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Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 43rd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 25 NOVEMBER 2002, 9:00 A.M. AT THE SANGGUNIAN SESSION HALL.

Present:

Vice Mayor Cesar T. Batikos	- Presiding Officer
Councilor Eduardo K. Soriano	- Member
Councilor Mae Arlene M. Talens	- Member
Councilor Juan S. Advincula	- Member
Councilor Jesus S. Dela Cruz	- Member
Councilor Ramil O. Dimapills	- Member
Councilor Hernan C. Erorita	- Member
Councilor Jovito D. Estrada	- Member
Councilor Gemmar C. Montesa	- Member, ABC President
Councilor King Philip B. Dimapills	- Member, SK Federation President

Absent:

Councilor Angeles D. Bautista	- OB, PNB Manila & DA Region IV
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MUNICIPAL ORDINANCE NO. 02
Series of 2002

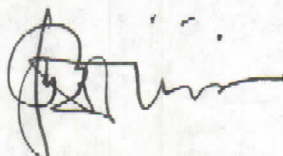
AN ORDINANCE FIXING CURFEW HOURS FOR MINORS IN THE
MUNICIPALITY OF ROXAS, ORIENTAL MINDORO AND IMPOSING
PENALTIES FOR VIOLATIONS THEREOF.

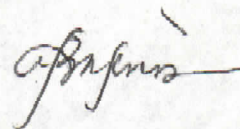
BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO that:

SECTION 1. SHORT TITLE. This ordinance shall be known as "Curfew Ordinance for Minors below 18 years old."

SECTION 2. DEFINITION OF TERMS. As used in this Article, the term:

- a) *CURFEW HOURS* – refers to the period of time between 8:00 P.M. and 5:00 A.M. of the succeeding day.
- b) *MINORS* – for purposes of this Article, the term "minor" refers to persons who are below 18 years of age.
- c) *PUBLIC PLACE* – refers to any place to which the public has access including parking lots, parks/plazas, vacant private lots and such other places.
- d) *PUBLIC ROADS* – refers to national, provincial, municipal or barangay roads or streets, including alleys or "iskinitas".
- e) *COMMUNITY SERVICE* – as herein provided, shall be solely in relation to the cleanliness and beautification purposes of the barangays and shall be under the direct supervision of the Punong Barangay. The nature of the community service shall be commensurate to the offenders' age and shall not be prejudicial to their health. Weeding, watering plants, cleaning the barangay hall and premises and the like are examples of community service.





SECTION 3. PROHIBITIONS. Subject to the provisions provided, the punishable acts under this ordinance are as follows:

- 3.1. It shall be unlawful for any person below 18 years of age to roam, wander or loiter or be on public roads and any public place during the period of curfew hours mentioned in the preceeding section, unless otherwise exempted under the provisions of this article.
- 3.2. It shall be unlawful for any person to aid or abet minors directly or indirectly to commit acts in violation of this ordinance.

SECTION 4. DEFINITIONS. The following minors are exempt from the prohibitions mentioned in Section III hereof:

- 4.1. Minors who are accompanied by their parents, family members of legal age or guardians.
- 4.2. Minors who are going to or coming from scholastic functions like attending evening classes, commencement exercises, convocations, educational programs and similar activities.
- 4.3. Minors who are going to or coming from any religious, social, civic and sports programs and similar activities.
- 4.4. Minors who are on an errand to save lives or properties like calling for the services of a physician, midwife, herbolario, priest, police officers, firemen and the like.
- 4.5. Minors who are responding to emergency situations during the occurrence of natural or man-made calamities.
- 4.6. Minors who can show proof or explain to the satisfaction of the apprehending officers, that he has just arrived from travel or is on his way home and other circumstances.

SECTION 5. PENALTIES AND SANCTIONS. The following penalties or sanctions shall be imposed on the violators or offenders:

5.1. If the offender is below nine (9) years of age, sanctions shall consist of:

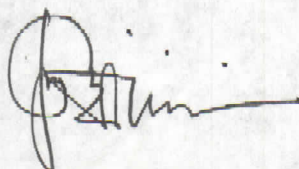
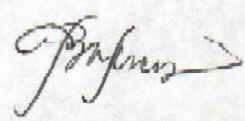
1st offense:

- a. reprimand
- b. personal data of the offender to be recorded
- c. minor offender is released only in the custody of his/her parents, guardians, relatives

2nd offense:

- a. minor offender's data shall be recorded
- b. offender and his/her parents will be turned over to MSWDO for counseling
- c. shall suffer a fine of P250.00

3rd and succeeding offenses:



fine of P500.00. Failure to pay the fine shall subject the offender's parents or guardian to an imprisonment of not less than one (1) day but not more than three (3) days or performance of civic obligations or community service at the discretion of the Honorable Court.

