

EXECUTIVE ORDER No. 57-B
Series of 2023

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 261-2023 OTHERWISE KNOWN AS THE "CITIZENS'
PARTICIPATION IN COMMUNITY DEVELOPMENT (CPCD) ORDINANCE OF
BACOR."**

WHEREAS, Section 16 of R.A.No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, 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. 261-2023 entitled, *"An Ordinance Authorizing the City Mayor to Deputize the Officers of Accredited Homeowners Associations, Members of Neighborhood Associations, And Persons of Good Moral Character operating Or Residing in the City Of Bacoor, Cavite In The Implementation Of Various City Ordinances And Providing Penalties For Violations Hereof otherwise known as the Citizens' Participation In Community Development (CPCD) Ordinance Of Bacoor,"* with the intent to recognize the duty of every Filipino to obey the laws of the land and participate in the arduous task of nation-building and to ensure that the City promote the welfare of the nation through the help of non-governmental, community-based, or sectoral organizations;

WHEREAS, the Office of the City Mayor, in coordination with the concerned departments/agencies, issued the above-mentioned Implementing Rules and Regulations that shall govern the *"Citizens' Participation in Community Development (CPCD) Ordinance of Bacoor"*;

NOW, THEREFORE, I, ROWENA BAUTISTA-MENDIOLA, Acting 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. 261-2023 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 261-2023 which shall form part of this Executive Order. This shall be known as the **"Implementing Rules and Regulations of Citizens' Participation in Community Development (CPCD) Ordinance of Bacoor"**.

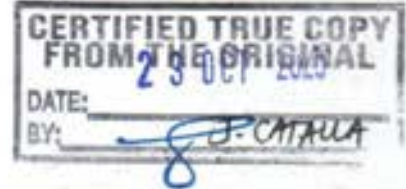
All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

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





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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.

Issued this 18 day of September 2023 in the City of Bacoor, Province of Cavite.


ROWENA BAUTISTA-MENDIOLA
Acting City Mayor



Office of the Mayor
Strike B. Revilla



SBR20231718

cc:
Sangguniang Panlungsod
City Administrator
Office of the Treasury
City Budget Office
And all City Government offices/departments/units concerned





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Office of the Mayor



THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 261-2023 OR AN ORDINANCE AUTHORIZING THE CITY MAYOR TO DEPUTIZE THE OFFICERS OF ACCREDITED HOMEOWNERS ASSOCIATIONS, MEMBERS OF NEIGHBORHOOD ASSOCIATIONS, AND PERSONS OF GOOD MORAL CHARACTER OPERATING OR RESIDING IN THE CITY OF BACOOR, CAVITE IN THE IMPLEMENTATION OF VARIOUS CITY ORDINANCES AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

RULE I - GENERAL PROVISIONS

SECTION 1. TITLE. - These Implementing Rules and Regulations shall be known and cited as the "Implementing Rules and Regulations of City Ordinance No. 261-2023, Series of 2023 ("IRR"), the "Citizens' Participation in Community Development (CPCD) Ordinance of Bacoor."

SECTION 2. PURPOSE. - These Implementing Rules and Regulations are promulgated to prescribe a framework for the effective implementation and enforcement of City Ordinance No. 261-2023, Series of 2023.

SECTION 3. CONSTRUCTION. - The Implementing Rules and Regulations shall be construed and applied in compliance with and in furtherance of the policies and objectives of the above Ordinance.

RULE II - DECLARATION OF POLICY

SECTION 4. It shall be the policy of the City of Bacoor:

1. To recognize the duty of every Filipino to obey the laws of the land and participate in the arduous task of nation-building;
2. To ensure that the city ordinances enacted by the City be implemented effectively;
3. To recognize the needs of the City concerning its lack of manpower and personnel to implement the city ordinances;
4. To ensure that the City promote the welfare of the nation through the help of non-governmental, community-based, or sectoral organizations;
5. To give Homeowners Associations and other members of the community the opportunity to actively participate in the implementation of various city ordinances;
6. To give the said groups more opportunities to raise funds that will come from the fines to be collected from persons who would deign to violate the said local legislative measures.

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E.O. No. 575 - 2023 - IRR OF CITIZENS' PARTICIPATION IN COMMUNITY DEVELOPMENT (CPCD) ORDINANCE OF BACOOR

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Address: Bacoor Government Center, Bacoor, Cavite, Philippines

Telephone: 434-1111 Website: www.bacoor.gov.ph



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RULE III - DEFINITION OF TERMS.

