street of urban and rural areas without the care of the parents or guardians or any adult supervision needed to their welfare.
 4. Being a member of their indigenous cultural community and/or living under the condition of extreme poverty or in an adequate access to basic access to basic services need for good quality of life.
 5. Being with family members or guardian having psychological problem grave enough for them commit incest, sibling rape lascivious acts and other forms of physical and mental abuse;
 6. Being a victim of natural disaster or calamity.
 7. Being a victim of illegal transaction organization, child trafficking.

8. Circumstances analogous to those above stated which endanger the life safety or normal development of children of anti-social related activities are those acts property, chastity and person which include but not limited to the following;
 1. Pretty crimes such as swindling , shoplifting, misrepresentation;
 2. Using and pushing prohibited drugs, selling illegal or level reaching materials;
 3. Pumping for young and old prostitutes, doing or participating in obscene shows;
 4. Gambling of any form
 5. Rape incest
 6. Unjust and inhumane manner of eviction and demolition and;
 7. Benefit dance refers to an exploitative dance promoted in locally wherein young girls and young boys who are tagged as dancers are being offered to dance with any partner upon payment of certain price.
 8. Culturally relevant activities refers to the activities refers to the activities how-casing the Filipino Culture and Tradition such as but not limited to following;
 - a. Ethnic Dances
 - b. Historical Dances
 - c. Folk Dance Others

Pre-school education refers to the age from the birth up to six age (0-6) and known to be critical phase of the child's psychomotor development. It is the phase when activities for human development stimulation for children must be provided hence, the need childhood care and development program.

ARTICLE B.

SURVIVAL AND DEVELOPMENT RIGHTS

Section 17B.04 under six program framework.

The Municipal Government shall ensure to the maximum extent possible the survival and development of child. The early childhood and development program coupled with parent's effectiveness service program on child survival and development include the following among others.

- 4.1 **Day Care Service Program** – The Municipal Government shall develop and implement and sustain each day care service program which each population and community based. The day care center that shall serve 4-5 years old children shall be set up, in every barangay, the number of which shall depend on the population level of the community. The normal one day care services shall develop for the Municipality shall form part of the rules and regulation and implementing guidelines of Day care service Program.
- 4.2 **Child Minding Service program** – The Municipal Government shall develop , implement and sustain its day care service program for the care 0 to 2 years old children of the working parents during the Day, provided that the child minding service program need not to take care of the children in a particular place but shall develop network home and where adults may take care of the children with adequate supervision, the Municipal Social Welfare Officer of the Municipal Social Welfare Officer, provides further that where young children are left to the care of paid domestic and elderly relative in older children without adequate and adult supervision, the Municipal Social Welfare and Development Office shall furnish such training and adult where by the children under their under will develop normally healthy, happy and loved children, even the absence of their parents during their working hours. The Municipal Social Welfare and Development Office in coordination with institution dealing with under six years old children , shall develop a manual for Day care service program.

Section 17B.05 Primary Health Care Program Framework

The Municipal Government shall implement and sustain the Primary Program to primary cater program.

To further ensure the implementation of this section it shall take appropriate measures to support the program on health under the framework of primary health care and preventive care.

- 5.1 **Maternal & Child Care Program** – The Municipal Government shall continue to implement and support its maternal and child service program, which shall cater to the health of the mother, which affects the child in womb with the end in view of delivering a healthy baby.
- 5.2 **Mother and Child Immunization Program** – The Program on preventive child care and health will include among others, the monitoring and registration of births and the completion of immunization series for prevention of tuberculosis, diphtheria, pertussis, neonatal tetanus, measles, poliomyelitis, hepatitis B. and such other disease for which vaccine have been developed for administration to children up to Five years old.

- 5.3 Child Patient of Indigent Parents** – The Municipal Government shall, the ensure the availability of the hospitals indigent fund by a child patient of indigent parents needing the professional services of a private doctor specialist to be cured of his ailments, subject to the recommendation of the Department of Social Welfare & Development (DSWD-local).

Section 17B.06 Family Community Welfare and Support System

The Municipal Local Government shall implement and sustain a family and community welfare support system for children to further ensure the implementation of this section it shall take appropriate measures to support the program on family and community under a family and community welfare and development.

There shall be established comprehensive family and community welfare and development program, which shall include courses and services on reproductive health, child health and child rearing practices, parents effectiveness, pre-marriage and marriage counseling, responsible parenthood, among others, the context of the Filipino Phycology

- 6.1 Child Youth Welfare Program** – The Municipal Government shall establish and support and comprehensive child and youth welfare and development program which shall include the services such as per group services, community, based services for street children, community services for delinquent youth, and services for children especially difficult circumstances.
- 6.2 Woman and Welfare Program** – the Municipal of Local Government shall recognize the role of the women for making the society as well as the child, hence, it shall establish support women welfare and development program which shall include courses and services such as self-enhancement skills development maternal and child care, skills training for employment and livelihood support among others.
- 6.3 Nutrition Program** - The Municipal Government Unit shall established and sustained a growth and nutritional Monitoring with national feeding and supervision of nutritional intakes of children at home and in school. This program shall be under the administration and;
- 6.4 Supervision of the Municipal Integrated Health Services Office** – the Program on Nutrition shall include a monitoring and evaluation system, which shall be established by the said office.
- 6.5 Balik Tulungan Program** – The Municipal and Local Government shall support the Balik Tulungan Program being implemented by the local Social Welfare and Development Office, Department of Education Culture and Sport and augment program finds therefore. The program implementation shall be coordinated with the Municipal Welfare Council.\

Section 17B.07 Community Support System

There shall be established a comprehensive community support system for the survival and development protection, security and participation of the Child in the Municipality of San

Fernando. The Community support system and structure shall be Municipal Child Welfare Council the Barangay Council for the Protection of the Children among others.

7.1 **The Municipal Child Welfare Council** – its membership and function. The Municipal Council Welfare Council for the welfare of children and shall become then consultative assembly of the Municipality of its periodic planning and programming, assessment and evaluation of all existing program and projects designated for children.

7.2 **Membership of Municipal Child Welfare Council** – in the Consonance with revised programs and projects designated for children welfare council shall be composed of the following.

1. Municipal Mayor
2. Chairman, Sanggunian Committee on Health and Social Services
3. Municipal Planning and Development Officer
4. Civil Registrar
5. Social Welfare and Development Officer
6. Health Officer
7. School Supervisor
8. Prosecutor
9. NGO's Representative
10. SK Federation President
11. ABC
12. Local finance Committee
13. DILG
14. PO's
15. PNP Chief
16. Chairman Committee on Women & Family
17. Representative Court handling youth offender cases and victims of child abuse.
18. DOLE

7.3 **Function of the Municipal Child**

Welfare Council – the following shall be the function of the Municipal Child Welfare.

Council:

1. Formulate Municipal Plan of action for children; incorporating projects and Programs needing assistance by the Barangay and insure its integration into the Municipal Development b Plan.
 2. Monitor and Evaluate the implementation to the Regional Child Welfare Council through the Provincial Planning and Development Office.
 3. Submit quarterly on the plan implementation to the regional child welfare council through the provincial planning and development office.
 4. Act promptly on issue and concerns affecting children and youth protective ordinance.
 5. Advocate for the passage of other relevant child and youth protective ordinances.
 6. Advocate for the increased support and resources allocation for the children and program and projects.
 7. Provide Technical assistance to the community based forest line worker through conduct of capability building and human resource and development activities; and
 8. Prepare contingency measures to protect children and their family in crises situations brought by natural and manmade calamities.
 9. Insure proper implementation of these ordinances;
- 7.4 ***Creation of the Committee by the Council*** – The council shall create committees which it may down appropriate and necessary whose chairmanship shall be held by the regular mandated members of the council for the purpose of gathering its function.
- 7.5 ***Secretariat Support*** – Secretariat support shall lodged in the Municipal Social Welfare and Development Office and shall be responsible for the documentation and proceedings meeting and preparation of reports and other necessary documents needed by the committee.
- 7.6 ***Honorarium for council Members*** – the Council Members shall be authorized to receive honoraria on connection with disposition of their respective functions. The rate of their honoraria shall base and in consonance with the pertinent guidelines issued by the commission on Audit and or the government Accounting and Auditing Manual.
- 7.7 ***The Barangay Council for the Protection of children*** – its composition, member and functions. There shall be created a Barangay Council for the protection of

Children (BCPC) in every Barangay in the Municipality of San Fernando, Bukidnon. The Barangay Captains of the respective barangays are hereby mandated to spear headed the creation and strengthening of the said council with support of the Municipal Welfare Development Office and Department and Local Government and other concerned government and non-government agencies in the area.

