

SECTION 2. Deliverance for Vilification- for purpose of this Section Vilification shall be defined as;

- a) The utterance of slanderous and abusive statements against a person with disability, and/or
- b) An activity in public which incites hatred towards, serious contempt for/ or severe ridicule of a PWD

2.1 Any individual, group or community is hereby prohibited from vilifying any PWD which could result into loss of self esteem of the latter.

ARTICLE VI **Assistance to Person with Disability**

SECTION 1. Health and Well-Being Services:

- a) Educational- to pursue primary, secondary, tertiary, post tertiary as well as vocational or technical education in private educational institutions through the provisions of scholarship grants, financial aids, subsidies and other incentives to qualified PWD's including support for books, learning materials and uniform allowances provided, they meet the minimum admission requirements.
- b) Health Care- the benefits and privileges of the PWD Card to be provided by the Office of the Municipal Mayor shall be extended to all PWD's
- c) Health Service- the MHO shall provide an integrated health services for PWD's which shall include but not limited to prevention of disability through immunization, nutrition, sanitation and genetic and timely intervention to arrest disabling conditions.

SECTION 2. Auxiliary Social Services- the DSWD shall ensure that marginalized PWD's are provided with the necessary services that will restore their social functioning and participation in the community development, the components of which are as follows, to wit:

- a) Assistance in the acquisition of prosthetic and medical intervention of specialty services;
- b) Provision on specialize training activities designed to improve functional limitations of PWD's related to communication skills;
- c) Develop among PWD's the appositive self image through the provision of counseling, orientation and mobility and strengthening daily living capacity;
- d) Provision on family care services geared towards developing the capability of families to respond to the needs of PWD's.
- e) Provision on substitute family care and services and the facilities therefore for the abandoned, neglected and unattached PWD's who needs custodial care.
- f) Provisions on after care and follow up services for the continued rehabilitation in a community based setting of rehabilitation center.


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ARTICLE VII
HEAD OF PDAO AND THE FOCAL PERSON

SECTION 1. Priority shall be given to qualified person with disabilities in the appointment of the head of PDAO for the provinces, cities and 1st, 2nd and 3rd class municipalities and the Focal Person for 4th, 5th and 6th class municipalities.

Enforcement of Sections 325 (a) and 331 (b) of RA 7160 shall be waived to enable local government units to fund the initial year requirements for newly created mandatory positions in the local government units, as confirmed by the Department of Budget and Management (DBM) based on the general provision of the annual General Appropriations Act on the enforcement of the Personnel Services limitations, for the initial year of creation of mandatory offices.

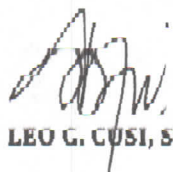
Appointment to the position of Head of the Persons with Disability Affairs Office and the Focal Person shall be subject to the qualification requirements as approved by the Civil Service Commission.

SECTION 2. Position Description of the Head of PDAO and Focal Person. The head of the PDAO shall perform the following duties and responsibilities:

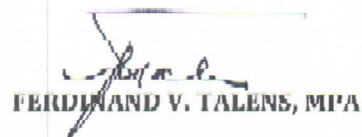
- a) Manage and oversee the efficient operations of the Persons with Disabilities Affairs Office and general supervision of its personnel;
- b) Develop, promote and monitor the implementation of policies, plans, programs and services for the development of persons with disabilities in coordination with national and local government agencies;
- c) Ensure representation of persons with disabilities in the local development councils and other special bodies;
- d) Build the capacity of non-government organizations and people's organizations to participate in the implementation of all disability-related laws and policies;
- e) Establish coordination with the province, municipality and ensure the inclusion of disability concerns in all local government programs and services;
- f) Network with local, national and international organizations and establish partnership on disability programs and resource mobilizations;
- g) Develop and submit to the municipal mayor an Annual Work and Financial Plan.