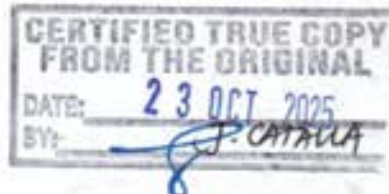
SECTION 5. The following terms shall be defined as follows:

1. **Homeowners Associations** — are groups comprising of owners or purchasers of houses situated inside gated residential subdivisions within the City of Bacoor. *Provided that*, they are Duly Accredited Homeowners Associations such as non-stock, non-profit corporations duly registered with the Housing and Land Use Regulatory Board (HLURB), or the Securities and Exchange Commission (SEC), organized by owners or purchasers of a lot in a subdivision/village or other residential real property located within the jurisdiction of the association; or awardees, usufructuaries, legal occupants and /or lessees of a housing unit and/or lot in a government socialized or economic housing or relocation project and other urban estates; or underprivileged and homeless citizens as defined under existing laws in the process of being accredited as usufructuaries or awardees of ownership rights under the Community Mortgage Program (CMP), Land Tenure Assistance Program (LTAP) and other similar programs in relation to a socialized housing project actually being implemented by the national government or the LGU.
2. **Neighborhood Associations** — are groups comprised of residents of communities outside of gated residential subdivisions within the City of Bacoor who work together to maintain or improve the quality of life in their neighborhood.
3. **Persons of good moral character** — are persons who have never been convicted of any crime, possesses a sound mind and a healthy body, well-known in the community where he/she resides for his/her honesty, trustworthiness, sense of fairness, reliability, and integrity, who had been residing within the City of Bacoor for at least five (5) years prior to the effectivity date of this Ordinance.

RULE IV - AUTHORITY OF THE CITY MAYOR

SECTION 6. Authority of City Mayor to Deputize Accredited HOAs, Neighborhood Associations, and Persons of Good Moral Character in Implementing Various Ordinances. - The City Mayor is hereby empowered to issue orders deputizing the duly elected officers of homeowners associations, members of neighborhood associations, and persons of good moral character operating and/or residing in the City of Bacoor, Cavite in the implementation of various city ordinances that are related to the maintenance of peace and order, traffic management, the promotion of public health, safety and sanitation, environmental protection, and the development of local trade and industry.





The said power includes:

- a.) the power to identify the provisions of the said ordinances to be implemented,
- b.) the length of time of the said deputation,
- c.) the conditions of the said deputation,
- d.) the grounds that can be used to revoke the powers delegated to the said HOAs, and
- e.) the deputation of the security guards employed by the said HOAs that are actually working in the residential subdivisions where the said associations operate.

Provided that: no HOA shall be deputized to implement a city ordinance if majority of the officers and members of the said association refused to accept the said responsibility expressed through a Board Resolution and to undergo training necessary for the effective implementation of the said legislative measures.

The persons who will be deputized by the City Mayor by virtue of this Ordinance shall henceforth be referred to as a “deputy” or as “deputies”.

SECTION 7. QUALIFICATIONS OF A DEPUTY. – Determination of the officers, members and persons who shall be deputized shall meet the following minimum qualifications, namely:

- a.) Must be of legal age and at least a high school graduate;
- b.) Bona fide resident of the City of Bacoor;
- c.) A registered voter of the City of Bacoor;
- d.) Able to read and write;
- e.) Physically and mentally fit to perform the attendant duties and responsibilities;
- f.) Honest, fair and one who values integrity;
- g.) Must not have been convicted of a crime involving moral turpitude.

SECTION 8. DEPUTATION PROCESS. – The President or any authorized representative of the duly accredited association and neighbor association or the Punong Barangay, shall endorse to the Office of the Mayor the names of the associations or individuals for deputation with the following:

- a.) Endorsement letter containing their recommendation and attestation of the qualification of the officers or individuals;
- b.) A valid government-issued Identification (ID) Card bearing the full name, age and complete residential address of the officers or individuals;
- c.) Proof of educational attainment such as diplomas or transcript of records (at least a high school graduate);





- d.) Relevant documents such as barangay clearance, voter's identification, police clearance and NBI clearance.

SECTION 9. ASSESSMENT AND ORIENTATION. – All the officers and individuals deputized shall attend an orientation discussing the terms and conditions of the deputation as well as the duties and responsibilities to be performed and thereafter, undergo an assessment conducted by the Citizen Complaints Adjudication Board. The method of assessment shall be determined by the same board. Only officers and individuals who have completely accomplished the required orientation and assessment shall be included in the deputation order to be issued by the City Mayor.

