



OFFICE OF THE SANGGUNIANG PANLUNGSOD

Tel Nos.: (075) 552-7105; (075) 551-2751

EXCERPT TAKEN FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON OCTOBER 20, 2006.

- | | | |
|-----------------|---------------------------------------|--|
| PRESENT: | HON. ORLANDO "ANG PANDAY" R. GO | - ACTING PRESIDING OFFICER
(City Councilor) |
| | HON. MA. ANGELA A. BRAGANZA | - ACTING CITY VICE MAYOR
(City Councilor) |
| | Hon. Rufina J. Gabriel | - Member |
| | Hon. Filemon R. Bacala, Jr. | - -do- |
| | Hon. Cirilo B. Radoc, CPA, LI.B. | - -do- |
| | Hon. Carolyn D. Sison | - -do- |
| | Hon. Cesar C. Manzano, Ret. Col., PAF | - -do- |
| | Hon. Constante R. Carasi, M.D. | - -do- |
| ABSENT: | Hon. Joselito O. Fontelera | - On Official Leave |
| | Hon. Michael Roy S. Boling | - On Official Business |
| | Hon. Mario P. Rabadon, LBP | - On Official Business |
| | Hon. Margielou Orange D. Humilde, SKP | - On Official Business |

ORDINANCE NO. 2006-13

ORDINANCE ENSURING THE WELFARE AND PROTECTION OF MINORS IN THE CITY OF ALAMINOS.

WHEREAS, the protection and development of the youth is enshrined in ARTICLE II, Section 13 and ARTICLE XIV, Section 3 (2) of our 1987 Constitution;

WHEREAS, the development of our young people is in jeopardy due to various influences and activities that destroy their lives and future, causing them to become illiterate and irresponsible drop-outs who resort to deviant behaviors and rebellion against established institutions and authorities;

WHEREAS, it is therefore necessary for the Sangguniang Panlungsod to enact an ordinance that will ensure the promotion of general welfare of its youth and their protection from acts, conditions, or influences that are prejudicial to their development.

NOW, THEREFORE, be it enacted by the Sangguniang Panlungsod in session assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as **YOUTH WELFARE AND PROTECTION ORDINANCE IN THE CITY OF ALAMINOS.**

SECTION 2. DECLARATION OF POLICY. The City Government of Alaminos hereby adopts and imposes policies and regulations that would ensure the welfare and protection of minors, both in-school and out-of-school youth. Their development is given consideration in all of its government programs.

SECTION 3. COVERAGE. All minors in the City of Alaminos below eighteen (18) years old, both in-school and out-of-school, as well as all establishments that cater to such, shall be covered by this Ordinance.

Section 4. DEFINITION OF TERMS.

- a) *Child/Juvenile/Minor* – any person below eighteen (18) years old.
- b) *CSWDO* – City Social Welfare and Development Office.
- c) *Community Service* – a penalty imposed upon a minor for violation of a City Ordinance, as defined and within the parameter of the Diversion Program as provided for in Republic Act 9344 otherwise known as "An Act Establishing a Comprehensive Juvenile Justice and Welfare System".
- d) *Fraternity* – a group of people associated formally organized for a common purpose, interest, or pleasure.
- e) *Gambling* – playing games of chance or betting in the hope of winning money.
- f) *Gang* – a group of persons acting in accord who are believed to engage in improper acts or to be influenced by self-seeking, corrupt, or unworthy motives.

- g) *Hazing* – an initiation rite being conducted as a prerequisite for admission as member in a fraternity, sorority, or organization by placing the recruit, neophyte, or applicant in an embarrassing or humiliating situation such as forcing him/her to do menial, silly foolish, and other similar tasks or activities, or otherwise subjecting him/her to physical suffering or injury.
- h) *HIYSC* – Hundred Islands Youth and Sports Council.
- i) *Liquor* – an alcoholic drink, especially of the type produced by distillation.
- j) *Recruiter* – for the purpose of Section 6 of this Ordinance, is a person who enlists or causes other persons to join or become a member of a fraternity, sorority, or gang.
- k) *Republic Act No. 8049* – an act regulating hazing and other forms of initiation rites in fraternities, sororities, and other organizations.

Section 5. LOITERING DURING SCHOOL HOURS. Students or schoolchildren are banned from loitering in public places outside their school grounds/campuses during school hours unless they are accompanied by their parents/guardians or are attending an official school function/duty.

- A. The frequent habit of cutting classes or the act of skipping classes because of peer pressure, a sense of heroic adventure, or an act of juvenile rebellion has often resulted to the formation of illiterate drop-outs who resort to deviant acts/behaviors – stealing, gang wars, drug addiction, teenage pregnancy, vandalism, and other crimes against persons, property and even the state.
- B. To curtail this bad habit, students and/or school children who will be caught loitering in public places outside their school grounds/campuses during school/class hours (without being accompanied by their parents/guardians or attending an official school function/duty) shall be sanctioned as follows:

First Offense	- Fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government under the supervision of the CSWDO plus two (2) hours of counseling
Repeated Offense	- Fine in the amount of Two Thousand Pesos (Php 2,000.00) or six (6) hours of community service to the City Government under the supervision of the CSWDO plus four (4) hours of counseling

The parents/guardians of the offender shall be sanctioned to attend a Parents' Orientation Seminar for the 1st Offense, and a fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government for subsequent offenses.