7.8 *Composition of Barangay Council for the protection of children* – the membership of the respective barangay (BCPC) shall take for the responsible member of the community including a representative of assignment includes the particular barangays. The Membership shall be on purely voluntary basis.

7.9 *Powers and Function* – the Barangay Council for protection of children in each respective barangay.

Section 17B.08 Foster Education of every child in the Barangay:

- 8.1** Encourage the proper performance of duties of parents and provide learning
- 8.2** opportunities in the adequate rearing of children and on positive parent relationship;
- 8.3** Protect working children from abuse and exploitation.
- 8.4** Take step to prevent juvenile delinquency and assist parents and children with behavioral problems so they can get exert advice;
- 8.5** Adopt measure for the promotion of the good health and nutrition status of children.
- 8.6** Promote the opening and maintenance of playgrounds and Day Care Centers and other services that act necessary for children and youth welfare.
- 8.7** Coordinate the activities of organization devoted for the welfare of children and secure their congregation.
- 8.8** Promote wholesome entertainment in the community especially in the movie houses.
- 8.9** Assist parents whenever necessary in securing expert guidance counseling from the proper government and private agencies.
- 8.10** Advocate for the passage of the barangay and Municipal Plan for actions for children in the community and ensure that the integration into Barangay development Plan and Implementation by the Barangay;
- 8.11** Submit Barangay quarterly accomplishment report of the implementation of the Plan and implementation by the Barangay.
- 8.12** Arrest any individual who actually committing about to commit has just committed an offense against the person of any unions.
- 8.13** Barangay Appropriation for BCPC – Each shall regularly appropriate funds of not less than 5% from its annual and

or supplemented budgets to support the administrative and operation needs of the Barangay Council for the protection of the Children.

Section 17B. 09 Institutionalization of Foster Homes for Children

The Municipal Government on its effort to establish a community based strategy for the protection of the children shall endeavor to internationalize the foster homes for children with individual assistance and technical assistance of the Development Office shall promulgate the implementing rules and regulations of this section as soon as the ordinance has been approved.

Section 17B. 10 Provision for the strict implementation as soon the law in;

The Municipality of San Fernando – the Municipal Government shall ensure to strict implementation of RA 8172, otherwise known as “*An Act promoting the salt iodination nationwide and other related Municipal Ordinances*” A Committee created by the Municipal Government a child welfare council shall be tasked to supervise the implementation of the sail law.

Any person who is salt produces manufacturer, importer, or trader found to have violated this provision shall be penalized in the following manner after due proceeding by the court of justice having jurisdiction of such offense.

First Offense – a fine of One Thousand Pesos (P1, 000.00) plus three months imprisonment.

Second Offense – a fine of Two Thousand Five hundred Pesos (P1, 000.00) plus five Months’ imprisonment.

Third Offense – a fine of Two Thousand Five Hundred Pesos (P2,500.00) plus 6 months Imprisonment – provided that the penalty in the third offense shall be an Addition to the renovation of the offender’s license to operate and Provided further that in all cases where the subject matter of the offense a prohibited product, the count shall order the recall an or withdrawal of the product from the market.

Section 17B.11 – Market Friendly Hospitals – In the Municipality of San Fernando, Bukidnon. Hospital in the Municipality shall comply with the requirements of the Department of Health for Mother – baby friendly hospital. The Municipal Child Welfare council shall establish a committee to task the monitor and ensure the compliance of hospital found to have deliberately violated this mandated shall be recommend for appropriate action by the Department of Health.

Section 17B.12 Child Friendly Buildings – in the approval of this proposed building plan in commercial building in the Municipality by the Office of the Municipal Engineer, such office shall insure the inclusion of child friendly facilities therein. And avoid any happening of child accidents, the propose plans of commercial building must observe the hereunder specifications:

1. Baluster in staircases must be spaced in a manner that their distance formed other would not exceed six inches (6) to avoid children from accidentally falling through.
2. In case of building having more than one story, railing or balusters acting as horizontal or vertical barriers must be likewise space in a manner that their distance from each other must not exceed (6) inches and said railing of balusters must have a height or not less than five (5) feet.
3. Lavatories exclusively for children use must be installed with proposed plan of commercial building to accommodate the personal necessities of children entering said buildings.

Section 17B.13 Provision for the Strict Implementation of Executive Order No.51

To ensure that safe and adequate nutrition for all infants in the Municipality is Provided, it is hereby ordered that executive No.51 entitled: “ Adopting a National code of Marketing of breast Milk supplement and related product , penalizing violating thereof and for other purposes” shall be strictly implement. Any person who has been found to have violated the said code shall be penalize in accordance with the provision of Section 13 thereof.

Section 17B. 14 Survey and active Program for different able Children

The Municipal Government shall make a periodic comprehensive survey and situational analysis on the differently able children in the Municipality, the Municipal Social Welfare and Development Office together with the offices of the District supervisor. Municipal Health Office and Municipal Planning Office shall specified the conduct of situational analysis on differently able children in the Municipality. The result of the situational analysis shall be the basis of the Planning of the Child Welfare council and other concerned agencies for program and projects of those children.

Section 17B.15 Training Program of Educator and Health Professional Handling different able children.

Training program educators and health professionals handling differently – able children shall form past of priority program of the Municipal government, hence funds which are to be source from the 20% Local Government Development fund shall be provided thereof.

Section 17B. 16 Support to Special Education Program

The Municipal government shall support the Special Education Program which is presently Implemented by the Department of Education Culture and sport by providing regular assistance of DECS shall insure that the special education program shall be set up in the Public schools whenever to if possible their respective barangays. The Municipal Government regularly provide funds for SSEP program to be taken from, but not limited to the special Education Fund (SEF).

Section 17B. 17 Provision of Support System to the Pre – school Education Program for Early Childhood Case and Development Initiated by the PO’s and NGO’s.

The Municipal Government shall provide for a support system to the Pre-school Education Program for early childhood care and development initiated by the PO’s and NGO’s by significantly responding the gaps of government service in providing in pre-school

Education Program having an alternative curriculum which is developmentally appropriate and culturally relevant to urban poor communities, encouragement and accreditation; materials; technical assistance such as enrichment training for facilitators and financial aid and monitoring activities for community based Early Children Care and Development Program (ECCDP) as an alternative approach for the continuing basis problem of urban poor children.

Section 17B.18 Provision of funds for Children Welfare.

As a basis of the council review of Barangay budget. To ensure that the Barangay shall give priority to the welfare of children in their respective barangays, the Municipal shall review the barangay budget and give strict attention to the allocation funds for programs, project and service for the welfare of children's.

Section 17B.10 Barangay Level recreational and Cultural Facilities and Program.

A Barangay Level program for the revival of a indigenous game reflective of the cultural diversity of the Municipal shall be installed. The Municipal shall allocate space for recreation and provide recreational facilities appropriate for children's gender and age. A regular cultural program appropriate for each children age group and gender shall be designated with due respect to the cultural diversity. The respective barangay councils under the leadership of the barangay chairman and the chairman on the social services spearhead this regular cultural program. The existing community structure in the barangay shall be tapped to support this program.

Section 17B.21 Parenting Orientation Courses.

Marriage License Applicants shall be required to participate to a parenting orientation course on Pre-Marriage counseling seminar, among other requirements, prior to the issuance marriage license by the Local Civil Registrar . this course shall become integral part of existing family planning seminar on reproductive health course in close coordination with the Municipal Health Officer, the Municipal Social welfare and development and Municipal.

Planning Officer, Parent Applicant for birth certificate of their children shall also require to part to a parenting orientation II course before issuance of certificate of live birth requirement under existing law.

Section 17B.22. Inclusion of the convention of the right of children in the school curriculum.

As part of the advocacy, information and education campaign of the government on the survival and development, the convention of rights of children in need of special protection to be liable to help them. The Municipal Child Welfare council and the Department of Education Culture and Sports shall spearheaded the training in coordination with the Municipal Social Welfare and Development Office.

Article C.

PROTECTION RIGHTS OF CHILDREN

Section 17C.23 Program on Child Abuse Exploitation and Discrimination.