SECTION 10. DEPUTATION ORDER. – All duly elected officers of homeowners' associations, members of neighborhood associations, and persons of good moral character operating and/or residing in the City of Bacoor, Cavite deputized by the City Mayor shall be itemized in a Deputation Order signed and issued by the Office of the City Mayor.

Once signed and issued, a copy of the Deputation Order shall be transmitted to the City Administration's Office for purposes of record-keeping and monitoring.

SECTION 11. DUTIES AND RESPONSIBILITIES. – Officers and individuals deputized shall perform the following duties and responsibilities, namely:

- a.) Enforce the pertinent provisions deemed included in the Ordinance Violation Receipt (OVR) pursuant to City Ordinance No. 228-2022, Series of 2022, otherwise known as *"An Ordinance Establishing the Uniform Procedure in the Implementation of City Ordinances in the City of Bacoor, Cavite"*;
- b.) Inform the offender of the act committed constituting an ordinance violation;
- c.) Issue a filled-out OVR to the offender, indicating:
 - i. The full name, age and residential address of the violator/offender;
 - ii. The ordinance violated and the act of violation committed;
 - iii. the date, time and place of commission;
 - iv. The number of times the said offender committed a violation;
 - v. Whether the violator/offender availed of the No Contest provision
 - vi. The fine to be paid by the violator; and
 - vii. The pictures of the violator showing the front and side view of the person.
- f.) Inform the offender of his/her right to avail of the No Contest Provision, pursuant to Section 5 of CO No. 228-2022
- g.) Submit copies of the issued OVR to the concerned unit/department, Management Information System Office and the City Treasurer's Office;
- h.) Be in proper attire, carry his/her identification (ID) card and Deputation Order at all times;
- i.) Participate in court processes, such as providing a testimony under oath, when warranted, for the expeditious and proper prosecution of any charge against the alleged offender; and

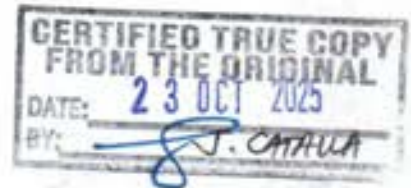




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- j.) Perform such other actions necessary and incidental to his/her duties and responsibilities, subject to the limitations under the Deputation Order and applicable national and local laws, rules and regulations.

SECTION 12. LIMITATIONS ON THE EXERCISE OF AUTHORITY BY DEPUTIZED OFFICERS. – The exercise of authority by deputized officers shall be subject to the following limitations:

- a.) The Deputation Order shall be valid for not more than the period indicated therein, unless revoked, or renewed accordingly;
- b.) It shall only be exercised in compliance with conditions specified in the Deputation Order;
- c.) It shall not include the exercise of the power to arrest offenders, to conduct investigations or to prosecute the offenders in court.

SECTION 13. GROUNDS FOR REVOCATION. – The Deputation Order may be revoked by the Office of the City Mayor, as recommended by the Citizen Complaints Adjudication Board, even prior to the lapse of the period indicated therein on the following grounds:

- a.) Inaction of the deputized officer in implementing the provisions indicated in the OVR;
- b.) Ineffective execution of duties and responsibilities provided;
- c.) Commission of any act in contravention with the duties and responsibilities to be performed;
- d.) Abuse of authority by the deputized officers of the powers warranted by the Deputation Order;
- e.) **Three Strike Rule** – When the deputized officer issued an OVR for three instances where in fact no violation was committed;

The City Mayor shall the issue a Revocation Order upon commission of any of the preceding acts by the deputized officers or individuals.