The Focal Person shall perform the same functions except for (a) this section. PDAO shall perform the following functions as stated in RA No. 10070:

- a) Formulate and implement policies, plans and programs for the promotion of the welfare of persons with disabilities in coordination with concerned national and local government agencies;


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- b) Coordinate and implement the provision of RA 10070, Baras Pambansa Blg. 344, otherwise known as the Accessibility Law, and other relevant laws at the local level;
- c) Represent persons with disabilities in meetings of local development councils and other special bodies;
- d) Recommend and enjoin the participation of Non-Government Organizations (NGOs) and People's Organizations (POs) in the implementation of all disability-related laws and policies;
- e) Gather and compile relevant data on persons with disabilities in their localities;
- f) Disseminate information including, but not limited to programs and activities for persons with disabilities, statistics on persons with disabilities, including children with disability, training and employment opportunities for persons with disabilities;
- g) Submit reports to the office of the municipal mayor on the implementation of programs and services for the promotion of the welfare of persons with disabilities in their areas of jurisdiction;
- h) Ensure that policies, plans and programs for the promotion of the welfare of persons with disabilities are funded by both local and national government
- i) Monitor fund raising activities being conducted for the benefit of persons with disabilities;
- j) Seek donations in cash or in kind from local or foreign donors to implement an approved work plan for persons with disabilities, in accordance with existing laws and regulations; and
- k) Perform such other functions as maybe necessary for the promotion and protection of the persons with disabilities.

ARTICLE VIII Mechanisms

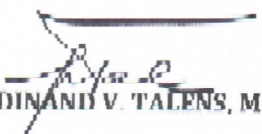
SECTION 1. The Municipality of Roxas Council for the Welfare of Person with Disability organized under the Office of the Mayor in cooperation with Department of Social Welfare and Development (DSWD) is hereby adopted and designated.

SECTION 2. The following duties and responsibilities shall be added to the Department of Social Welfare and Development (DSWD) in implementing this Ordinance for the benefit of the person with disability, to wit:

- a) Take charge of the issuance of PWD Identification Cards as called for R.A 7277 as amended by RA 9442, otherwise known as the Magna Carta for Disabled Persons' (PWDs) Granting Additional Privileges and Incentives and Prohibition on Verbal, Non- Verbal Ridicule and Vilification Against Person with Disability.
- b) Develop and maintain data base on PWD's.
- c) Monitor the compliance of establishments and agencies on the rights, privileges and benefits to PWD's,
- d) Implement programs and project development by the Roxas Municipal Council for the Welfare of Person with Disability.


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ARTICLE IX
Roxas Municipal Council for the Welfare of PWD's

SECTION 1. The Roxas Municipal Council for the Welfare of Person with Disability (PWD) is composed of the following;

- | | |
|-------------------|---|
| Honorary Chairman | - Municipal Mayor |
| Chairman | - Chair of the Municipal Council, |
| | Committee on Health & Sanitation |
| | Committee on Social Services Women, |
| | Children, Family Relations, Elderly, People |
| | Empowerment, Poverty Alleviation and |
| | Values Formation |
| Secretariat | - Social Welfare Officer, Head/MSWDO |
| Committees | - Committee on Education |
| Committees | - Committee on Health and Sanitation |
| | - Committee on Livelihood (Tourism, Trade and |
| | Industry, Investment and Economic Affairs |

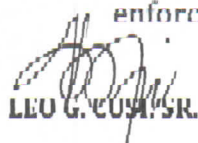
SECTION 2. The duties and responsibilities and responsibilities of Roxas Municipal Council for the Development of PWD's are as follows, to wit:

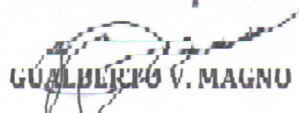
- a) Convene at least once a month for purposes of monitoring, planning, evaluation and updating
- b) Recommend appropriate policies, programs, project and services on PWDs for the Municipal Mayor and to the Council
- c) Develop incentive schemes to encourage compliance with the said ordinance, as well as nurture & the growth of support mechanisms for PWD's.