There shall be a comprehensive program to be formulated by the Municipal Social Welfare and Development Office (MSWDO) and Municipal Council for the welfare of Children in coordination with other government agencies. The private sector of this code to protect children against prostitution, child trafficking; publications and indecent shows and other act abuse; and circumstances, which endangered child survival and normal development. The Program shall cover the strict implementation of the provision PD 603, otherwise known as “An act Providing stronger difference and special protection against child abuse, exploitation and discrimination, providing penalties for its violation, and for its violation, and for the other purposes, “and all other laws affording protection against child exploitation”.

Section 17C.24 Sanction for establishments or enterprises, which promote facilitate or conduct activities constituting obscene publication and indecent shows. Old establishments or enterprises caught promoting on facilitating child prostitution and sexual abuse shall immediate closed and be fined in amount of Two Thousand Five Hundred Pesos (P2,500.00) with their authority a license to operate permanently cancelled. Without prejudice to the owner, manager and other personnel thereof for being prosecuted under R.A 7610 as amended otherwise known as “An act providing for stronger and special protection against child abuse, exploitation and discrimination, providing for its violation and other purposes.”

Section 17C.25 – establishment to post notices and information top entry front desks regarding child protection. All hotels sauna baths, inn, motels, night clubs and other establishments of similar services shall be required to post notice information about child protection to serve as detriment to committing child trafficking, protection and other sexual abuse. The child welfare shall develop the notices and information to be posted with the technical assistance of Municipal Social Welfare and Development Office. To ensure the compliance by the concerned establishments to this section of this ordinance, the office of the Municipal Mayor through the license divisions shall require these establishments to post such information or notices before their respective license shall be renewed and approval.

Section 17C.26 certified birth certificate as a requirement for working permits. All applicants for working permits shall require submitting a duly authentic birth certificate by the Local Civil Registrar who issued said certificate. Any violation of this provisions by any government official or employed subjects such offender to administrative and criminal liabilities and shall be punished with the appropriate penalty that the law provides.

Section 17C. 27 – Creation of Special Services for Children – in need of special protection and legal services. The Municipal Government shall create special program for the protection of children who are victim of incest and rape cases. It shall also endeavor to muster the support of private sector more particularly the local chapter of the integral bar of the Philippines and the academe to provide legal and protective services to the children who are in need of such services.

Section 17C.28 – Monitoring criminal charges filed against children and appropriate assistance. Applicant for supervision sentences of children charges criminal offenses in connection on related to any anti-social activities as defined; herein shall be done by Department of Social Welfare and Development with assistance of the Municipal Government special team from such offices shall be task to monitor closes the case involving children in court to adequately enforce the suspension of the sentences. Appropriate and responsive

rehabilitation program, shall be afford to them under the care the Municipal Social & Development Office pursuant to PD 603 otherwise known as the “ Child and youth welfare Code” R.A. 7610 otherwise known as the “An act providing stronger difference and special protection against Child abuse, exploitation and discrimination providing penalties for its violation and for the other purposes and other laws affording protection to children, the framework of assistance shall be designated by the Municipal Council for welfare of Children in close coordination with the NEO and other groups having special interest on children rehabilitation.

Section 17C.29 – Support to prosecutors or council who handle cases of children to obtain speedy disposition and preferential settlement – The Municipal Government in its desire to protect the children who may either be the victims of the accused in any crime, shall give moral and other be necessary support to the prosecutors or councils handling their cases to ensure the speedy disposition and preferential settlement thereof.

Section 17C.30. Establishment of Child and youth Relations’ section for the purpose of strengthening. The pillar of the justice system-each police cases involving children. Child friendly police procedures shall be implemented as contained in the police handbook in the management of cases of children in especially difficult circumstances. Each PNP element shall be provided a copy of the said handbook the said section must be administered for a female police office.

Section 17C.31. Special course for PNP members a continuing special course for members of the Philippine National Police shall be designated to handle effectively the children involved in anti-social activities. All police offenses shall take up the course especially those who are all interested to be assigned with the and youth relations (CYR) and other CYR offices in each PNP detachment. The course shall be designed and provided by the child welfare council in close coordination with the PNP child protection team, NGO’s and other civic organization focused on child and youth programs.

Section 17C.32. Custodial Brutality – the commission on offense against a minor by any person while said minor is being placed under his custody for whatever reason shall subject such offender to the minimum penalty provided by the law for the offense committed.

Section 17C.33. Establishment of a rehabilitation center and provision of support facilities – there shall establish a rehabilitation center for children offender or youth full offender in the Municipality of San Fernando, Bukidnon dwelling. The rehabilitation center shall develop home life services psychological interventions and other services that will make the center conclusion to life rehabilitations.

Section 17C.34. Established of a separate detention are the children and youth full offender – to be able to safeguard physical and psychosocial conditions of detained children having impending criminal charges the municipal Government shall establish within the Municipal jail a separate detention all exclusively for children and youthful offenders.

Section 17C. 35. Establishment of reception and training center for children and youth with complete facilities and providing fund thereof. The Local Government Unit shall established a reception and training center for children and youth RTCYY, subject to our increase of 5% per year when necessary. The reception and training center shall be strictly a “no smoking area”.

Section 17C. 36 Children and family social program – the Municipal social welfare and Development Office in coordination with other government and non-government agencies shall design comprehensive psycho-social program for both children and their families those affected by armed conflict.

Section 17C.37. Selective ban or benefits dance in the Barangays – barangay level fund raising activities shall not include “benefit dance” as defined in this ordinance. Any person caught promoting such “benefit dance” in the barangay shall be punished 6 months imprisonment and fined with P2,500.00 after due proceeding by the court of justice having thereof. Culturally relevant activities shall be promoted instead of utilizing young woman as commodities.

Section 17C.38 Curfew on minors – for the protection of children below eighteen (18) years of age, they shall be prohibited from loitering around for sleeping in public places from 10:00 o'clock in the evening until 4:00 o'clock in the morning of the following days unless they are in the company of their parents guardian. Children caught Welfare and Development Office shall be released only after having attended with their respective parents or guardian to one (1) day seminar on duties and responsibilities of children and parents conducted by the same office, provided that his provision shall not be imposed during Christmas season and any activities and celebration where the presence of children in public places during such time are allowed or encouraged.

Section 17C.39 – Regulating ambulant vendors or junk foods in school vicinities for sanitation purposes and establishing monitoring system thereof. – the Local Government shall protect the school children from unsanitary food and junk food. In furtherance of this mandate, all vendors within the vicinity of at school campus within the Municipality shall be subjected to safety and sanitation standards.

Section 17C.40 – Separate permit to operate computerized video games – all establishments operating computerized video games shall be required to seek a separate permit to operate said live business activity form from the Municipal Social Welfare and Development Office to ensure that the operate of the same shall be strictly regulated with the end of protecting the welfare of children.

Section 17C.41 – Establishment of the sagip batang manggawa action team – The sagip Batang Manggagawa (SMB) also known as the inter-agency quick action team against child labor, shall be establish to immediately responfd and act upon reported cases involving child labor. The said team shall have the following composition.

1. Representatives of Labor and Employment (DOLE)
2. Representative of the Public Employment Secure Office (PESO)
3. Representatives of the Department of Social Welfare and Development (DSWD)
4. Office of the Philippine National Police (PNP)
5. Representatives of the Department of the Interior and Local Government (DILG)
6. Representative from NGO's.
7. Action Office of the Child Welfare Council
8. Action officer of the Barangay Council for the Protection of Children (BCPC)
9. Chairman of the Committee on Social Welfare of Sangguniang Bayan.
10. Representative of the Municipal Social Welfare and Development (San Fernando)

Section 17C.42 – Establishment of Bantay Bata Hotline – Around the clock reporting and monitoring base against child abuse shall be established and ordered by the Municipal and Social Welfare and Development Office. Said hotline shall not or the 24 hour vanguard of children, upon receiving information regarding any crime against a child. Bantay Bata shall monitor every program that may occur in relation to the apprehensive and prosecution of the criminal.

Article D

PARTICIPATION RIGHTS OF CHILDREN

Section 17D. 43 Participation of children in decision-making process – The interest and welfare of children in the Family, school, community and other organization or institution shall be heard. Every child have the right to express his opinion freely in so as such opinion is not contrary to law, opinion betaken taken into account in all matters of procedures. Affecting the child it shall be the responsibility of the adults to provide opportunities for children to express their victim, organizing among them, obtain information, and make ideas or information known regardless of tribes, sex., religion and belief.