RULE V - CITIZEN COMPLAINTS ADJUDICATION BOARD

SECTION 14. CREATION OF THE CITIZEN COMPLAINTS ADJUDICATION BOARD. - A body empowered to investigate and adjudicate complaints leveled against persons deputized by the City Mayor under this Ordinance to implement various city ordinances is hereby created. The said body shall be known as the Citizen Complaints Adjudication Board (the Board) and shall be comprised of the following individuals:





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- a.) **Chairperson** – shall be the officer in charge or head of the City Legal Services Office
- b.) **Members** – shall compose of The Head of the City Inspection and Compliance Unit (CICU) and the City Administrator

SECTION 15. POWERS OF THE BOARD. - The Board shall have the following powers:

- 1. Assist the City Mayor in assessing the performance of the deputies;
- 2. Formulate policies subject to the approval of the Mayor related to the day-to-day implementation of this Ordinance;
- 3. Submit proposed amendments to this Ordinance whenever the need to do so arises;
- 4. Hear all complaints filed against any deputy;
- 5. Formulate its own rules of procedures;
- 6. Summon deputies and other persons who may have knowledge or information related to a complaint;
- 7. Recommend the appropriate penalty/ies against any deputy who violated the terms of his/her deputation subject to the final approval of the Mayor; and
- 8. Perform such other duties as may be ordered by the City Mayor related to the implementation of this Ordinance.

RULE VI - DUTIES OF OFFICES AND AGENCIES.

SECTION 16. DUTY OF CITY GOVERNMENT DEPARTMENTS TO MONITOR AND SUPERVISE ORDINANCE IMPLEMENTATION. - All city government departments are hereby mandated to monitor and supervise the manner by which the deputies shall implement various city ordinances identified by the City Mayor in the deputation order he/she will issue. The said departments are likewise mandated to provide technical, material, and personnel support to the said deputies whenever necessary.

SECTION 17. INCENTIVE SCHEME. - The City of Bacoor shall be authorized to grant a form of monetary incentive to the deputized officers or individuals, drawn from the fines collected, subject to availability of funds and to existing and applicable accounting and auditing laws, rules, and regulations.

SECTION 18. REVENUE SHARING. - Pursuant to the recommendation of the City Accounting Office, City Budget Office, and Office of the City Treasurer, the deputized officers or individuals shall be granted a FIVE PERCENT (5%) incentive based on the apprehensions he/she made. The remaining NINETY-FIVE PERCENT (95%) of collections shall be credited to the general fund account to finance various programs and projects of the City Government. The incentive shall be taken from the collected fines and penalties and may be paid on a quarterly basis after submission of verified and certified Summary of Apprehensions by the implementing office. Disbursement of the collected revenue shall be subject to existing and applicable accounting and auditing laws, rules and regulations.

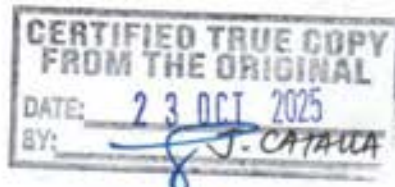




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SECTION 19. ANNUAL REVIEW. – The Sangguniang Panlungsod shall review how the City Ordinance No. 2023-261 is being implemented every year to ensure that it is not being abused and that the legislative objectives mentioned above are being achieved.

RULE VII - PENALTIES

SECTION 20. PENALTIES. – Any person who violates the terms and conditions of the powers delegated unto him/her by the City Mayor and any city government employee or barangay official who refuses to assist any deputy appointed by the City Mayor in the enforcement of any ordinance covered by the said delegation shall either – upon conviction by a court of law – pay a fine of P5,000.00, be imprisoned for three (3) months, or shall be made to pay the said fine and be imprisoned for the said period upon the discretion of a court of competent jurisdiction.

RULE VIII - MISCELLANEOUS PROVISIONS

SECTION 21. SEPARABILITY. – In case any provision of this Implementing Rules and Regulations is declared unconstitutional or void by a competent court of law, the remaining provisions hereof not affected by the said declaration shall remain valid.

SECTION 22. EFFECTIVITY. – This Implementing Rules and Regulations shall take effect immediately.





EXECUTIVE ORDER No. 60 - 2023
Series of 2023

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 228-2022 OTHERWISE KNOWN AS THE "UNIFORM
IMPLEMENTATION PROCEDURE ORDINANCE OF BACOOR"**

WHEREAS, Section 16 of R.A.No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, 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. 228-2022 entitled, *"An Ordinance Establishing the Uniform Procedure in the Implementation of City Ordinances in the City of Bacoor otherwise known as the Uniform Implementation Procedure Ordinance of Bacoor,"* with the intent to assist the department heads, unit heads officers of the City Government on the implementation of all prevailing City Ordinances;

WHEREAS, the Office of the City Mayor, in coordination with the concerned departments/agencies, issued the above-mentioned Implementing Rules and Regulations that shall govern the **"Uniform Implementation Procedure Ordinance of Bacoor"**;

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. 228-2022 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 228-2022 which shall form part of this Executive Order. This shall be known as the **"Implementing Rules and Regulations of Uniform Implementation Procedure Ordinance of Bacoor"**.