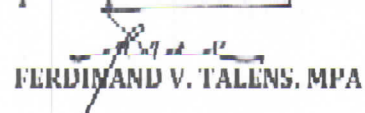
ARTICLE X
Citizen's Suits

SECTION 1. For the purpose of enforcing Republic Act no. 9442, in the jurisdiction of the Municipality of Roxas, the provisions of this Ordinance also states that any bonafide resident of Municipality of Roxas may file a citizen's suit for an appropriate civil, criminal or administrative action in proper courts/ bodies against:

- a) Any person who violates or fails to comply with any of the provisions of this ordinance;
- b) Any Roxas Municipal official and employees who willfully or grossly neglect the performance of an act specially enjoined as a duty by this Ordinance, or abuse his/her authority in the performance of his/her duties under this Ordinance; provided, however, that no suit can be filed until after thirty days (30) notice has been given to said public officer and the alleged violator concerned and that no appropriate action has been taken thereon" the court shall exempt such action from the payment of filing fees and shall likewise, upon prima facie showing of non-enforcement or violator complained of exempt the plaintiff from the filing


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of an injunction bond for the issuance of a preliminary injunction. In the event, the said bona fide Municipality of Roxas resident should prevail, the Court shall award reasonable attorney's fees, moral damage and litigation costs as appropriate.

SECTION 2. Where a suits is brought against a person who filed an action as provided for, in Section1, Article IV if this Ordinance, or against any person, office or department that implements this Ordinance, it shall be the duty of the Provincial Prosecutor to immediately make a determination not exceeding thirty day (30) whether said legal action has been filed to harass, Vex, exert undue pressure or stifle such legal recourse of the person complaining of, or enforcing the provisions of this Ordinance. Upon determination thereof evidence, warranting the same, the prosecutor shall dismiss the same.

This provision shall also apply and benefit the Municipal Officials and employees who were sued for acts committed in the capacity, there being no grave abuse of authority and done in the course of enforcing this Ordinance.

ARTICLE XI Penal Clause

SECTION 1 Any person who violates any provisions of Republic Act No. Republic Act No. 7277 as amended by RA 9442, otherwise known as the "Magna Carta for Disabled Persons" granting Additional Privileges and Incentives and Prohibition on Verbal, Non- Verbal Ridicule and Vilification against Person with Disability shall suffer the following penalties:

- a) First Offense - P1,000.00
- b) 2nd Offense- P2,000.00
- c) Third and succeeding offense - P2,500.00, or 6 months Imprisonment, or both at the discretion of the Court.

ARTICLE XII Final Provisions

SECTION 1. Budgetary Support- the budgetary requirement to initially implement this Ordinance shall be chargeable to any available funds in the Municipal Government, subject to auditing and accounting procedures.

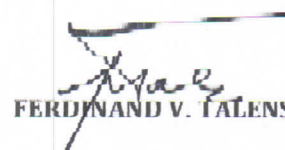
Thereafter, the MSWDO shall include it in the succeeding annual budget of the DSWD.

SECTION 2. Separability Clause- If any provision of this ordinance is declared unconstitutional or illegal, the same shall not affect the validity of the other provisions thereof.

SECTION 3. Repealing Clause- all ordinances or executive issuances contrary to or modified accordingly.


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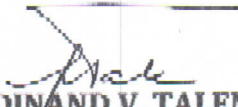
SECTION 4. Effectivity- This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local circulation and posting in at least four (4) conspicuous places in Municipality of Roxas.

SECTION 5. Dissemination of Ordinance- a copy of this ordinance shall be furnished to the Municipal Health Office, at the Barangays, churches and shall be posted in public and private markets.

On motion of Councilor Lucille T. Bacay duly seconded by all this Ordinance is hereby ENACTED

Adopted: 07 September 2020

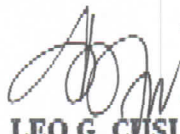
CERTIFIED CORRECT:


FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

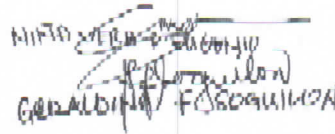
ATTESTED:

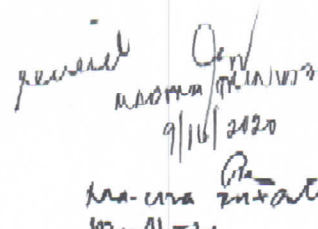

GUALBERTO V. MAGNO
Municipal Vice Mayor

APPROVED:


LEO G. CUSI, SR.
Municipal Mayor
Date: 09.14

mera/0907 2020


Gerardo F. Socquimon


Ma. Ana Zata
9/16/2020
Ma. Ana Zata
01-21