



OFFICE OF THE SAGGUNIANG PANLUNGSOD

COMMITTEE ON RULES AND PRIVILEGES, LAWS AND
ORDINANCES

COMMITTEE HEARING REPORT
CRPLO-PCO-2024-157

Office of the Sangguniang Panlungsod
Received by: Janet P. Pineda
Date: 12 FEB 2024
Time: 8:30am

Subject: *A city ordinance prohibiting the defacement, destruction, or despoiling of public and private properties within the City of Bacoor, Cavite and providing penalties for violations hereof.*

The above-mentioned subject matter underwent first reading on February 5, 2024 during the 77th Regular Session of the Sangguniang Panlungsod. The said subject matter was referred by the Presiding Officer Hon. Rowena Bautista Mendiola to the Committee on Rules and Privileges, Laws and Ordinances.

The Committee Rules on Rules and Privileges, Laws and Ordinances sent out invitations to the resource persons and conducted a committee hearing on February 08, 2024 at the Session Hall of the Sangguniang Panlungsod at 11:00 a.m.

FINDINGS:

The Sangguniang Panlungsod is duly-bound to pass ordinances that suppress lawlessness and promote the general welfare as provided under Section 11 of Republic Act No. 10160 (the "Charter of the City of Bacoor") and Section 16 of Republic Act No. 7160 also known as the Local Government Code of 1991.

The Defunct Sangguniang Bayan of the Municipality of Bacoor, Cavite, on July 25 1997, passed Ordinance No. 6-97 which prohibited the defacing by printing, painting, writing, scribbling, scrawling, drawing, smearing, coloring, stamping and splattering of wall sidings, partitions, fences, gates, doors and windows whether public or private properties with exemptions.

The present Sangguniang Panlungsod needs to revise the above-mentioned ordinance so as to effectively abate the wanton defacement, destruction, and despoiling of public and private properties within the City of Bacoor.

Violators of this ordinance will be penalized to pay a fine of P5,000.00 and to render community service for not more than thirty (30) but not less than ten (10) calendar days upon conviction by a court of law. If the offender is a minor, the said fine and community service will be paid and done by his/her parents or guardians, as well as the cost of repairing the damage inflicted on the private or public property shall also be paid by his/her parents or guardians.



OFFICE OF THE SAGGUNANG PANLUNGSOD

RECOMMENDATION:


After a thorough review of all the circumstances and statements from the resource persons, the Committee respectfully recommends that the Sangguniang Panlungsod approve the above subject matter.

By the motion of Hon. Reynaldo C. Palabrica duly seconded by all the members of the Sangguniang Panlungsod, the above subject matter was **APPROVED** during its 78th Regular Session.


WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.

Signed this 12th day of February 2024 at the City of Bacoor, Cavite.

Committee on Rules and Privileges, Laws and Ordinances



COUN. REYNALDO C. PALABRICA
Chairman



COUN. LEVY TELA
Vice Chairman



COUN. ALEJANDRO GUTIERREZ
Member



COUN. ADRIELITO GAWARAN
Member



OFFICE OF THE SANGGUNANG PANLUNGSOD

Office of the Sangguniang Panglungsod
Received by: Janet Pring
Date: 12 FEB 2024
Time: 8:00am

COMMITTEE ON RULES AND PRIVILEGES, LAWS AND
ORDINANCES

EXCERPT FROM THE MINUTES OF REGULAR SESSION
CRPLO-PCO-2024-157

Subject: *A city ordinance prohibiting the defacement, destruction, or despoiling of public and private properties within the City of Bacoor, Cavite and providing penalties for violations hereof.*

The 78th Regular Session was held last February 12, 2024 at the Session Hall of the Sangguniang Panglungsod. Bacoor City Vice Mayor Hon. Rowena Bautista Mendiola presided the Regular Session and was called to order at exactly 10:00 a.m.

Atty. Khalid Atega, Jr., Secretary of the Sangguniang Panglungsod proceeded with the roll call, the approval of the Journal and minutes of the 77th Regular Session, and the reading of the referrals to committees of proposed Ordinances, Resolutions, Messages, Communications, Petitions and Memorials.

City Councilor Honorable Rogelio Nolasco moved for the suspension of the internal rules duly seconded by the members of the Sangguniang Panglungsod, the internal rules were suspended.

Upon reading and referral of agenda item No. F.4 PCO-2024-157 –: *A city ordinance prohibiting the defacement, destruction, or despoiling of public and private properties within the City of Bacoor, Cavite and providing penalties for violations hereof.*, City Councilor Hon. Reynaldo C. Palabrica moved for the approval of the above-mentioned subject matter.

The motion was unanimously seconded by all the Honorable Members of the 5th Sangguniang Panglungsod and the above-subject matter was **APPROVED**.




OFFICE OF THE SANGGUNIANG PANLUNGSOD

City Councilor Hon. Palm Angel Buncio moved for the adjournment of the 78th Regular Session duly seconded by the majority of the members of the 5th Sangguniang Panlungsod. The regular session was adjourned at exactly 11:45 a.m.