5.2. If the offender is above nine (9) years of age but below 18 years of age, the sanctions shall consist of:

1st offense:

- a. Reprimand and the minor offender's data shall be recorded and he/she shall be released in the custody of his/her parents, guardians, relatives or respectable members of his/her community.

2nd offense:

- a. The minor's data shall be recorded.
- b. Violators shall be reported to MSWDO for counseling
- c. Minor shall pay a fine of P500.00
- d. Failure to pay the fine shall subject him/her to performance of civic obligations or community service

3rd offense:

- a. The minor offender's data shall be recorded
- b. A case shall be filed in court for violation of this ordinance
- c. If found guilty, the offender shall suffer a fine of P1,000.00. Failure to pay the fine will subject him/her to an imprisonment of not less than 2 days but not more than 5 days or performance of civic obligations or community service at the discretion of the Honorable Court.

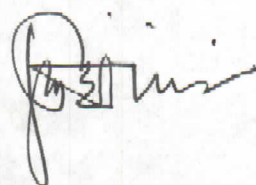
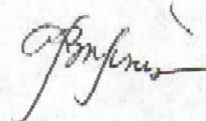
5.3. Any person who shall aid or abet minors directly or indirectly to commit acts in violation of this ordinance shall suffer a fine of not less than P1,000.00 but not more than P2,500.00 or an imprisonment of not less than five (5) days but not more than thirty (30) days at the discretion of the Honorable Court. In case of failure to pay the fine, he shall suffer subsidiary imprisonment of one (1) day for every P250.00 fine.

SECTION 6. Strangers and newly-arrived minors in the particular barangay or in the municipality shall be subject to the following regulations:

1st offense:

- a. Personal data to be recorded
- b. Minor offender shall be advised/warned
- c. Relatives/guardians or friends in the community shall be called before offender shall be released

2nd offense:



- a. Penalties shall be as those for resident of the community by age category

SECTION 7. Minors of one barangay apprehended in another shall be subject to the following regulations:

1st offense:

- a. Minor shall be properly advised and his personal data to be recorded
b. Punong Barangay/member of the Barangay Council to turn over the offender to the barangay where minor resides.

2nd & 3rd offense

Same penalties as those for the minor violators in the barangay by age category. Civic obligations/community service shall be performed in the barangay where the minor resides.

SECTION 8. Penalties and sanctions herein mentioned are only for the violation of the curfew hours. Other crimes or unlawful acts committed within the curfew hours shall be meted by corresponding penalties as are provided by law.

SECTION 9. The Municipal Mayor shall promulgate and issue rules and regulations for the efficient and effective implementation of this ordinance.

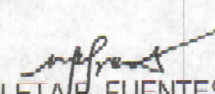
SECTION 10. SEPARABILITY CLAUSE. Should any section or provision of this Ordinance be declared by the Court to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole.

SECTION 11. REPEALING CLAUSE. Any ordinance, rules and regulations, and other issuances or part or parts thereof which are inconsistent with any of the provisions of this ordinance are hereby repealed and modified accordingly.

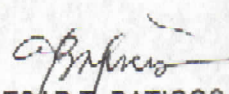
SECTION 12. EFFECTIVITY. This ordinance shall take effect upon approval.

Enacted this 25th day of November, 2002 on motion of Hon. Mae Arlene M. Talens and unanimously seconded by all.

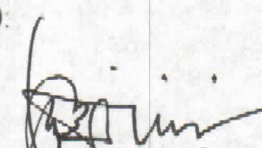
CERTIFIED CORRECT:


VIOLETA B. FUENTES
Secretary to the Sanggunian

ATTESTED:


CESAR J. BATICOS
Municipal Vice Mayor/
Presiding Officer

APPROVED:


JESUS M. DIMAPILIS
Municipal Mayor

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