Section 17D.44 Conservation on minors for purposes of consultation. It is important to consult and provide venue for expression of children’s view in the local government policies. Consistence herewith, it is necessary that 7 to 12 years old and 13 to 18 years old be covered once a year, specifically during the children with these groups of children shall be instrumented in the process of the preparation and evaluation of the convention.

Article E

IMPLEMENTING MECHANISM

Section 17E. 45 Creation of division for children concern – The Division’s concern under the office of the Municipal Social Welfare and Development shall be created to be of the capacity of this office in realizing the provision of this ordinance. The said division shall specially specific program and projects concerning children, it shall also file necessary complain on cases of unlawful acts committed against children in the most expedition processes.

Section 17E. 46 – Components of the division for Children’s concern – The division under the Municipal Social Welfare and Development Office shall have the following components among others, to orchestra tic its various program and projects consistent with the provisions of this ordinance. Law and international covenants.

- a. Reception and action center for child and youth
- b. Psycho-social rehabilitation centers for children in extremely difficult circumstances.
- c. Child right advocacy and campaign
- d. Childhood care & Development Program

- e. Legal assistance program

Article F

Final Provisions

Section 17F.47 – Implementing rules and regulation within six months after the approval of this code the local chief executive assigned and form a committee and formulate the rules and regulations necessary for the efficient and effective implementation and all provision of this ordinance . Such rules and regulations shall take effect after fifteen (15) days following the competition of their full publication in two (2) local news papers of the general circulation in the province of Bukidnon.

Section 17F.48 –penalty for refused on neglect on the part of any government official or employee charged with the duly implement this ordinance, and who refuses or neglect his duty shall be punished eleven (11) months suspension from service without pay, provided that the due of process on administrative discipline as establishes under the client service law and other pertinent laws shall be strictly observed said penalty is imposed to such offender.

Section 17F.49 – Funding for the effective and efficient implementation of this ordinance. The Municipal Government shall regularly appropriate funds not less than 3% appropriated budget which exclusive of the appropriation interested for the Municipal Health Office and special education fund and interested for the Municipal Health Office and special education fund and without limitation to an additional appropriation in the supplemental budget. The amount of P3,000.00 pesos shall be appropriated solely for the purpose of which appropriation shall sourced from the general fund.

Section 17F.50 Reparability Clauses – it for any reason a provision solely for the purposes of which appropriation shall sourced from the General Fund.

Section 17F.51 – Repealing Clauses – All ordinances executive – All ordinance executive order, resolution and other local memoranda of rule inconsistent with the provision hereof not affected thereby shall continue to be full force and effect.

Section 17F. 52 – Effective Clause – This ordinance shall take effect fifteen (15) days during the completion of its full publication in at least two (2) local newspapers of general circulation within the province of Bukidnon.

Conflict of Interest– arises when a local official or employee is a member of a board, an officer, or a substantial stockholder of a private corporation or owner or has a substantial interest in a business, and the interest of such corporation or business, or his rights duties therein, maybe opposed to or affected by the faithful performance of official duty.

Divestment – is the transfer to title or disposal of interest in property by voluntarily, completely and actually depriving or dispossessing oneself of his right or title to it in favor of a person or persons other than his spouse and relatives as defined herein.

Relatives – refer to any and all persons related to a public official or employee within the fourth civil degree of consanguinity or affinity, including “bilas” , “inso” and “balaē”.

Article B. Norms of Conduct of Local Officials and Employees

Section 18B.01 Standard of Personal Conduct. Every public official and employee shall observe the following as standards of personal conduct in the discharge and executive of official duties.

1. **Commitment to Public Interest** – Local officials and employees shall always uphold the interest over and above personal interest. All government resources and powers of their respective offices must be employed and used efficiently, effectivity, honestly, honestly and economically, particularly to avoid wastage in the public funds and revenues.
2. **Professionalism**- Local officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall endeavor to discourage wrong perception of their roles as dispensers of peddlers of undue patronage.
3. **Justness and Sincerity.** Local Officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, specially the poor and the underprivileged. They shall at all times respect the rights of others, and shall refrain from doing acts contrary to the law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or extend undue favor on account of their offices to their relatives to positions considered strictly confidential or as members of their personal staff whose terms are co-terminus with theirs.
4. **Political Neutrality.** Local officials and employees shall provide service to everyone without discrimination and regardless of party affiliation or preference.
5. **Responsive to the Public** – Local Officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise provided by law or when required by the public interest, public officials and employees shall provide information on their policies and procedure in clear and understandable language, ensure openness of information, public consultation and hearing whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding and appreciation of the socio-economic conditions prevailing in the country, especially in the depressed rural and urban areas.
6. **National and Patriotism** – local officials and employees shall at all times be loyal to the Republic and to the Filipino people, promote the use of the locally produced goods, resources and technology and encourage appreciation of our country and people. They shall endeavor to maintain and defend Philippines sovereignty against foreign intrusion.

7. **Commitment to Democracy** – Local Officials and employees shall commit themselves to the democratic way of life and values maintain the principles or public accountability, and manifest by deeds the supremacy of civilian authority over the military . They shall at all times uphold the constitution and put loyalty to country above loyalty to person or party .
8. **Simple Living** – Local officials and employees and their families shall lead modest lives appropriate to their position and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

Article C. Duties and Responsibilities of Local Officials and Employees

Section 18C.01 Duties, Responsibilities and Obligations. In the performance of their duties, all public officials and employees are under obligation to:

1. **Act promptly on Letters and Request.** All of local officials and employees shall within fifteen (15) working days from receipt thereof, respond to letters telegrams or other means of communications sent by the request.
2. **Submit Annual Performance Reports.** All heads or other responsible officers of local officials shall, within 45 (45) working days from the end of the year, render a performance report of their respective offices to the mayor, such report shall be open and available to the public within regular office hours.
3. **Process documents and Papers Expeditiously.** All official papers and documents must be processed and completed within a reasonable time from the preparation thereof and must contain, as far as practicable, not more than three (3) signatories, therein. In the absence of duly authorized signatories, the official next in rank or officer-in-charge shall sign for and in their behalf.
4. **Act Immediately on Public Personnel Transactions.** All local officials and employees must attend to anyone who wants to avail himself of the services of the offices and must, at all times, act promptly and expeditiously.
5. **Make Documents Accessible to the Public.** All public documents must be made accessible to and readily for inspection by, the public within reasonable working hours.

Article D. Ethical Standards

Section 18D.01 Prohibited Acts and Transactions. In addition to acts and omissions of public officials and employees now prescribed in the constitution and existing laws, the following shall constitute prohibited acts and transactions of an local official and employees and are hereby declared to be unlawful:

1. **Financial and Material Interest.** Local public officials and employees shall not, directly, have any financial or material interest in any transaction requiring the approval of their office.
2. **Outside Employment and other Activities Related Thereto.** Local Officials and employees during their incumbency shall not:

- a. Own, control , manage or accept employment as officer, employee, consultant, counsel, broker, agent, trustee or nominee in any private enterprises regulated, supervised or licensed by their office unless expressly allowed by law.
- b. Engaged in the practice of their profession unless authorized by the Constitution or Law, provided by that such practice will not conflict with their official functions; or
- c. Recommending any person to any position in any private enterprises which has a regular or pending official transaction with their office.

This prohibition shall continue to apply for a period of one (1) after resignation, retirement or separation from public office, except in the case of subparagraph (2) (b) above, but the professional concerned cannot practice his profession in connection with any matter before the office he used to be with, in case the one year prohibition shall likewise apply.

3. Disclosure and or Misuse of Confidential Information. Local officials and employees shall not use or divulge confidential or classified information officially known to them by the office he used to be with, in case the one year prohibition shall likewise apply.
 - a. To further their private interests,
 - b. To give undue advantage to anyone; or
 - c. To prejudice the public interest
4. Solicitation or Acceptance of Gifts. Local officials and employees shall not solicit, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person on the course of their office.

As to gifts or grants from foreign government, the following are allowed:

- a. The acceptance by a local official or employee of a gift of nominal value tendered as a souvenir or mark of courtesy;
- b. The acceptance by a local official or employee of a gift in the nature of a scholarship or fellowship grant or medical treatment; or
- c. The acceptance by a local official or employee of travel grants or expenses for travel taking entirely outside the Philippines (such as allowances, transportation, food and lodging)or more than nominal value if such acceptance is appropriate or consistent with the interest of the Philippines, and permitted by the head of office to which he belong.