Prepared by:


RONALDO M. VERONA
Staff

Attested by:



COUNCILOR REYNALDO C. PALABRICA
Chairman
Committee on Rules and Privileges, Laws and Ordinances



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor

CGBCR-SPBac-F003.00
10/20/2023

OFFICE OF THE SANGGUNANG PANLUNGSOD

PCO 2024-157 – AN ORDINANCE PROHIBITING THE DEFACEMENT, DESTRUCTION, OR DESPOILING OF PUBLIC AND PRIVATE PROPERTIES WITHIN THE CITY OF BACOR, CAVITE AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

PROPOSED CITY ORDINANCE NO. ____
Series of 2024

AN ORDINANCE PROHIBITING THE DEFACEMENT, DESTRUCTION, OR DESPOILING OF PUBLIC AND PRIVATE PROPERTIES WITHIN THE CITY OF BACOR, CAVITE AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Sponsored by:

WHEREAS, on 25 July 1997, the defunct Sangguniang Bayan of the Municipality of Bacor, Cavite passed Ordinance No. 6-97 which prohibited the "defacing, by printing, painting, writing, scribbling, scrawling, drawing, smearing, coloring, stamping, inscribing or splattering of wall sidings, partitions, fences, gates, doors or window panes of buildings, edifices, houses or structures, whether public or private, lamp post, street signs, streets, sidewalks or public property with certain exemptions".

WHEREAS, on 21 March 2011, Municipal Ordinance No. 18-2011 was approved by the Municipal Council of Bacor, Cavite which prohibited the:

"3.1. Defacement or destruction of any property owned by the government or by any public utility located in Bacor, Cavite.

3.2. Theft of any property owned by the government or by any public utility located in Bacor, Cavite.

3.3. Buying of any stolen property owned by the government or by any public utility done within Bacor, Cavite."

WHEREAS, despite the approval of the said Ordinances, the defacement and destruction of public and private properties in the City of Bacor, Cavite continue resulting in the waste of millions of pesos every year that are spent for the repainting or repair of the said properties.

WHEREAS, most of the persons who commit the said offenses are found to be minors some as young as ten years old.

WHEREAS, the Sangguniang Panlungsod is duty-bound to pass ordinances that suppress lawlessness and promote the general welfare as provided under Section 11 of Republic Act No. 10160 (the "Charter of the City of Bacor") and Section 16 of Republic Act No. 7160 (the "Local Government Code of 1991").

WHEREAS, there is a need to revise the above-mentioned ordinances so as to effectively abate the wanton defacement, destruction, and despoiling of public and private properties within the City of Bacor, Cavite.

NOW THEREFORE, be it ordained by the 5th Sangguniang Panlungsod of the City of Bacor, Cavite that:

SECTION 1. Title. This Ordinance shall be known as the "2024 ANTI VANDALISM ORDINANCE OF THE CITY OF BACOR, CAVITE".

BACK



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor

CGBCR-SPBac-F003.00
10/20/2023

OFFICE OF THE SANGGUNIANG PANLUNGSOD

SECTION 2. Definition of Terms. As used in this Ordinance, the following terms shall be defined as:

2.1. **Vandalism** — is any willful act that fully or partially defaces, destroys, or despoils a private or public property situated within the City of Bacoor, Cavite done by means of:

(1) writing, pasting, drawing, painting, marking or inscribing on any public or private property any word, insignia, symbol, image, caricature, mark, initials, numbers, or a combination thereof without the express written authority of the owner/s of the said private properties or of the City Mayor in the case of public properties;

(2) the pasting, attaching, posting, affixing, or installation of any placard, billboard, notice, poster, advertisement, or streamer on any private or public property within the City of Bacoor without the express written authority of the owner/s of the said private properties or of the City Mayor in the case of public properties;

(3) the theft, smashing, breaking, or cutting of any private or public property without the consent of the owner/s of the said private properties or of the City Mayor in the case of public properties; or

(4) defecating, spitting, or urinating on any public or private property without the consent of the owner/s of the said private properties or of the City Mayor in the case of public properties by way of an Ordinance.

2.2. **Public Properties** — are any movable or immovable property as defined in Book II, Chapters 1 and 2 of the Civil Code of the Philippines that was constructed or purchased with the use of public funds or that were donated, sold, conveyed, or turned over to the city government by the national government or by the private sector.

2.3. **Private Properties** — are any movable or immovable property as defined in Book II, Chapters 1 and 2 of the Civil Code of the Philippines that was constructed or purchased with the use of private funds.

SECTION 3. Prohibition. Any act of vandalism as defined in Section 2 hereof willfully done on any public or private property situated within the City of Bacoor, Cavite is expressly prohibited.

SECTION 4. Penalties. Any person of legal age who commits any act of vandalism as defined in Section 2 shall be required to pay a fine of Php 5,000.00 and to render community service for not more than thirty (30) but not less than ten (10) calendar days upon conviction by a court of law. In addition, the offender may also be ordered by the presiding judge to pay for the cost of repairing the damage he/she inflicted on the private or public property he/she vandalized.

If the offender is a minor, the said fine and community service shall be paid and done by his/her parent/s or guardian/s. The cost of repairing the damage that the minor offender inflicted on the private or public property he/she vandalized shall also be paid by his/her parent/s or guardian/s.

SECTION 5. Implementing Rules and Regulations. The City Legal Services Office is hereby directed to submit the implementing rules and regulations of this Ordinance to the City Mayor not later than sixty (60) working days after the date of effectivity hereof.

BACK



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor

CGBCR-SPBac-F003.00
10/20/2023

OFFICE OF THE SANGGUNIANG PANLUNGSOD

SECTION 6. Repeal Clause. Municipal Ordinance No. 6-97, Municipal Ordinance No. 18-2011, and Sections 6F.01 and 6F.02 of Municipal Ordinance No. 04-I, Series of 2008 are hereby repealed. Any other ordinance, resolution, or executive order inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 7. Separability. Should any provision of this Ordinance is declared void or unconstitutional by a court of law, the remaining provisions hereof not affected thereby shall remain valid and in effect.

SECTION 8. Effectivity. This Ordinance shall become effective immediately after its approval and publication at least once in a newspaper of general circulation in the Province of Cavite.

ENACTED this __ day of _____ 2024 at the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was approved in accordance with law by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Date of Approval: _____

BACK