EXECUTIVE ORDER No. 46A - 2023 Series of 2023

AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 270-2023, OR THE "STRIKE GATE ORDINANCE"

WHEREAS, Section 16 of Republic Act No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 270-2023, entitled "An Ordinance Empowering Barangays Within the City of Bacoor to Construct Gates that will be called "STRIKE Gates" at Strategic Places within their Respective Barangays and Imposing Penalties for Violations hereof," with the end in mind of regulating the entry and exit of vehicles to deter entry of criminals into a community;

WHEREAS, the City Government of Bacoor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern the "STRIKE Gate Ordinance."

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations of City Ordinance No. 270-2023 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 270-2023 which shall form part of this Executive Order. This shall be known as the "Implementing Rules and Regulations of STRIKE Gate Ordinance."

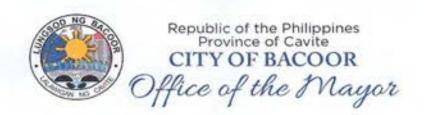
All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

Strict compliance and observance of all city government officials and employees to this IRR is hereby ordered.

Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.





Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED.

DONE this 16th day of June 2023 in the City of Bacoor, Province of Cavite.

STRIKE B. REVILLA City Mayor

CC:

Sangguniang Panlungsod Liga ng mga Barangay City Engineering Office BDRRMO All other City Government departments/offices/units concerned



THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 270-2023, OTHERWISE KNOWN AS "STRIKE GATE ORDINANCE OF THE CITY OF BACOOR"

RULE 1 GENERAL PROVISIONS

SECTION 1. Title. This Implementing Rules and Regulations shall be known as the "Implementing Rules and Regulations of the Strike Gate Ordinance of the City of Bacoor".

SECTION 2. Purpose. These Implementing Rules and Regulations are promulgated for the effective implementation and enforcement of City Ordinance "The Strike Gate Ordinance of the City of Bacoor".

SECTION 3. Construction. The Implementing Rules and Regulations shall be liberally construed to carry out the proper implementation and application of the said Ordinance.

RULE 2 DEFINITION OF TERMS

SECTION 4. Definition of Terms- For purposes of this Implementing Rules and Regulations:

- "STRIKE GATES" shall refer to the security gates installed and maintained by the barangays within their jurisdiction, manned 24/7 by barangay personnel or by persons deputized by the City Mayor to enforce this Ordinance, and equipped with closed-circuit television (CCTV) cameras and other necessary security features.
- "Closed Circuit Television (CCTV)" shall refer to the use of video cameras to transmit a signal to a specific place, on a limited set of monitors.

RULE 3 CONSTRUCTION AND MAINTENANCE

SECTION 5. Construction and Maintenance. The barangays shall be empowered to construct and maintain "STRIKE GATES" at strategic places within their jurisdiction. The City Engineering Office shall install CCTV cameras in the vicinity of the gates to monitor and record the activities within the area. The design of the said gates shall be subject to the approval of the City Mayor



RULE 4 REGULATION OF MOTORIST

SECTION 6. Regulation of Motorists. All motorists passing through the "STRIKE GATES" shall:

- (a) temporarily surrender their driver's license at the gate,
- (b) remove their helmets, if they are riding motorcycles, and
- (c) look at the CCTV without any obstruction to their face

RULE 5 DUTIES AND FUNCTIONS

SECTION 7. Personnel Manning the Gate. The personnel manning the gate shall list down the driver's name, plate number, address, and driver's license number. Afterward, they are required to return the driver's license to the motorist. No fees shall be collected from any person who shall enter or exit the said gate/s.

RULE 6 PENAL PROVISIONS

SECTION 8. Penalties. Any barangay personnel or person deputized by the City Mayor to implement this Implementing Rules and Regulations who fails or refuses to comply with the requirement of listing down the driver's name, plate number, address, and license number or who collects any fee or consideration from any person in exchange for the right to enter or exit the said gate/s shall be fined not less than P1,000.00 and not more than P2,000.00.

Any motorist who fails or refuses to comply with the requirement of removing their helmets and looking at the camera or surrendering their license at the gate shall be fined P2,500.00 or shall be imprisoned for 20 to 30 days, or both as may be determined by a court of law.

SECTION 9. Community Service. A person who violates this Implementing Rules and Regulation who is unable to pay the required fine shall be allowed to render community service not exceeding 16 hours. The Head of the BDRRMO or the City Mayor shall determine the nature of the community service to be performed by the violator.

RULE 7 MISCELLANEOUS PROVISIONS

SECTION 10. Changes and Modifications to the Implementing Rules and Regulations (IRR). - To appropriately manage the orderly administration of the provisions of this IRR, the Office of the City Mayor may recommend to the Sangguniang Panlungsod amendments to the Ordinance and this IRR. The effectivity of such amendments are subject to the approval by the Sangguniang Panlungsod thru the appropriate City Ordinance.

SECTION 11. Separability Clause. – if, for any reason, any portion or provision, section or part of this Implementing Rules and Regulations is declared void by a Court of competent jurisdiction or suspended or revoked by the Sanggunian, such judgment shall not affect or impair the remaining portions, provisions, sections, or parts hereof which shall remain or continue to be in full force and effect.

SECTION 12. Repealing Clause – All other rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this Implementing Rules and Regulations are hereby considered repealed, amended or modified, accordingly.

SECTION 13. Date of Effectivity.- This Implementing Rules and Regulations shall take effect immediately.