Article E. Transparency in Public Service

Section 18E.01. Statement of Assets, Liabilities and Net Worth; Disclosure of Business Interest and Financial Connections. All Local officials and employees, except those who serves in an honorary capacity, laborers and casuals are temporary workers, shall file under oath their statement of “Assets” Liabilities and Net Worth” and a “Disclosure of Business Interests and Financial Connections” and those of their spouses and unmarried children under eighteen (18) years of age living in their households. The two documents shall contain information on the following:

- a. Real property, its improvements, acquisition costs, assessed value and current fair market value;

- b. Personal property and acquisition cost;
- c. All other assets such as investments, cash on hand or in banks, stocks, bonds, and the like;
- d. Liabilities; and
- e. All business interest and financial connections.

The Documents must file;

Within thirty (30) days after assumption of office; on or before April 30 of every year thereafter; and within (30) days separation from the service .

All public officials and employees required under this Article to the file afore-stated documents shall also execute, within thirty (30) days from the date of assumption of office, the necessary authority in favor of the Ombudsman to attain from all appropriate government agencies, including the Bureau of Internal Revenue , such documents as army show their assets, liabilities, net worth and also their business interest and financial connection in previous years, including, if possible, the year when they first assumed any office in the Government.

Husband and wife who are both local officials and employees may file the required statements jointly or separately.

The statement of “Assets, Liabilities and Net Worth” and the “Disclosure of business Interests and Financial Connections” shall be filed.

With the Deputy Ombudsman in Region X, if local officials and employees, and with the Civil Service Commission, if all other officials and employees, as defined in Republic Act No. 3019, as amended.

Section 18E. 02 Identification and Disclosure of Relatives. It shall be the duty of every the local official or employee to identify disclose, to the best of his knowledge and information, his relative in the government in the form, manner and frequency prescribed by the civil service commission.

Section 18E.03 Accessibility of Documents

1. Any and all statement filed this article shall be made available for inspection at reasonable hours.
2. Such statement shall be made available for copying or reproduction after (10) working days from the time they are filed as required by existing laws.
3. Any person requesting a copy of a statement shall be required to pay a reasonable fee to cover the cost of reproduction and mailing of such statement, as well as the cost of certification.
4. Any statement filed under this article shall be available to the public for a period of ten (10) days after a receipt of the statement. After such period, the statement may be destroyed unless needed in an ongoing investigation.

Section 18E.04 Other Prohibited Acts. It shall be unlawful for any person to obtain or use any statement filed under this article for;

- a. Any purpose contrary to morals or public policy;
- b. Any commercial purpose other than by news; and
- c. Communication media for dissemination to the general public.

Article F. Conflict of Interest and Divestment.

Section 18F.01 Resignation or Divestment. A local officials or employee shall avoid conflict of interest at all times. When a conflict of interest arises, he shall resign from his position in any private business enterprises within thirty (30) days from his assumption of office and or divest himself of his shareholdings or interest within sixty (60) days from such assumption.

The same rule shall apply where the local or employee is a partner of partnership.

This requirement of divestment shall not apply to those who serve the government in honorary capacity nor to laborers and casual or temporary workers.

Article G. Penalties

Section 18G.01 Fines; Suspension or Removal; Imprisonment. In prescribing penalties for offenders, the following rules and regulations shall be observed:

1. Any Local official or employee regardless of whether or not he holds office or employment in a casual, temporary hold over, permanent or regular capacity, committing any violation of this chapter shall be punished with a fine not exceeding one (1) year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency. If the violation is punishable by a heavier penalty under existing law.
2. Violation of Rule 4,5 and 6 of this article shall be prosecuted and penalized under the provision of Republic Act 6713.
3. Any violation hereof proven in a proper administrative proceeding shall be sufficient cause for removal or dismissal of a local official or employee, even if no criminal prosecution is instituted against him.
4. Private individuals who participate in conspiracy as co-principles, accomplice or accessories, with officials or employees, in violation of this article, shall be subjected to the same penal liabilities as the public officials or employees and shall be tried jointly with them.

CHAPTER XIX

FINAL PROVISION

Article A. General Penal Provision

Section 20A.01 Penalty. Any provision of this code, or of the rules and regulations promulgate under the authority of this code, but not covered by a specific penalty hereof shall be punished by a fine of not exceeding Two Thousand Five Pesos (P2, 500.000) of imprisonment of not exceeding Six(6) months, or both fine and imprisonment, at the discretion of the court.

If the violation is committed by any juridical entity, the President General Manager, or any person entrusted with the administration thereof at the time of the commission of the offense shall be held responsible or liable thereof.

Section 20A.02. Compromise Settlement Fee. The Mayor is hereby authorized to enter into an out of court or extra judicial settlement of any offense committed in violation of any provisions of this code. Subject, however, to the following conditions, viz;

1. The offense committed does not involved fraud;
2. The offender shall pay to the (City/Municipal) Treasurer a “Compromise settlement fee” of not less than Two Hundred Pesos (P200.00) but not more than Two Hundred Pesos as may be agreed upon by both parties.
3. The Payment of the compromise settlement fee” above mentioned shall not relieve the offender from the payment of the corresponding tax, fee or charge due from him as provided under existing tax ordinances, if he is liable thereof.
4. No other third party shall be adversely affected by the compromise agreement.

Article B. Separately, Applicability, Repealing and Effective Clauses.

Section 20B.01. Separately Clause. If, for any reason, any provision, section or part of this code is declared not valid by a court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgment shall not affect or impair the remaining provisions, sections or parts which shall continue to be enforce in effect.

Section 20B.01.Applicability Clause. All of other related matters not specifically provided in this code shall be governed by the pertinent provisions of existing applicable laws or ordinances.

Section 20B.03. Repealing Clause. All ordinances, rules and regulations, or parts thereof, in conflict with, or inconsistent with any provision of this code are hereby repealed or modified accordingly. Should there be existing general or special ordinances which were inadvertently excluded in the codification process during the formulation of this code, they shall continue to be in full force and effect provided that they are not in conflict with, or contrary to, the provisions of this Code.

Section 20B.04. Effectivity. This Code shall take effect on November 2003.

I HEREBY CERTIFY to the correctness to the foregoing “Code of General Ordinance” of San Fernando, Bukidnon “(2003)” which was duly enacted by the Sangguniang Bayan during its regular session held at the Sanggunian SessionHall, on, November 25, 2003.

MILA M. MONTEVERDE
Secretary to the Sanggunian.

ATTESTED AND CERTIFIED TO BE DULY ENACTED:

ADAM E. SANTACERA
Municipal Vice Mayor
Presiding Officer

APPROVED:

LAURENCIA S. EDMA
Municipal Mayor

CHAPTER XX

Internal Rules of Procedures

Article A.

Rule I –Membership

Section 19A.01 Composition

The Sangguniang Bayan shall compose the Municipal Vice Mayor, as the Presiding Officer. The Members elected at large, and such sectoral representatives as may be chosen according to law.

Section 19A.02. Oath of Affirmation

All members of the Sangguniang Bayan, of San Fernando shall upon assumption to office, take an oath of Office and affirmation in the prescribed form duly subscribed before a person authorized to administer an oath. Copies of the oath and affirmation of office shall be filed and preserved in the office of the Municipality of the Mayor, in the Municipality in the San Fernando, Bukidnon.

Article B.

Rule II – Presiding Officer

Section 19B. The Presiding Officer

The Vice Mayor shall be the Presiding Officer of the Sangguniang Bayan of San Fernando, Bukidnon. The Presiding Officer shall vote only to break a tie.

In the event of inability of the Vice Mayor to act as Presiding Officer, the first councilor, will take over and if in case the first councilor cannot preside the meeting, the Sangguniang Bayan members present constituting a quorum, shall elect from among themselves a temporary Presiding Officer.

The acting or Temporary Officer shall vote only in case of a tie and shall certify within ten (10) days from the enactment of adoption in all ordinance and ordinances and resolutions passed by the Sangguniang Bayan of San Fernando, Bukidnon.

Section 10B. 04. Powers and Duties of the Presiding Officers

The Presiding Officer shall;

- a. Preside over the session of the Sangguniang Bayan
- b. Preserve order and decorum during sessions, and in case of disturbance or disorderly conduct in the session hall or within the premises, take measures as he may deem advisable or as the Sangguniang Bayan may direct.

