SECTION 14. Enforcement; Civil Penalties.

a) Establishments subject to the mandatory requirements of this Ordinance shall have six (6) months from its effective date to comply with the regulation set forth in this Ordinance.

b) The violation of any provision of this Ordinance by any owner or principal operator of establishments subject to this Ordinance shall result in a notice of violation from the Chief of Police or his designee. The Chief of Police is authorized to investigate all alleged violations. Violators shall have thirty (30) days after receipt of the notice to provide proof of compliance to the Chief of Police. If the violation continues after the 30 days period, the Chief of Police or his designee shall issue a citation against the violators and shall pay a civil penalty not to exceed Two Thousand Five Hundred Pesos (Php 2,500.00). The Chief of Police is hereby authorized to bring a civil action in any court of competent jurisdiction to recover such civil penalties.

c) In addition to the foregoing, the violation of any provision of this ordinance shall be and is hereby declared to be a public nuisance and contrary to the public interest and shall, at the discretion of the Chief of Police, create a cause of action of injunctive relief and recommend cancellation or non-renewal of business permit issued.

d) For the purpose of this ordinance, each day that a violation continuous shall be a separate violation.

SECTION 15. Incentives. All establishments' subject to the ordinance are given one percent (1%) discount on Mayor's Permit covering three (3) consecutive years starting from the time of ordinance's effectivity.

SECTION 16. Appeal Process.

a) Any establishment or agency found to be in violation of this Ordinance, the Chief of Police or his designee shall have the right to a hearing before the Municipal Mayor of his designee.

b) The Chief of Police or his designee shall give the applicant written notice of the violation. The notice shall set forth the grounds for the violation, and shall inform the owner or principal business operator of the establishment or agency head that he has ten (10) days from the date of mailing of the notice of file a written request for a hearing.

c) Within ten (10) days of mailing of the written notice of violation by the Chief of Police or his designee, the owner or principal business operator or agency head may appeal by requesting a hearing before the Municipal Mayor. Such a request must be made in writing and must set forth the specific grounds for the appeal. If the applicant files a timely request for a hearing, the Municipal Mayor or his duly designee shall set a time and place for the hearing within ten days thereafter. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issue, to be represented by counsel, and to confront and cross-examine any witness against them. The decision of the Municipal Mayor or his designee to deny the application shall be in writing and shall be rendered within one week of the hearing.

SECTION 17. Separability Clause. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be invalid or unconstitutional by a decision of any court with competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 18. Effectivity Clause. This ordinance shall take effect after fifteen (15) days following its publication in a newspaper of general circulation.

Adopted: 19 May 2014

CERTIFIED CORRECT:

FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:

VIOLETA L. DIMAPILIS
Municipal Vice Mayor/Presiding Officer

APPROVED:

JACKSON CINCO DY
Municipal Mayor

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