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.



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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.

Issued this 17th day of May 2023 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor

cc:
Sangguniang Panlungsod
City Administrator
And all City Government offices/departments/units concerned



Office of the Mayor
Strike B. Revilla



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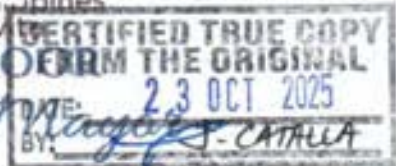
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Address: Bacoor Government Center, Talambuhay, Davao, Bataan City of Bacoor, Cavite
Trunkline: 434-1111 Website: www.bacoor.gov.ph



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**THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE
NO.228-2022 OTHERWISE KNOWN AS THE UNIFORM PROCEDURE IN
THE IMPLEMENTATION OF CITY ORDINANCES IN THE CITY OF
BACOR, CAVITE**

**RULE I
General Provisions**

SECTION 1. Title – These Rules shall be known and cited as the **Implementing Rules and Regulations (IRR) of City Ordinance No. 228-2022, Series of 2022**, entitled ***“An Ordinance Establishing the Uniform Procedure in the Implementation of City Ordinances in the City of Bacoor, Cavite.”***

SECTION 2. Purpose – These Rules and Regulations are promulgated to prescribe the procedures and guidelines for the implementation of Bacoor City Ordinance No. 228-2022, Series of 2022 in order to achieve its objectives and facilitate compliance therewith.

SECTION 3. Construction – These Rules and Regulations shall be construed and applied in accordance with and in furtherance of the policies and objectives of the Ordinance. Any item not specified in the provisions will be construed in accordance with the prefatory clauses of the Ordinance.

SECTION 4. Scope – This IRR shall cover all valid and binding ordinances passed by the Sangguniang Panlungsod of Bacoor and implemented by departments, units and offices of the City Government of Bacoor.

SECTION 5. Implementing Agencies – The implementing agencies, whose mandate shall commence upon the effectivity of this IRR and subject to consultation or coordination with other departments, units or offices for policy formulation or recommendation in relation to the implementation of this IRR, are all departments, units and offices of the City Government and Barangays in Bacoor mandated to implement an ordinance or various ordinances of Bacoor City, Cavite.

**RULE II
Policies and Objectives**

SECTION 6. Declaration of Policy – It is the declared policy of the City Government of Bacoor to pursue an efficient and effective governance of the City for the general welfare of all Bacooreños.

SECTION 7. Objectives – Consistent with this policy, it is the objective of the Ordinance to formulate a uniform set of procedures that will assist the department heads, assistant department heads, unit heads officers of the City Government on the implementation of all prevailing City Ordinances.

**RULE III
Definition of Terms**





SECTION 8. Definition of Terms – For purposes of this Implementing Rules and Regulations, these terms are defined as follows:

8.1 Law Enforcers – any employee or official of the city government, any barangay official, any police officer or barangay *tanod*, authorized by law or by a city ordinance to implement a particular city ordinance;

8.2 Offender/Violator – any natural person or juridical entity who, willfully or negligently, violates an Ordinance of the City of Bacoor;

8.3 Community Service – an alternative penalty imposed on any natural person or representative of a juridical entity found liable of violating an Ordinance of the City of Bacoor in lieu of his or her inability to pay the corresponding fine;

8.4 Child – a person under the age of eighteen (18) years old;

8.5 Mentally Incapacitated Person – a person suffering from any medically-recognized mental impairment, feeble-mindedness, retardation, or insanity;

8.6 Ordinance Violation Receipt – a ticket issued to an Offender/Violator by a law enforcer of a department, unit or office of the City Government of Bacoor following a violation of a City Ordinance being implemented by the same department, unit, or office where the law enforcer is employed.

8.7 Ordinance/s – a piece or pieces of legislation passed by the Sangguniang Panlungsod that remains valid and binding, not repealed, amended or superseded by subsequent legislation and is still being implemented in Bacoor City, Cavite.

RULE IV

Liability of Individuals or Juridical Entities

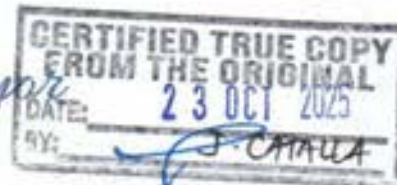
SECTION 9. Who may be held liable – All persons of legal age who violates, intentionally or unintentionally, an existing Ordinance of the City of Bacoor.