- c. Decide all question of orders, subject to appeal by any Sangguniang Bayan members in accordance, resolutions, memorials, writs, warrants and perform and subpoena by, or upon the Sanggunian, and
- d. Exercise such other powers and perform and perform such other functions as may be provided by law, ordinance or regulation.

The regular Presiding Officer, shall not be a Chairman of any standing Committee but shall have a voice in all committee deliberation. He may, however, be elected as chairman of any Special Committee or ADOHC, Which the Sangguniang Bayan may organize for specific purpose.

Article C.

Rule III – The Secretary

Section 19C.05. Appointment and Compensation

The Secretary the Sanggunian shall be appointed by the Municipal Mayor Local Chief Executive, his compensation, law or ordinance shall determine allowances and other emoluments.

The appointment of the Sanggunian Bayan Secretary shall be in accordance with the Civil Service Laws, Rules and regulations.

Section 19C. 06 Powers and Duties of the Secretary

The Secretary to the Sanggunian shall;

- a. Attend meeting of the Sangguniang Bayan and keep the minutes of its proceedings.
- b. Record in book kept for the Local purpose, all ordinances, and resolutions enacted and publications.
- c. Forward to the Local Chief Executive for appropriate actions of all ordinances, and resolution enacted or adopted by the Sanguniang Bayan which have been certified as such by the Presiding Officer within ten (10) days after enactment or adoption.
- d. Keep and affix the Sangguniang seal on all ordinances and resolutions signed by the Local Chief Executive.
- e. Forward the Sangguniang Panllawigan Secretary, for review copies of approval resolutions and ordinances within seventy – two hours their approval.
- f. Certify to all ordinances and resolutions approved by the Sanggunian and signed by all the Local Chief Executive.

- g. Translate into the dialect used by the majority of the people of the Municipality ordinances immediately after their approval, and have the translations all posted. Together with the original, at the main entrance of the Municipal Hall and two (2) other conspicuous public places in the area.
- h. Upon request, furnish certified copies of all records and documents in his charge not otherwise classified as confidential, upon payment to the Local Treasurer of fees prescribed by the ordinances.
- i. Keep his/her office and all records therein which are not confidential in character open to public inspection during usual business hours.
- j. Act as custodian of the public library and archives, if any annual account for the properties therein, and
- k. Exercise such powers, performs such other duties, and functions as may be prescribed by lay ordinance.

Article D.

Rule IV – Session/Session Hall

Section 19D.07. Regular Session

The regular session of the Sangguniang Bayan of San Fernando, Bukidnon, shall be on every Tuesday of the week, at 9:00 o'clock A.M Sangguniang Bayan Hall.

In the event pre-scheduled regular session falls on a holiday, the working day immediately following shall be held as the regular session day .

Section 19D.08. Special Session

As often as necessary, when public interest so demands, the Local Chief Executive or a majority of the Sangguniang Bayan may call special sessions.

In a special session, written notice to the Sangguniang Bayan Members stating the date, time and purposes of the session, shall be served personally or left with the members of the household of the member at his usual place of residence. Unless otherwise agreed upon by two thirds vote (2/3) of the members present, there being a quorum, no other matter be considered at a special session except those stated in the notice.

Section 19D.09. Call to Order

The Presiding Officer shall open the session by calling the Sangguniang Bayan to Order.

On the first session day each week, the invocation shall be made first, followed by the National Anthem, at the discretion of the Presiding Officer, and the recitation of councilor's creed.

Section 19D.10 Attendance in Sessions

Every members of the Sangguniang Bayan shall be present in all Sessions, unless expressly excluded by it or necessarily prevented from doing so by sickness or other unavoidable circumstances duly reported to the Sangguniang Bayan Office through the Secretary.

Section 19D.11. Open to Public

Sangguniang Bayan Sessions or meeting of any committee thereof shall be open to the Public unless a closed session is decided or ordered by uninformative vote of majority of the members present, there being a quorum, in the public interest or for reasons of security, decency or morality, or for considered.

On motion to hold a closed session duly approved the presiding Officer, shall direct the session hall cleared and doors closed.

Only the Secretary and such other persons as are specifically authorized by the Sangguniang Bayan shall be admitted to the closed sessions, they shall preserved the secrecy of whatever may read or said at the section.

Section 19D.12.Suspension and Adjournment of Session

Session of the Sangguniang Bayan itself, but the Presiding Officer, may in his discretion declare a recess of short intervals.

Section 19D.13 Opening and Adjournment to be entered in minutes

The exact hour of opening and adjournment of a session shall be entered in the minutes.

Section 19D.14. Members of the Sangguniang Bayan shall wear Formal Uniform/attire.

During Session:

1. Every Tuesday of the Month, flesh color, long sleeves.

Section 19D.15. Sangguniang Bayan Members are not Allowed to bring sharp and pointed bladed weapon, gunfire arms inside the session hall.

Article E.

Rule V – Per Diem Allowances and Travel Expenses

Section 29E.16 – Per Diem Allowances and Travel Expenses

1. Members of the Sangguniang Bayan, shall not receive any compensation of emolument whatsoever, except allowances and travelling expenses on the basis of official business and RATA per joint Circular No. 52, and however Sangguniang

- Bayan Member having Government vehicle assigned shall only received representation allowance (RA)
2. Member of the Sangguniang Bayan shall receive per diem allowance to be fixed by the Sanggunian itself in accordance with the existing laws and regulations.

Article H.

Rule VI – Roll Call and Quorum

Section 19H.17. Quorum

A majority of all elective and appointive members of the Sangguniang Bayan shall constitute a quorum to transact official business.

Should a question of quorum be raised during a session, the Presiding Officer shall immediately proceed to call the roll of the members and thereafter announce the results.

Section 19H. 18. Absence of Quorum

Where there is no quorum in a given session the Presiding Officer may declare a recess until such time as a quorum is constituted or a majority of the members may be adjourn from day to day may complete to the immediate attendance of any member absent without good cause by issuing the Philippine National Police assigned in the area an order for the arrest and presentment of the absent member at the session.

If there is still no quorum be raised a session, despite the foregoing procedure, no business shall be transacted. The Presiding Officer, upon proper motion duly approved by the members present, shall then declare the session adjourned for lack of quorum.

Section 19H.19. Motion to Adjourned Vacate Call

At any time after roll call has been completed, a motion to adjourn shall be in order, and if approved by the majority of those present, all proceeding shall be vacated.

Article I.

Rule VII – Committee

Section 19I,20 Standing

The Sangguniang Bayan of San Fernando, Bukidnon.

Shall elect the Chairman and the members to the following standing committees, the general jurisdiction of which shall be an hereunder provided.

1. **Committee on Finance** – All matters relating to the approval of the budget, the appropriating of funds for the payment of obligations of local officials, taxation ordinances and monetary and fiscal matter.

2. **Committee on Trade and Industry** – all matters related or connected with promotion, establishment and operation of all kinds of trade and industry.
3. **Committee on Education, Culture and Sports** – all matters related to education, culture and sport development, i.e., local schools, colleges and universities libraries and museums, non-formal and community adult education, scientific and technological research, development and advancement, preservation and enrichment of Filipino arts and culture; promotion and protection of the youth's physical, moral, intellectual, and social well-being, inculcation of patriotism and National among the youth and their involvement in public and civic affairs and promotion and development of sports program, amateur sports and competitions, and all other related matters.
4. **Committee and Social Services** – all matters relating to the strengthening and development of family life, public health and hygiene, medical hospital, and quarantine services, human ecology and settlement, social welfare and ameliorative services, housing and resettlements, recreation and environmental protection labor.
5. **Committee on Rules**- all matters related to order of Business , the implementation of National Laws and enforcements of local ordinances, revision and interpretation of the Sanggunian Internal Rules of Procedure; codification misfeasance and malfeasance and nonfeasance against local officials and employees; committees and jurisdiction and privilege and disorderly of members of the Sanggunian.
6. **Committee on Public Order and Safety** – all matters related to police matters, maintenance of peace and order protection services to include the protection of house and bridges, traffic rules and regulations , fire prevention and control, measure, jail management and human rights.
7. **Committee on Public Works Highway and Communication** – All matters relating to planning construction, maintenance, improvement and repair of public buildings, bridges, roads, parks, shrines, monuments, and other public edifice, sewerage and flood control and protection, irrigation and water utilities, tourism, land sea and air transportation and the telecommunication services.
8. **Committee on Woman and Family** – All matters pertaining to the development of the woman and family life, livelihood and programs.
9. **Committee on Natural Resources** – All matters related to human ecology and settlements; zoning and human settlement planning environment protection exploration, development, utilization and conservation of Natural Resources, including flora and fauna and beautification, cleaning and greening of parks and places of Public Interest.
10. **Committee on Food and Agriculture** – All matters related to agriculture food production and agri-business, agricultural economic research, soil survey and conservation; agricultural education and extension services; animal industry and livestock quarantine, farm credits, fisheries and aquatic resources preservation and development of fishing grounds ; construction of fish ponds, corrals, oyster beds and regulatory measures thereof.