- C. The Principal, Guidance Counselor, or Class Adviser of students who were apprehended while roaming in all parks, amusement centers, and other similar places during their prescribed school hours shall be notified by the apprehending officers concerning the matter, and the above school authorities shall bring the offenders to school for counseling and/or appropriate disciplinary action.
- D. On the other hand, commercial establishments such as, but not limited to malls, video arcades, restaurants/fast food chains/carinderias, videoke bars, billiard pool halls, and other forms of recreation, amusement centers, movie houses/cinemas, parlors/barber shops, and groceries/supermarkets that allow students/school children to loiter in their premises during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon shall be subjected to a fine of Three Thousand Pesos (Php 3,000.00) for every student caught.
- E. Violators whose business involve recreational/sports/amusement related activities shall suffer the same fine, plus the confiscation of all their gadgets, equipment, machines, and other paraphernalia (computers, videos, billiard pools, bowling balls, machines, karaoke/videoke, television sets, and the like).

SECTION 6. RESTRICTED AREAS FOR MINORS.

- A. *Videoke Bars/Beer Houses.* It shall be unlawful for establishments such as, but not limited to videoke bars, beer houses, night clubs, and/or any establishment that offers similar services, to allow the entry of minors within their premises at any time and any day, whether or not

they are in the company of their parents, guardians, elders, or relatives who are not otherwise covered by this prohibition.

B. *Hotels/Motels/Lodging Houses.* It shall be unlawful for all hotels, motels, lodging houses, and/or similar establishments to allow the entry of minors within their premises, unless otherwise such minors are with the company of their parents, guardians, or adult relatives.

C. The penalty for violation of Section 6, A of this Ordinance shall be as follows:

First Offense - Fine of Three Thousand Pesos (Php 3,000.00) plus three (3) months suspension of Business Permit

Second Offense - Fine of Five Thousand Pesos (Php 5,000.00) and cancellation of Business Permit without prejudice to the filing of appropriate legal action

D. For establishments in Section 6, B that are found to have violated the prohibition stipulated therein, the penalty in Article III, Section 1 and Article IX, Section 1, b of Ordinance No. 2005-03 otherwise known as The Child Welfare Code of the City of Alaminos, Province of Pangasinan shall be applied to them.

E. Minors who have violated the prohibition in A and B of this Section shall be sanctioned as follows:

First Offense - Fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government under the supervision of the CSWDO plus two (2) hours of counseling

Repeated Offense - Fine in the amount of Two Thousand Pesos (Php 2,000.00) or six (6) hours of community service to the City Government under the supervision of the CSWDO plus four (4) hours of counseling

The parents/guardians of the offender shall be sanctioned to attend a Parents' Orientation Seminar for the 1st Offense, and a fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government for subsequent offenses.

SECTION 7. FRATERNITIES AND GANGS.

A. All newly formed youth organizations must apply for accreditation from the Office of the City Mayor upon the recommendation of HIYSC, and, accordingly, be issued a Certificate of Accreditation. The HIYSC is hereby tasked to guide, monitor, and supervise these organizations.

B. No person shall force, coerce, bully, or deceive any juvenile into joining any organization, fraternity, sorority, gang, or association. Any person caught in the act of forcing or deceiving any minor/juvenile, or those who have forced and deceived minors into joining any organization, fraternity/sorority, or gang within the campus or outside the school grounds will be sanctioned with two (2) hours of counseling at CSWDO plus four (4) hours of community service to the City Government if the offender is a minor, or a fine of One Thousand Pesos (Php 1,000.00) and eight (8) hours of community service if the offender is an adult, without prejudice to filing of appropriate legal action.

C. The so-called recruiters from any organization or fraternity/sorority must secure permission from the parents/guardians of the child/juvenile being recruited.

D. Hazing or initiation rites are discouraged, if not regulated, conforming with the Republic Act 8049.

E. If the juvenile/minor subjected to hazing or other forms of initiation rites suffers any physical injury or dies as a result thereof, the officers and members of the fraternity, sorority, or organization who actually participated in the infliction of physical harm shall be liable as principals and will suffer the sanctions as provided under Republic Act 8049.

SECTION 8. OTHER ACT/S PREJUDICIAL TO THE CHILD'S DEVELOPMENT.

A. It shall be unlawful for any person or establishments such as, but not limited to groceries, department stores, eateries, restaurants, bakeries, market stalls, bazaars, general merchandise, hardware and construction supplies to sell liquor and/or any intoxicating drink, tobacco products, illegal drugs, "rugby" and other habit-inducing solvents, pornographic materials (video-beta, vhs, cd, vcd, dvd, magazines or any publication, books or tapes, and other materials that are detrimental to the development of the child) to minors.