If in case the offender who violates an Ordinance is a juridical entity, such as a corporation, partnership or organization, the OVR shall be issued to its President, General Manager, Managing partner, or such other Officers-in-charge of the management of the business responsible for the violation.

SECTION 10. Who may be exempt from liability – A child Offender/Violator shall be exempt from any penalty provided in this Ordinance as well as from any of the following violations, light offenses and misdemeanor against public order and safety under Revised Penal Code or Ordinances enacted by the City of Bacoor intended as protection of children:

- a. Curfew violations;
- b. Truancy;
- c. Parental disobedience, including the Code of Parental Responsibility;
- d. Anti-smoking;
- e. Anti-drinking Ordinance;
- f. Disorderly conduct;
- g. Public scandal;





- h. Harassment;
- i. Drunkenness;
- j. Public Intoxication;
- k. Criminal nuisance;
- l. Vandalism;
- m. Gambling;
- n. Mendicancy;
- o. Littering;
- p. Public urination; and
- q. Trespassing.

This exemption shall in no way affect any other liability that may attach to the child based on a national law or statute.

In a similar manner, if Offenders/Violators are found to be suffering from mental incapacity at the time of the commission of the violation, no penalty shall be imposed to him or her. Provided that, the determination if a person is suffering from mental incapacity shall be the responsibility of the City Health Office through the conduct of psychological evaluation.

RULE V

Uniform Implementation Procedure

SECTION 11. Issuance of Ordinance Violation Receipt (OVR) – The various departments, units and offices of the City Government of Bacoor and all barangay units mandated to implement City Ordinances are directed to issue a Uniform Ordinance Violation Receipt (OVR) for every violation of Ordinances.

SECTION 12. Mandatory Use of OVR Design Template – All departments, units or offices of the City Government and all barangay units tasked to implement an ordinance is mandated to design an OVR subject to the approval of the City Mayor. However, the said OVR design must be patterned from the template provided by the Ordinance.

SECTION 13. Procedure in the Issuance of Ordinance Violation Receipt – The following procedures shall be observed by all law enforcers in the apprehension of any person who violates any City Ordinance:

13.1 Inform the violator of his/her violation;

13.2 Issue the OVR, indicating therein the name, address and other pertinent data of the person apprehended as may be required in the OVR, including the violation. The information shall be validated by presentation of competent evidence of identity of the person apprehended. Should the person apprehended have no available proof of identity, he/she must be identified by another person with their own competent evidence of identity;

13.3 Inform the violator of his/her right to avail of the No Contest Provision.

SECTION 14. No Contest Provision – Any offender who does not wish to contest the violation, and is willing to voluntarily pay the imposable fine prior to the filing of a





formal complaint before the Office of the City Prosecutor shall be allowed to pay the said fine at the City Treasurer's Office to avoid criminal prosecution.

SECTION 15. How to Avail – The No Contest Provision may be availed by the offender, after the issuance of an OVR, in the following manner:

15.1 A Violator who avails of the No Contest Provision must first secure an "Order of Payment" from the implementing department, unit or office concerned before paying the fine at the City Treasurer's Office;

15.2 After payment of the fine, the violator shall present the Official Receipt to the implementing department, unit or office of the City Government which shall then attach a Certified True Copy of the receipt to the documents of the case. Thereafter, the case shall be considered closed;

15.3 Within five (5) working days from the issuance of the OVR, the offender must pay the fine imposed;

15.3.1 The fine involved shall be the minimum imposable fine under the ordinance violated;

15.3.2 Where the Ordinance violated imposed fines for the first, second and third offenses and the law enforcer, based on a justifiable reason, cannot readily determine how many times the Offender have violated the Ordinance – the fine for the second offense shall be provisionally imposed upon the Offender. The provisionally imposed fine shall be corrected within twenty-four (24) hours by the implementing department, unit or office of the City Government or the Barangay;

15.3.3 If the Violator already availed of the No Contest Provision three (3) times within one (1) calendar year, he or she can no longer avail of the same and the corresponding complaint against the Violator based on the maximum imposable penalty for the violation of the Ordinance shall be filed before the Office of the City Prosecutor.

15.4 If after the lapse of five (5) days the violator has failed to present the Official Receipt evidencing the payment of the fine, the implementing department, unit or office shall push through with the filing of the respective complaint before the Office of the City Prosecutor, attaching therewith an Affidavit or Certification that the Offender failed to timely pay or did not avail the No Contest Provision.

