



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
Municipality of Siayan



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF
SIAYAN, ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE
12TH DAY OF MARCH, 2018.

PRESENT:

Hon. Daisy A. Limbang, Presiding Officer,
Hon. Raul P. Dominise, Presiding Officer Pro-Tempore,
Hon. Emelyn P. Alumbre, Majority Floor Leader,
Hon. Nadine R. Pollescas, Minority Floor Leader,
Hon. Norma R. Labastida,
Hon. Primitivo D. Castillo, Asst. Majority Floor Leader,
Hon. Ma. Roselyn G. Secretario,
Hon. Oliver A. Romero,
Hon. Vanessa Lyn B. Atuy,
Hon. Alberto J. Bongcawel, LIGA President,
Hon. Johnny C. Anugon, Sr., IPMR,

Municipal Vice Mayor
Sangguniang Bayan Member

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ABSENT:
None

"MUNICIPAL ORDINANCE NO. 18-03
Series of 2018

AN ORDINANCE CREATING THE MUNICIPAL DANGEROUS DRUGS ADMINISTRATIVE BOARD.

SECTION 1. TITLE - This Ordinance shall be known as the "SIAYAN DANGEROUS DRUGS
ADMINISTRATION BOARD".

SECTION 2. COMPOSITION - The Siayan Dangerous Drugs Administrative Board is hereby
composed of the following:

- a. The Municipal Health Officer as chairperson;
- b. The Municipal Administrator as member;
- c. The chief of Police as member

SECTION 3. POWERS AND DUTIES- The following are the powers and duties of the Siayan
Dangerous Drugs Administrative Board:

- a. Receive complaints for the abatement of drug related public nuisances;
- b. Conduct hearings in connection with the foregoing sub-section;
- c. Declare the place or premises in question as drug related public nuisance if the circumstances so
warrant; and
- d. Abate drug related public nuisances.

SECTION 4. ABATEMENT OF DRUG RELATED PUBLIC NUISANCES- Pursuant to Section 52 of
Republic Act 9165 and its implementing Rules and Regulations, otherwise known as The Comprehensive
Dangerous Drugs Act of 2002, any place or premises which have been used on two or more occasions as the
site of the unlawful sale or delivery of dangerous drugs, or used as drug dens for pot sessions and other
similar activities may be declared to be a public nuisance and such nuisance may be abated under the
following procedures:

- a. Any employee, officer, or resident of Siayan may bring a complaint before the Siayan
Dangerous Drugs Administrative Board after giving not less than (3) Days written notice of such
complaint to the owner of the place or premises at his/her last known address;
- b. Within three (3) days from receipt of the complaint, a hearing shall then be conducted by the
Siayan Dangerous Drugs Administrative Board, with notice to both parties and the
administrative board may consider any evidence submitted, including evidence of general
reputation of the place or premises;

- c. The owner/manager of the premises or place shall also be given an opportunity to present any evidence in his/her defense;
- d. After hearing, the Administrative Board may declare the place or premises to be a public nuisance; and;
- e. The hearing shall be terminated within ten days (10) from commencement.

SECTION 5. HONORARIA FOR MEMBERS OF THE ADMINISTRATIVE BOARD - The members of the Administrative Board shall be entitled to receive honoraria in the following manner:

- a) Five Hundred pesos (P500.00) per month for the chairperson; and
- b) Four Hundred pesos (P400.00) per month for every member.

SECTION 6. EFFECT OF THE ADMINISTRATIVE BOARD DECLARATION - Pursuant to Section 53 of Republic Act 9165 and its Implementing Rules and Regulations; if the administrative board declares a place or premises to be a public nuisance, it shall issue an order immediately prohibiting the conduct, operation or maintenance of any business or activity which is conducive to such nuisance.

The city Mayor shall implement the order of the administrative board within fifteen (15) days from receipt thereof and shall implement the order of the administrative board within fifteen (15) days from receipt thereof and shall assume full responsibility in seeing to it that the order is immediately complied with.

The order issued by the administrative board shall expire after one (1) year from the date of issuance, or at such an earlier time as stated in the order. The administrative board may bring a complaint seeking a permanent injunction against any nuisance described under R.A 9165 and its Implementing Rules and Regulations.

The administrative board, upon showing that the place is no longer a public nuisance, may conduct hearing with the complaint duly notified for the possible lifting of the order.

SECTION 7. WITHOUT PREJUDICE TO THE FILING OF A CRIMINAL CASE, AND THE DECLARATION/OR ABATEMENT OF ANY NUISANCE UNDER THE CIVIL CODE AND THE LOCAL GOVERNMENT CODE OF THE PHILIPPINES - This ordinance is without prejudice to the filing of a criminal case against the owner of a place or premises declared as drug related public nuisance pursuant to Section 6 of R.A 9165. This does not restrict the right of any person to proceed under the Civil Code on public nuisance. Neither shall this restrict the power of the Sangguniang Bayan to declare and/or abate any nuisance under Section 458 (a) (4) (i) of the local Government Code.

SECTION 8. APPROPRIATION - The amount of at least One Hundred Thousand Pesos (PhP 100,000.00) shall be appropriated annually for the effective implementation of this ordinance.

SECTION 9. SEPARABILITY CLAUSE - Any provision of this ordinance found to be unconstitutional shall not affect the other which shall remain to be in full force and effect.

SECTION 10. REPEALING CLAUSE - Any ordinance found to be inconsistent with this shall be deemed repealed or modified accordingly.

SECTION 11. TRANSITORY PROVISION - The amount appropriated in the 2018 Municipal Development Plan for Anti-Drug Abuse Program shall also cover expenses for the implementation of this Ordinance until such time that a regular appropriation be enacted under Section 8 hereof.

SECTION 12. EFFECTIVITY - This ordinance shall take effect immediately.

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.

MARCELO S. EGUANAN
Local Legislative Staff Officer II
(Secretary to the Sanggunian - Des.)


PAUL P. DOMINISE
SB Member


EVELYN P. ALUMBRE
SB Member


NADINE R. POLLESCAS
SB Member


NORMA R. LABASTIDA
SB Member



PRIMITIVO D. CASTILLO
SB Member



MA. ROSELVYN G. SECRETARIO
SB Member

OLIVER A. ROMERO
SB Member


VANESSA LYN E. ATUY
SB Member


ALBERTO F. BONGCAWEL
LIGA President - SB Member


JOHNNY C. ANUGON, SR.
IPMR - SB Member


CERTIFIED CORRECT
AS TO ITS PASSAGE:

DAISY A. LIMBANG
Municipal Vice Mayor
(Presiding Officer)

APPROVED:


FLORA L. VILLAROSA
Municipal Mayor
2/16/14