B. The penalty for the commission of such act/s shall be as follows:

First Offense - Fine of Three Thousand Pesos (Php 3,000.00) plus three (3) months suspension of Business Permit

Second Offense - Fine of Five Thousand Pesos (Php 5,000.00) and cancellation of Business Permit without prejudice to the filing of appropriate legal action

C. Sanctions against minors who violate the following:

1. *Smoking Ban for Minors.* It shall be unlawful for any minor within the meaning of this Ordinance to smoke cigarettes, cigars, and other tobacco products in any form whatsoever, whether or not they are in the company of their parents, guardians, elders, or relatives who are not otherwise covered by this prohibition. Any minor found violating this provision shall be sanctioned as follows:

First Offense - Fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government under the supervision of the CSWDO plus two (2) hours of counseling

Repeated Offense - Fine in the amount of Two Thousand Pesos (Php 2,000.00) or six (6) hours of community service to the City Government under the supervision of the CSWDO plus four (4) hours of counseling

The parents/guardians of the offender shall be sanctioned to attend a Parents' Orientation Seminar for the 1st Offense, and a fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government for subsequent offenses.

2. *Ban on Rugby and other Habit-Inducing Solvents.* It shall be unlawful for any minor within the meaning of this Ordinance to sniff "Rugby" or any habit-inducing solvent. Any minor found violating this provision shall be sanctioned as follows:

First Offense - Fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government under the supervision of the CSWDO plus two (2) hours of counseling

Repeated Offense - Fine in the amount of Two Thousand Pesos (Php 2,000.00) or six (6) hours of community service to the City Government under the supervision of the CSWDO plus four (4) hours of counseling

The parents/guardians of the offender shall be sanctioned to attend a Parents' Orientation Seminar for the 1st Offense, and a fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government for subsequent offenses.

3. *Ban on Liquor and/or any Intoxicating Drink.* It shall be unlawful for all minors within the meaning of this Ordinance to drink liquor and/or any intoxicating drink, whether or not they are in the company of their parents, guardians, elders, or relatives who are not

otherwise covered by this prohibition. Any minor who is found violating this provision shall be placed under preventive custody in holding centers (i.e., PNP/POSO Headquarters or Barangay Hall) until sober so as not to inflict harm on himself and others, and shall be sanctioned as follows:

First Offense - Fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government under the supervision of the CSWDO plus two (2) hours of counseling

Repeated Offense - Fine in the amount of Two Thousand Pesos (Php 2,000.00) or six (6) hours of community service to the City Government under the supervision of the CSWDO plus four (4) hours of counseling

The parents/guardians of the offender shall be sanctioned to attend a Parents' Orientation Seminar for the 1st Offense, and a fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government for subsequent offenses.

4. *Gambling Ban for Minors.* Minors are banned from engaging in any form of gambling. Minors who are caught from engaging in any form of gambling, such as, but not limited to jueteng, lotto, all card games, cara y cruz, mahjong, bingo, and ending shall be sanctioned as follows:

First Offense - Fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government under the supervision of the CSWDO plus two (2) hours of counseling

Repeated Offense - Fine in the amount of Two Thousand Pesos (Php 2,000.00) or six (6) hours of community service to the City Government under the supervision of the CSWDO plus four (4) hours of counseling

Any person or establishment who/that allows minors to engage in any form of gambling shall be penalized with a fine of Two Thousand Pesos (Php 2,000.00).

Lotto establishments are not allowed to accept lotto bets from minors. Aside from the Five Thousand Penalty (Php 5,000.00), violators will have their license revoked.

The parents/guardians of the offender shall be sanctioned to attend a Parents' Orientation Seminar for the 1st Offense, and a fine in the amount of One Thousand Pesos (Php 1,000.00) or four (4) hours of community service to the City Government for subsequent offenses.

SECTION 9. SEPARABILITY CLAUSE. The provisions of this Ordinance are separable, and in the event that any or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.

SECTION 10. REPEALING CLAUSE. Ordinances, rules and regulations inconsistent herewith are hereby repealed, amended, or modified accordingly.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

APPROVED UNANIMOUSLY.....

Sponsor : HON. MA. ANGELA A. BRAGANZA
Co-sponsors : HON. FILEMON R. BACALA, JR.
 : HON. RUFINA J. GABRIEL

(Cont. Ord. No. 2006-13, adopted on 20 October 2006)

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I **HEREBY CERTIFY** to the correctness of the foregoing ordinance which consist some six (6) pages including this page.

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RUFINA J. GABRIEL
Member
[Signature]
CAROLYN D. SISON
Member

[Signature]
FLEMON E. BACALA, JR.
Member

[Signature]
CESAR C. MANZANO, RET. COL., PAF
Member

[Signature]
ORLANDO "ANG PANDAY" R. GO
(City Councilor)
Acting Presiding Officer

[Signature]
CIRILO B. MADOC, CPA, LI.B.
Member

[Signature]
CONSTANTE R. CARASI, M.D.
Member

ATTESTED: *[Signature]*
VIRGILIO O. MONTEMAYOR
Secretary

NOTED: *[Signature]*
MA. ANGELA M. BRAGANZA
(City Councilor)
Acting City Vice Mayor

APPROVED: *[Signature]*
TEOFILO G. HUMILDE, JR.
(City Vice Mayor)
Acting City Mayor