11. **Committee on Ways and Means** – All matters related to taxes, fees charges, loans; study and revision of tax measures; and generation of other sources and forms of revenue ordinances.
12. **Committee on Indigenous Cultural Community** – Deals with the Promotion and Development and respect of their cultural and education for the tribal community, and the promotion of activities for development of social and economic conditions protection and maintenance of peace and order to be integrated with the dumagats and lumads protection and harassment of any person.
13. **Committee On Electrification** – All matters related to electrification for the good and welfare of the people to include expansion, energization of rural barangays. When a measure covers subject matter falling within the jurisdiction of one more committee, said measure shall be referred jointly to the committee concern.

Section 19I.22. Limitations

No Sangguniang Bayan Member shall be a chairman of more than two standing committee.

The regular Presiding Officer and the sangguniang bayan members shall have voice to vote in which he has a special direct and substantial interest.

Section 23.Special Committee

The Sanggunian may organize special committee as it may does necessary. The Officer and members of special committee shall likewise be elected by the majority vote of all the Sanggunian Members.

Section 19I.24 Special Committee.

The Sanggunian may organize special committee as it may does necessary. The Officer and members of special committee shall likewise to elected by the majority vote of all the Sangguniang Bayan.

Section 19I.25 Committee Meeting or hearing

The committee shall determine the frequency to their meeting of hearing, provided they meet at least once a month. A majority of all the members of the committee shall constitute a quorum committee meetings or hearing shall be held only in a public building.

Section 19I.26 Committee on Report and Order

Committee on reports and on any ordinance or resolutions shall be considered in formal meeting and shall not be submitted to the Sangguning Bayan unless accompanied by the minutes or hearing of the committee which adopt them.

When a committee submits report, the members thereof shall be presumed to have concurred in the report and shall be precluded from opposing the same unless they have entered their objection thereto during the committee meeting.

Section 19I.27 . Order of Business

The order of Business of the Sangguniang Bayan every session shall be:

- a. Call to Order
- b. Invocation
- c. Signing of the Philippine Anthem
- d. Recitation of Councilors creed
- e. Roll call
- f. Approval of the Minutes of the previous session
- g. First reading and referral of measures to committees, proposed ordinances, Resolution Messages, Communication, Petitions and memorials.
- h. Committee report
- i. Calendar business
 - a. Unfinished Business
 - b. Business for the Day
- j. Proposed Ordinances and Resolution for third grading
- k. Adjournment

Section 19I. 28 Approval of Minutes

The Minutes of each Business shall consist of the following parts:

- a. **Unfinished Business** – Business being considered by the Sangguniang Bayan Member at the Time of its adjournment. Its consideration on the day, to be considered in the order in which they are listed in the calendar.
- b. **Business for the Day** – proposed Ordinances, resolutions and other measures set on the calendar for consideration on that day, to be considered in the order, which they are listed in the calendar.

Section 19I.30 Distribution of Calendar

The Calendar shall be distributed each day of session, unless there be on addition to the one previously distributed in which case a note to this effect on the order of business shall be sufficient.

Article J.

Rule IX – Ordinance and Resolutions

Section 19J.31 Ordinance and Resolutions Distinguished

Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are temporary in character be passed in the form of resolution, matters relating to proprietary functions and private concerned shall also acted upon by resolution.

Section 19J.32 Essentials Parts of Ordinance and Resolutions

Proposed ordinances and resolution shall be in writing and shall contain as assigned number, a little caption an enacting or ordaining clause, and the date of its proposed

effectivity. In addition a brief explanatory note containing the jurisdiction for its approval shall accompany every proposed ordinance. It shall be signed by the author or authors and submitted to the Secretary who shall be reported the same to the Sangguniang Bayan at its next session.

Section 19I.33 First Reading

The secretary shall report all proposed ordinances and resolutions to the Sangguniang Bayan Members for first reading at least three (3) days before a regular session or special session.

The first reading of the proposed or resolutions shall only be by titled and thereafter the same shall be referred to the appropriate committee.

In erroneous referral of a proposed ordinances or resolution may be corrected any day after the approval of the minutes.

Only the chairman or Vice Chairman of the Committee to which a proposed ordinance or resolution was erroneously referred, as well as the chairman or Vice Chairman of the Committee claiming jurisdiction over the proposed ordinance or resolution may move that the referral to declared erroneous, and ask for its correction, however the Presiding Officer may “motupropio” rectify en erroneous referral.

Section 19I.34 Period of Report

The committee shall submit a report on the proposed ordinances or resolution within thirty (30) days after is has been referred to it.

If the committee on a proposed ordinances or resolutions is favorable, it shall included in the calendar of the business.

If the committee on a proposed ordinances or resolutions is unfavorable, it shall be included in the Calendar of Business.

If the Committee on a proposed ordinances or resolutions is unfavorable, it shall be laid on the table and, within ten (10) days notice of the action will be furnished author or authors concerned stating the reasons for such action provided that within five (5) days receipt, of the notice the Sangguniang Bayan may consider the committee recommendation.

Section 19J.35 Urgent Measures

Any legislative matter duly certified by the local chief Executive as Urgent, whether or not it is included in the Calendar of Business may be presented and consider by the Sangguniang Bayan in the same session without need of suspending the rules .

The Sanggunian, likewise, May on motion made by the chairman or the vice chairman of the committee concerned , consider a proposed ordinance or resolution as urgent and consideration thereof shall be scheduled according to a time table.

If said motion is approved, the Sanggunian shall forth with prepare a detailed time table fixing the date on or before which the proposed ordinance or resolution must be reported by the committee concerned, the number of days of hours to be allotted to the

consideration of the measures on the second reading, and the date or hour at which proceeding must be conducted and final vote on the said measure taken.

Section 19I.36 Second Reading and Debate

No proposed ordinance or resolution shall be considered on the second reading in any regular session unless the proper committee to which it was referred or certified as urgent by the Local Executive has reported it out.

On the day set for the consideration of a proposed ordinances or resolutions for second reading, the same shall be read in full with the amendments proposed by the committee, if any, unless copies thereof have been distributed earlier and such reading is dispersed with. Thereafter the proposed ordinance or resolution shall be subject to debate and pertinent motions.

Section 19J.37. Debate and Closure of Measures

In the discussion of any measures a motion to be closed the debate shall be in order two speeches for and against, or after only one speeches for and against, or after only one speech for has been delivered and none entered against it.

When several member have registered or signified their intention or speak on the matter under consideration and when said matter has been sufficiently and thoroughly discussed by the member speaking, the Presiding Officer “*motu proprio*” or upon motion of a member having the floor shall desist from speaking further so that other member may not be deprived of their opportunity to speak.

Section 19J.38 Five Minutes Rule

After the close of debate the Sanggunian shall proceed to the consideration of committee amendments. A member who desires to speak for or against an amendment shall have only (5) minutes to do so.

The Five-minutes shall apply, likewise, in the consideration of an amendment by substitution.

Section 19J.39 Approval of Minutes On Second Reading

The Secretary to the Sanggunian shall provide copies of the proposed ordinance or resolution in the form it was passed on the second reading and shall distribute to each Sanggunian Bayan Member a copy thereof, except that a measure certified by the Local Chief Executive as urgent may be submitted for final voting immediately after debate and amendments during the second.

After the amendments have been acted upon, the proposed ordinance or resolution shall be voted on the second reading.

Section 19J.40 Third Reading

A proposed ordinance or resolution approved on second reading shall be included in the calendar under for third reading.

No ordinance shall be approved unless it has passed three readings, copies thereof in the final form have been distributed to the members at least three (3) days before its passage, except when the Local Executive of the ,

Section 19J.41. Approval of Resolution

A resolution shall be enacted in the same manner prescribed for ordinances, except that it need not go through a separate third reading of its final consideration unless decided otherwise by a majority of all the Sangguniang Bayan Members.