Rule VI **Fines and Other Penalties**

SECTION 16. Primacy of the Original Ordinance's Mandate – In regard to the imposable fines and penalties, the provisions of the original City Ordinance shall govern primarily, while the Uniform Implementation Procedure Ordinance of Bacoor shall apply in a suppletory manner in the implementation of the original City Ordinance.





SECTION 17. Community Service – In cases where the Offender/Violator is financially incapable to pay the fine, the Offender/Violator may opt to render community service as follows:

For a penalty or fine of P1,000.00 and below	Eight (8) hours of community service
For a penalty or fine above P1,000.00 but not more than P3,000.00	Sixteen (16) hours of community service
For a penalty or fine above P3,000.00	Twenty (20) hours of community service

17.1 The Offender/Violator who alleges incapacity to pay the fine must secure a Certification to that effect from the City Social Welfare and Development Office which shall then assess the financial capacity of the said Offender/Violator;

17.2 The head of the department, unit or office of the City Government mandated to implement the Ordinance violated shall determine the kind of community service that will be performed by the Offender/Violator and shall also administer the same. Provided however, that the Community Service must be completed within one (1) month from notice;

17.3 After the completion of the community service, the head of the department, unit or office of the City Government shall submit a report to the City Inspection and Compliance Unit, which shall consider the case as closed;

17.4 Non-completion of the community service as certified by the head of the department, unit or office of the City Government concerned shall be deemed a waiver on the part of the Offender/Violator to still avail of the benefits provided in this Ordinance. Accordingly, the filing of the corresponding case before the Office of the City Prosecutor shall proceed without delay;

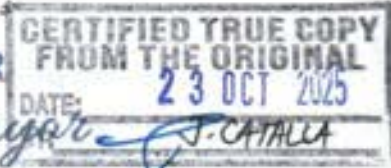
17.5 In the performance of community service, no Offender/Violator shall be ordered to perform tasks which can cause serious harm on or over-fatigue of the body, nor shall the Offender/Violator be subjected to public ridicule or any other punishment considered as cruel or unusual; and

17.6 Any Offender/Violator shall only be allowed to avail the performance of community service for a total of three (3) times.

SECTION 18. Revenue Sharing – Fines paid by the violators who availed of the No Contest provision, under Section 14 of this Rules, shall be equally shared by the City

Government and by the Barangay where the apprehension was made. The share of the Barangay in the said revenues shall form part of the Barangay Local Sources Fund, while the share of the City Government shall inure to its General Fund.





SECTION 19. Procedure in Handling of a Child Offender/Violator – The following procedure in handling a child Offender/Violator shall be observed by all the departments, units or office of the City Government as well as all barangay officials/personnel mandated to implement city ordinances:

- a. A child who is cited for violation of a City Ordinance shall be recorded as a "child at risk" and not a "child in conflict with the law". The child shall be surrendered to any Barangay Official at the respective Barangay Hall which has jurisdiction. This child, under the care of the Barangay, shall then be referred to the City Social Welfare and Development (CSWD) Office. The CSWD shall facilitate the release of the custody of the child to his or her parents or guardian. In the absence of the foregoing, the child's nearest kin.

If the parents, guardians, or nearest kin of the child Offender/Violator cannot be located, or if they refuse to take custody, the child may be released to any of the following persons:

1. A duly registered non-governmental or religious organization;
 2. A Barangay Official or a member of the Barangay Council for the Protection of Children (BCPC); or
 3. A social worker of the City Social Welfare and Development (CSWD) Office, or when and where applicable, of the DSWD.
- b. The City Social Welfare and Development Office (CSWDO) shall determine and design the intervention program for the child. The intervention program shall consist of counselling, attendance in group activities for children, etc. and for the parents, attendance in parenting education seminars as mandated under Republic Act 10630 and its implementing rules.
 - c. If the child has been found by the CSWDO to be dependent, abandoned, neglected or abused by his or her parent and the best interest of the child requires that he or she should be placed in the "Bahay Kalinga halfway house" or any similar facility being operated by the City Government, the child's parents or guardian shall execute a written authorization for the voluntary commitment of the child. Provided, that if the child has no parents or guardians or if they refuse or fail to execute the written authorization for voluntary commitment, the proper petition for involuntary commitment shall be immediately filed by the CSWDO pursuant to Section 6 of Republic Act No. 10630, amending Section 20 of Republic Act No. 9344.
 - d. Section 21 of Republic Act No. 9344, pertaining to the "Procedure for taking the child into custody" shall at all times be observed by any law enforcer who takes a child into custody.

