

Republic of the Philippines
Province of Cebu
CITY OF NAGA



Excerpt from the minutes of the Regular Session of the Sangguniang Panlungsod (SP) of the City of Naga, Cebu held on June 13, 2018 at the SP Session Hall, Legislative Building, City of Naga, Cebu.

Present:

HON. OTHELLO M. CHIONG
HON. ALEXANDER R. LARA
HON. VIRGILIO M. CHIONG
HON. AURELIO B. ALINSONORIN
HON. DELFIN R. SEÑOR
HON. AFSHIN MARK K. SEÑOR
HON. CARMELINO N. CRUZ, JR.
HON. RODRIGO A. NAVARRO
HON. PABLO A. ABANGAN
HON. LUZMINDA R. LAPITAN
HON. PORFERIO V. RESABA, JR.
HON. JUSTINO L. DAKAY

- Vice Mayor/Presiding Officer
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
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- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- ABC President



ORDINANCE NO. 2018-009

Hon. Virgilio M. Chiong - Sponsor
SP Committee Chairman on Public Order and Safety

**AN ORDINANCE AMENDING NAGA MUNICIPAL ORDINANCE NO. 012-A-93
SERIES OF 1993 PARTICULARLY SECTION THREE (3) BY
INCREASING THE FINES AND PENALTIES THEREOF FROM FIVE HUNDRED
PESOS (P500.00) TO ONE THOUSAND PESOS (P1,000.00) OR EIGHT (8) HOURS OF
COMMUNITY SERVICE**

EXPLANATORY NOTE

Several government properties and facilities, including private properties, have been the target of vandals who are responsible for inscribing unpleasant markings or paintings on buildings, monuments, streets, walls, gates and concrete fences, thereby resulting in the damage and defacement thereof.

The Sangguniang Bayan of the then Municipality of Naga, Cebu enacted Ordinance No. 012-A-93 but its approved fines and penalties appear to be no longer suitable to the present setting.

This proposed Ordinance shall declare unlawful for any person to write, draw, paint, mark or inscribe any word, slogan, caricature, symbol or other thing, affixing, posting up, or displaying on any public property or private property without proper consent of the City Government or private owner within the jurisdiction of the city.

The current leadership of this local government unit deems it necessary to intensify the anti-vandalism drive in order to safeguard, protect and secure public properties and private establishments, including historical landmarks, monuments, public parks and heritage sites.

NOW THEREFORE, BE IT ORDAINED, as it is hereby ORDAINED by the Sangguniang Panlungsod of the City of Naga, Cebu, in session assembled, to amend Naga Municipal Ordinance No. 012-A-93 Series of 1993, so as to read as follows:

SECTION 1. TITLE. This Ordinance shall be known as "AN ORDINANCE AMENDING NAGA MUNICIPAL ORDINANCE NO. 012-A-93 SERIES OF 1993 PARTICULARLY SECTION THREE (3) BY INCREASING THE FINES AND PENALTIES THEREOF FROM FIVE HUNDRED PESOS (P500.00) TO ONE THOUSAND PESOS (P1,000.00) OR EIGHT (8) HOURS OF COMMUNITY SERVICE.

SECTION 2. DECLARATION OF POLICY - It shall be unlawful for any person who willfully does or who shall participate in vandalism through unscrupulous painting or scribbling on walls, monuments, streets, fences whether public or private property.

SECTION 3. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms are defined:

1. Vandalism – refers to a willful act or malicious defacement of property belonging to another person or to the public.
2. Community Service – refers to any act that is performed for the benefit of the community at large, as punishment for an offense or violation of the law. Cleaning up trash, removing graffiti, planting trees, or building community playground equipment while under the supervision of enforcement officers or personnel, are common tasks performed under this type of arrangement.
3. Private property – property of private ownership, besides the patrimonial property of the State, provinces, cities and municipalities, consists all property belonging to private persons such as houses, walls, buildings, gate, concrete columns and fence, either individually or collectively.
4. Public property – those intended for public use, such as roads, ports, buildings and bridges, and others of similar character, constructed by the State or those which belong to the State, for public service or for the development of the national wealth.

SECTION 4. Any person who violates this ordinance shall be penalized as follows:

- First Offense : Five Hundred Pesos (P500.00)
- Second Offense : Eight Hundred Pesos (P800.00)
- Third Offense : One Thousand Pesos (P1,000.00)

Failure of the violator to pay the above-enumerated fines (be first, second or third offense), shall compel him or her to render an eight (8)-hour community service thereof.

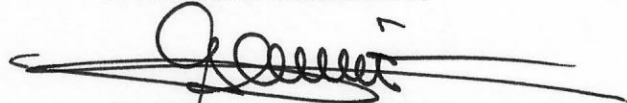
SECTION 5. SEPARABILITY CLAUSE. If any provision or part of this ordinance is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 6. REPEALING CLAUSE. All ordinances inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

SECTION 7. EFFECTIVITY. This ordinance shall take effect immediately upon approval in accordance with law.

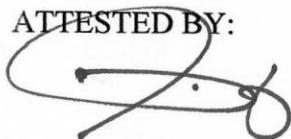
UNANIMOUSLY APPROVED this 13th day of June 2018, on motion of Hon. Virgilio M. Chiong, seconded by Hon. Pablo A. Abangan.

CERTIFIED CORRECT:



GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:



OTHELLO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:



KRISTINE VANESSA T. CHIONG
City Mayor