Section 19J.42 Majority Requirements

No ordinance or resolution passed by the Sanggunian Bajyan member shall be valid unless approved by a majority or the member's present; they're being a quorum. Any ordinance or resolution authorizing or directing the payment of the money or creating liability, shall require the affirmative vote of a majority of all the Sanggunian Bayan Members for its passage.

Upon passage of all ordinances or resolutions of the Sanggunian Bayan Secretary shall record the yeas and nays. Each approved ordinance or resolution shall be stamped with the seal of the Sangguniang Bayan and recorded in a book kept for the purpose.

Section 19J.43. Special Provision on the Budget Ordinance.

The Sangguniang Bayan shall in no case increase the appropriation of any project or program of any office of the Municipality over the amount submitted by the Local Chief Executive in his budget proposal.

After the Local Chief Executive shall have submitted the annual general appropriation measures shall be considered only if supported by actual availability of funds as certified by the Local Treasurer of by funds to be raised by corresponding revenue proposals included therein.

Section 19J.44 Approval by the Local Chief Executive

Every ordinance or resolution passed by the Sanggunian Bayan shall be forwarded to the Local Chief Executive for approval. The Local Chief Executive shall affix his initials on each and every page of the ordinance or resolution and the word "**Approved**" shall appear with his signature on the last page thereof.

Within fifteen (15) days in the case of the province and ten (10) days in the case of the Local units after receipt of the ordinance or resolution, the Local Chief Executive shall return the said ordinance or resolution to the Sanggunian Bayan with either his approval or veto. If he does not return it within that time, the ordinance or resolution shall be deemed approved.

Section 19J.45. Veto Power of the Local Chief Executive

The Local Chief Executive may veto any ordinance or resolution on the ground that it would be prejudicial to the public welfare particularly stating his reasons thereof in writing.

The Local Executive shall have the power to veto any particular item or items of an appropriation ordinance of the previous year corresponding to those vetoed shall be deemed re-enacted.

The Sangguniang Bayan may override the veto of the Local Chief Executive concerned by Two-Thirds (2/3) Votes all members thereby making the ordinance and resolution effective.

The Local Chief Executive may veto any ordinance or resolution only once.

Section 19J.46 Enforcement of Disapproved Measures

Any attempt to enforce, promulgate or execute any ordinance, resolution or execute order after the disapproval thereof shall be sufficient ground for the suspension or dismissal of the officer making such attempt.

Section 19J.47 Effectivity of Enactment

Unless otherwise stated in the ordinance or resolution the same take effect the lapse of ten (10) days from the date a copy thereof is posted in a bulletin board of the entrance of the Municipal Hall, and in at least two (2) days other conspicuous places, such as the Public Market, church or Chapel.

No later than five (5) days after the passage of the ordinance the Sangguniang Bayan Secretary shall cause the posting thereof in English together with a copy translated in the dialect used by the majority of the people in the area, and shall record such fact in a book kept a purpose, stating the dates approval and posting thereof.

Article K.

Rule X – Decorum and Debate

Section 19K.48 Manner or Addressing the Chair

When a member desires to speak he shall rise respectively address the Chief, “Mr. Chairman and Mr. Presiding Officer.”

Section 19K.49. Recognition of Members to speak

When two (2) or more members rise at the same time, the presiding officer, shall determine, and recognize the members who is to speak first.

Section 19K.50 . Time Limit for speechless

No member shall occupy more than 15 minutes in debate on any question or speak for more than once on my question without leave of the Presiding Officer, except as herein after provided. The period of interpellation shall not be counted against the time of the members speaking.

Section 19K. 51 Sponsors to open and close debate

The member reporting a measure under consideration from committee may open and close the debate thereon. If the debate should extend beyond one session day he shall be entitled to an additional fifteen (15) minutes to close.

Section 19K.52 Decorum to Open and Close Debate

In all case, the member who has obtained the floor has or shall confine himself to the question under the debate acts which are inconsistent with decurom.

It is requested that a member he called to order for words spoken in debate, the member making such request shall indicate the words expected to and they shall be taken down in writing by the secretary and read loud. The member who uttered such words shall not be held to answer, nor be subject to censure by the Sangguniang Bayan further debate or other business gas intervened.

Section 19K.53 Conduct during Session

During the sessions the members shall observe proper decurom, While the Presiding Officer is Addressing the Sanggunian, or putting a question, no member shall walk out or cross the session.

Section 19K.54 Discipline of Member

The Sangguniang Bayan may punish its member for disorderly behavior and the concurrence of two thirds (2/3) of members present suspend or exclude from the session a member, but if the penalty is suspension this shall not exceed sixty (60) days.

Article L.

Rule XI – Voting and Motions

Section 19L. 55 A tie on Approval

A tie vote on an appeal from the ruling of there sustains the decisions of the chair.

Section 19L.56 who may Move

When a motion reports a proposed measure is adopted or lost, it shall be in order for a member who votes with the majority to move for the reconsideration thereof on the same or succeeding session day. Such motion shall take precedence over all other questions, except a motion to adjourned to raise a question of privilege and a call to order.

Section 19L.57 Second to Motion

Any motion does not need accord; this is to hear the voice of the minority.

Section 19L.58. Reading and Withdrawal of Motions

When a motion is made the presiding Officer shall state it before debated. Excepts as herein otherwise provided, a motion maybe withdrawn any time before iits approval of amendments.

Article M.

Rule XII – Suspension of the Rules

Section 19M.67 who can Move

The Chairman or the Vice Chairman and the Member of the Committee on the Rule can Move for the suspension of the Rules.

Section 19M.68. Vote Required

No rules shall be suspended except by the majority of members present, a quorum being present.

Section 19M.69 Lifting a House Rule

The Chairman or the Vice Chairman and the Member of the Committee on Rules are authorized to lift up.

Section 19M.70 Effect Suspension

If the Sanggunian Vote to suspend the rules, it shall forthwith proceed to consider the measurer. A majority vote of the Members present shall be necessary for the passage of said measure, a quorum being present.

Article N.

Rule XIII – Official Seal

Section 19N.71 Official Seal

Official Seal of the Sanggunian Bayan of San Fernando, Bukidnon, shall be the Municipal Seal.

Article O.

Rule XIV –Amendment

Section 19O.72 Amendments

Any portion of these rules maybe amended by a majority vote of all the Sangguniang Bayan Members.

Article P.

Rule XV – Effectivity

Section 19P.63. Effectivity

These shall take effect on the date of their adoption/amendments.

Cooperative – is a duly registered association of persons, with common bond of interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contributions to the capital required and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.

Corporation – Includes partnership, no matter how created or organized, joint stock companies but does not include general professional partnership and a joint projects or engaging a petroleum, coal, geothermal, and other energy operation pursuant to an operating or consortium agreement under a service contract with the government. General Professional partnership are partnerships formed by persons by the sole purpose of exercising their common profession, no part of the income of which is derived from engaging in any trade or business.

The term “**Resident Foreign**” when applied to a corporation means a foreign corporation engaged in a trade or business within the Philippines or having an office or place of business therein.

Fee – means a charged fixed by law or ordinance for the regulation or inspection of a business activity.

License or Permit – is a right or permission granted in accordance with the law by a competent authority to engage in some business or occupation or to engage in some transaction.

Occupation – means one’s regular business or employment, or an activity, which principally takes up one’s time, though and energies. It includes any calling, business, trade, profession or vocation .

Operator – includes the owner, manager, administrator or any other person who operates or is responsible for the operation of business establishments or undertaking.

Person – means every natural or juridical being susceptible of rights and obligations or of being subject of legal relations.

Profession – means a calling which requires the passing of an appropriate governments board or bar examination, such as the practice of law, medicine, public accountancy, engineering and the like.

Rental – means the value of consideration, whether in money or otherwise, given for the enjoyment or use of a thing.

Residents – refer to natural persons who have habitual residence in the Municipality where they exercise their civil rights and fulfill their civil obligations and juridical persons for which the law or any other provision creating or recognizing them fixes their residence in a particular Municipality. In the absence of such law, juridical persons are residents of the Municipality where they have their legal residence or principal place of business or where they conduct their principal business or occupation.

Revenue – includes taxes, fees and charges that a state or its political subdivision collects and receives into the treasury for public purposes.