RULE VII

Duties and Responsibilities of Implementing Agencies

SECTION 20. Duties of the City Inspection and Compliance Unit – The City Inspection and Compliance Unit (CICU) shall be the secondary authority that is tasked to implement and enforce all City Ordinances that are not being effectively implemented by the department, unit or office of the City Government concerned.





The City Inspection and Compliance Unit shall likewise monitor the compliance of all the departments, units and offices of the City Government of Bacoor and all Punong Barangays with regard to their corresponding duties under this Rule in this IRR.

SECTION 21. Duties of the Office of the City Legal Service – The Office of the City Legal Service is hereby empowered to initiate the filing of cases within a reasonable period of time with the Office of the City Prosecutor against the Offenders/Violators of all City Ordinances.

Should any law enforcer, head, assistant head or duly authorized representative employee of the department, unit or office or any Punong Barangay of all barangay units be found to unjustly refuse to perform their duty or act in excess of their mandate by the Office of the City Legal Service, the responsible individual shall be held liable in accordance with law for possible malfeasance, misfeasance or nonfeasance.

SECTION 22. Duties of the Implementing Agencies of the City Government of Bacoor – The departments, units and offices of the City Government of Bacoor and all barangay units mandated to implement City Ordinances, is hereby tasked to finalize their specified OVRs and submit the same to the City General Services Office within thirty (30) days upon the approval of this IRR. The required details that must appear on the OVR are shown in the OVR design template in the Ordinance, which includes the personal circumstances of the Offender, the City Ordinance violated, date and time of Commission, among others.

The department, unit and office of the City Government of Bacoor mandated to implement the respective ordinances shall take custody of, and be accountable for, all the OVRs printed for use in the enforcement of City Ordinances.

The Punong Barangay of all barangays in Bacoor that is mandated to implement an Ordinance shall also be given copies of the OVR and shall likewise be held accountable for their misuse or loss.

To maintain an updated database, the departments, units and offices of the City Government of Bacoor and all Punong Barangay are required to furnish the E-Governance Department of all their issued OVRs within a week or seven (7) calendar days after it was issued.

SECTION 23. Duties of the City General Services Office – The City General Services Office (GSO) is hereby authorized to secure the printing of sufficient copies of the OVR for all the departments, units and offices of the City Government of Bacoor within a reasonable time based on their respective specifications submitted to the GSO.

SECTION 24. Duties of the E-Governance Department – The E-Governance Department is mandated to keep digital copies of all OVRs issued by all departments, units, offices and Barangays responsible for the implementation of City Ordinances and to gather data related to the implementation of this Ordinance and all other City Ordinances.





Moreover, the E-Governance Department is mandated to maintain a database that may be readily accessed online by the various courts of law and city prosecutors in the City of Bacoor that will visibly show the following:

- a. The name, age, and address of the Offender/Violator who was issued with an OVR;
- b. The date and place of commission;
- c. The Ordinance violated;
- d. The fine paid by the Offender/Violator in case he or she availed of the No Contest Provision;
- e. The status of the case, in case the Offender/Violator did not avail the No Contest Provision or was required to do community service instead; and
- f. The record of frequency that an Offender/Violator has violated an Ordinance/Ordinances.

SECTION 25. Persons Deputized to Enforce Ordinances – Barangay Officials, including Barangay Tanods are hereby deputized as agents in the enforcement of all City Ordinances. If the City Mayor deems necessary, the City Mayor may also deputize the members of the Philippine National Police (PNP) assigned in Bacoor City, Officers Homeowners' Associations or other People's Organizations to assist the City law enforcers in the enforcement of Ordinances.

RULE VII Final Provisions

SECTION 15. Separability Clause – If for any reason or reasons, any provision of this IRR is declared invalid or unconstitutional by a court of competent jurisdiction, the remaining parts thereof not affected shall continue to be in force and effect.

SECTION 16. Repealing Clause – All existing Executive Orders, Memoranda, Circulars, Rules and Regulations inconsistent with the provisions of these Implementing Rules and Regulations are hereby amended or repealed accordingly.

SECTION 17. Effectivity Clause – This IRR shall take effect immediately upon its approval by Honorable City Mayor.

