



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE JOURNAL OF THE 29th REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 13 MARCH 2017, 1:30 P. M. AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

Vice Mayor Jackson Cinco Dy	- Presiding Officer
Councilor Cesar T. Baticos	- Member
Councilor Juanito A. Bacay, Jr.	- Member
Councilor David D. De La Cruz	- Member
Councilor John John S. Yason	- Member
Councilor Agustin L. Cusi	- Member
Councilor Eduardo K. Soriano	- Member
Councilor Joseph M. Galicia	-President, Liga ng mga Barangay

Absent:

Councilor Ruel S. Taytay	- Member
Councilor Gualberto V. Magno	- Member

MUNICIPAL ORDINANCE NO. 02

Series of 2017

AN ORDINANCE CREATING THE ROXAS DANGEROUS
DRUGS ADMINISTRATIVE BOARD.

Author:

Councilor AGUSTIN L. CUSI

NOW THEREFORE, the Sangguniang Bayan, in regular session assembled, hereby
ORDAINS that:

SECTION 1. **TITLE.** This Ordinance shall be known as The Roxas Dangerous Drugs Administrative Board.

SECTION 2. **COMPOSITION.** The Roxas Dangerous Drugs Administrative Board is hereby composed of the following:

Chairman	- Municipal Mayor
Vice Chairman	- Municipal Vice Mayor
Members	- Municipal Local Government Operations Officer
	- Chief of Police
	- SB Member, Chairman Committee on Peace and Order and all SB Members
	- Committee on Education and all SB Members
	- ABC President
	- Municipal Health Officer
	- Municipal Social Welfare & Development Officer

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- Municipal Legal Officer
- DepEd (Elementary and Secondary)
- Civil Society Organizations, Non-Governmental Organizations
- Religious Sector
- Technical Vocational Institution

SECTION 3. POWERS AND DUTIES. The following are the powers and duties of the Roxas Dangerous Drugs Administrative Board:

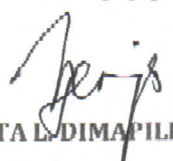
- a) Receive complaints for the abatement of drug related public nuisances;
- b) Conduct hearing in connection with the foregoing sub-section;
- c) Declare the place or premises in question as drug related public nuisance if the circumstances so warrant; and
- d) Abate drug related public nuisances.

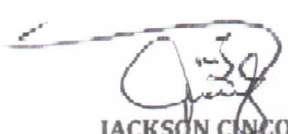
SECTION 4. ABATEMENT OF DRUG RELATED PUBLIC NUISANCES. Pursuant to Section 52 of Republic Act 9165 and its Implementing Rules and Regulations, otherwise known as The Comprehensive Dangerous Drugs Act of 2002, any place or premises which have been on two or more occasions as the site of the unlawful sale or delivery of dangerous drugs, or used as drug dens for pot session and other similar activities may be declared to be a public nuisance and such nuisance may be abated under the following procedures:

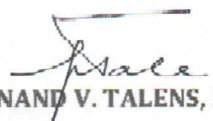
- a) Any employee, officer or resident of the Municipality of Roxas may bring a complaint before the Roxas Dangerous Drugs Administrative Board after giving not less than three (3) days written notice of such complaint to the owner of the place or premises at his/her last known address;
- b) Within three (3) days from receipt of complaint, a hearing shall then be conducted by the Roxas Dangerous Drugs Administrative Board, with notice to both parties and the administrative board may consider any evidence submitted, including evidence of general reputation of the place or premises;
- c) The owner/manager of the premises or place shall also be given an opportunity to present any evidence in his/her defense;
- d) After hearing, the Administrative Board may declare the place or premises to be a public nuisance; and
- e) The hearing shall be terminated within ten (10) days from commencement.

SECTION 5. EFFECT OF THE ADMINISTRATIVE BOARD DECLARATION. Pursuant to Section 53 of Republic Act 9165 and its Implementing Rules and Regulations, if the Administrative Board declares a place or premises to be a public nuisance, it shall issue an order immediately prohibiting the conduct, operation or maintenance of any business or activity which is conducive to such nuisance. The Municipal Mayor shall implement the order of the Administrative Board within fifteen (15) days from receipt thereof and shall assume full responsibility in seeing to it that the order is immediately complied with.

The order issued by the Administrative Board shall expire after one (1) year from the date of issuance, or at such an earlier time as


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stated in the order. The Administrative Board may bring a complaint seeking a permanent injunction against any nuisance described under R. A. 9165 and its Implementing Rules and Regulations.

The Administrative Board, upon showing that the place is no longer a public nuisance, may conduct hearing with the complaint duly notified, for the possible lifting of the order.

SECTION 6. **WITHOUT PREJUDICE TO THE FILING OF A CRIMINAL CASE, AND THE DECLARATION AND/OR ABATEMENT OF ANY NUISANCE UNDER THE CIVIL CODE AND THE LOCAL GOVERNMENT CODE OF THE PHILIPPINES.** This ordinance is without prejudice to the filing of a criminal case against the owner of a place or premises declared as drug related public nuisance to Section 6 of RA 9165. This does not restrict the right of any person to proceed under the Civil Code on public nuisance. Neither shall this restrict the power of the Sangguniang Bayan to declare and/or abate any nuisance under Section 458(a)(4)(i) of the Local Government Code.

SECTION 7. **APPROPRIATION.** The amount of at least One Hundred Thousand Pesos (P100,000.00) shall be appropriated annually for the effective implementation of this Ordinance.

SECTION 8. **SEPARABILITY CLAUSE.** Any provision of this Ordinance found to be unconstitutional shall not affect the other which shall remain to be in full force and effect.

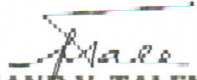
SECTION 9. **REPEALING CLAUSE.** Any ordinance found to be inconsistent with this shall be deemed repealed or modified accordingly.

SECTION 10. **EFFECTIVITY.** This ordinance shall take effect immediately.

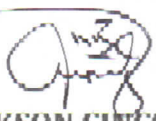
On motion of Councilor Agustin L. Cusi duly seconded by Councilors Cesar T. Baticos and Juanito A. Bacay, Jr., said ordinance was **UNANIMOUSLY APPROVED.**

Enacted : 13 March 2017

CERTIFIED CORRECT:


FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:

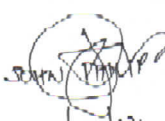

JACKSON CINCO DY
Municipal Vice Mayor

APPROVED:


VIOLETA L. DIMAPILIS
Municipal Mayor
Date Signed 03. 21. 2017

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 2/20/17

POZ.  DIMAPILIS
03/20/17