



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE JOURNAL OF THE 145TH REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 13 JUNE 2022, 10:00 A. M. AT THE SANGGUNIANG BAYAN SESSION HALL

Present:

Councilor David D. De La Cruz	-Presiding Officer Pro Tempore
Councilor John John S. Yason	- Member
Councilor Robert S. Quiatchon	- Member
Councilor Lucille T. Bacay	- Member
Councilor Juan Rafael M. Talens	- Member
Councilor Ronel S. Sescar	- Member
Councilor Veil Charleo B. Cusi	- Member
Councilor Celso M. Dimapilis	- President, Liga ng Barangay
Councilor Elmira May V. Tarac	- Member, MSKF President

Absent:

Vice Mayor Gualberto V. Magno	- Presiding Officer
Councilor Jerwin S. Dimapilis	- Member

MUNICIPAL ORDINANCE NO. 41

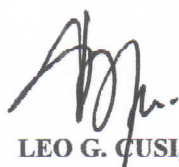
Series of 2022

**AN ORDINANCE PROHIBITING DRONE OPERATION
WITHIN ONE HUNDRED (100) METERS FROM JAIL
FACILITIES, PROVIDING PENALTIES FOR VIOLATION
THEREOF AND FOR OTHER PURPOSES**

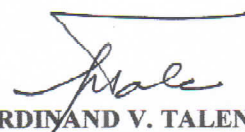
AUTHOR:

Hon. JUAN RAFAEL M. TALENS

- WHEREAS, Remotely Piloted Aircraft System (RPAS) or drones, by their nature, can be used as a tool for gathering information via recording or photographs and there is a growing use of drones today its areas of applications have expanded overtime;
- WHEREAS, drones could be used in transporting illegal drugs, deadly weapons, and other contraband as well in the surveillance of jail facilities and premises, which could very well compromise the safety and security of the jail facilities;
- WHEREAS, Under Philippine Civil Aviation Rules 11 and Civil Aviation Authority of the Philippines (CAAP) 21-14, no person may operate small UAV or RPA in a populous area. Pursuant to this rule, jails are considered populous and congested areas;
- WHEREAS, The Bureau of Jail Management and Penology (BJMP), pursuant to regulations issued by the Civil Aviation Authority of the Philippines (CAAP), prescribes a Standard Operating Procedure on the detection, prevention and handling remotely Piloted Aircraft System (RPAS) or Unmanned Aerial Vehicles (UAV), aimed at maintaining the safety and security of jail facilities of this municipality;


LEO G. CUSI, SR.


DAVID D. DE LA CRUZ


FERDINAND V. TALENS, MPA

WHEREAS, the enactment of this ordinance will promote peace and order, enhance the physical security of the jail facilities and guarantee the safety and security of this municipality and the constituents;

NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO IN REGULAR SESSION ASSEMBLE, THAT:

SECTION 1. TITLE. This Ordinance shall be known as "AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES."

SECTION 2. PURPOSE. This ordinance is enacted to ensure and promote public health, safety and security by prohibiting the operation of drones within one hundred meters (100 m) from jail facilities within the territorial jurisdiction of the Municipality of Roxas, Oriental Mindoro.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance the following terms shall be construed to mean as follows:

- a. *Unmanned Aerial Vehicle (UAV) commonly known as drone* – is an aircraft without a human pilot aboard, UAVs are competent of an unmanned aircraft system (UAS); which includes an UAV, a ground-based controller, and a system of communications between the two. The flight of UAV's may operate with various degree of autonomy; either under remote control by human operator or autonomous by onboard computers.
- b. *Jail facilities* – a place for the confinement of people accused or convicted of a crime.

SECTION 4. SCOPE. This Ordinance shall apply to all persons, who shall operate drone within 100 meters radius of jail facilities in the Municipality of Roxas, Oriental Mindoro.

SECTION 5. EXEMPTION. This ordinance shall not cover law enforcement agencies, emergency management offices and those duly authorized by the Local Government Unit with coordination to the Jail Management.

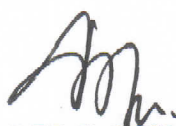
SECTION 6. PENALTIES. Violation of this Ordinance shall be meted the penalty of:

- a. First Offense – A fine of One Thousand Pesos (Php1,000.00.);
- b. Second Offense – A fine of One Thousand Five Hundred Pesos (Php1,500.00.);
- c. Third Offense - A fine of Two Thousand Five Hundred Pesos (Php2,500.00.) or imprisonment for a period of more than three (3) months but not exceeding six (6) months or both such fine and imprisonment at the discretion of the court.

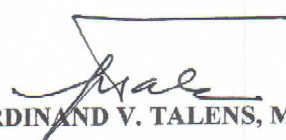
SECTION 7. IMPLEMENTING AGENCY. The Philippine National Police (PNP) and Public Order and Security Team (POST), as well as the responsible officer in the barangay which was territorial jurisdiction over the jail facilities, together with the BJMP personnel, shall ensure the strict and faithful enforcement or implementation of this Ordinance.

The Jail Management shall cause the posting of the sign "DRONE NO FLYZONE WITHIN 100 METERS FROM JAIL FACILITY" conspicuously outside of the jail facility.

SECTION 8. IMPLEMENTING RULES AND REGULATIONS (IRR). The Philippine National Police (PNP) and Public Order and Security Team (POST), the concerned barangay which has territorial jurisdiction over the jail facilities in


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DAVID D. DE LA CRUZ


FERDINAND V. TALENS, MPA

the Municipality, as well as the BJMP shall formulate the necessary Implementing Rules and Regulations (IRR) of this Ordinance and the same shall immediately be transmitted to the Mayor for approval.

8.1 Guidelines in Securing Permit for the Operation of Drone within the Jail Facility

8.1.1 Any person or group of persons who want/s to use or operate drone within or near the jail facility should first secure permit in the LGU.

8.1.2 Once the permit has been obtained it will be shown to BJMP personnel.

SECTION 9. REPEALING CLAUSE. Any ordinance, order, memorandum, rules and regulations inconsistent with any provision of this Ordinance is hereby modified or repealed accordingly.

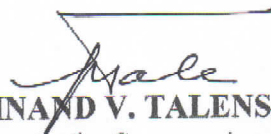
SECTION 10. SEPARABILITY CLAUSE. If any provision of this ordinance shall be declared invalid, the unaffected portion shall remain valid.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect upon its approval.

On motion of Councilor Juan Rafael M. Talens duly seconded by Councilor John John S. Yason this Ordinance is hereby ENACTED.

Adopted: 13 June 2022

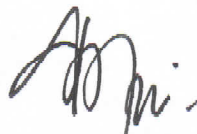
CERTIFIED CORRECT:


FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:


DAVID B. DE LA CRUZ
Presiding Officer Pro Tempore

APPROVED:


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

mjer/061322


MARIBEL T. LIBRADA
M.D. 06-15-22

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J/SINSP ANZA GILBERT B