



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
20TH DAY OF JULY 2020.**

PRESENT:

Hon. Primitivo D. Castillo, Presiding Officer,	Municipal Vice Mayor
Hon. Emelyn P. Tulawe, Presiding Officer Pro- Tempore	Sangguniang Bayan Member
Hon. Vanessa Lyn B. Atuy,	-do-
Hon. Oliver A. Romero, Floor Leader	-do-
Hon. Ma. Rosely G. Secretario,	-do-
Hon. Rico V. Jamisola,	-do-
Hon. Rey L. Anugon, Assistant Floor Leader	-do-
Hon. Alfredo R. Labastida R. Labastida	-do-
Hon. Phil A. Saraga, SK Fed. President,	-do-
Hon. Maribel C. Okay, ABC President,	-do-
Hon. Johnny C. Anugon, Sr., IPMR,	-do-

ABSENT:

Hon. Estrella S. Zapatos,	-do-
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PREFATORY STATEMENT

The Sangguniang Bayan of this municipality had acted Municipal Ordinance No. 19-18, Series of 2019 known as "AN ORDINANCE PROVIDING MEASURES ON DENGUE PREVENTION AND CONTROL TO INSTILL HEALTH CONSCIOUSNESS AND PENALIZING VIOLATORS THEREOF AND ALLOCATING FUNDS THEREFORE".

Such Municipal Ordinance No. 19-18 was submitted to the Honorable Sangguniang Panlalawigan for review and appropriate action, unfortunately it was returned without favorable action under SP Resolution No. 415, dated June 8, 2020 due to its findings, to wit:

- Section 7 of the ordinance under review a penalty of community service on violators of the ordinance.
- Under Section 447 (a) (iii) of RA 7160, the Sangguniang Bayan has the power to approve ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment for period not exceeding six (6) months, or both in the discretion of the court, for violation of a Municipal Ordinance.
- Community service has not mentioned in the above-quoted section of the Local Government Code because imprisonment and/or fine are the only penalties allowed by the Code for the Local Sanggunian to impose. The local sanggunian cannot add through an ordinance another kind of penalty other than the two mentioned.

Considering the above observations, the Sangguniang Panlalawigan recommended that the penalty of community service shall be made an option in case the violator is unable to pay but not as the main penalty hence these amendments.

BE IT ORDAINED by the Sangguniang Bayan in session assembled:

**"MUNICIPAL ORDINANCE NO. 20-19
Series of 2019**

SECTION I. TITLE. This shall be known as an **"AN ORDINANCE AMENDING SECTION 7 ON PENAL PROVISIONS OF MUNICIPAL ORDINANCE NO. 19-18, SERIES OF 2019.**

SECTION II. AMENDMENTS. That Section 7 of Municipal Ordinance No. 19-18 is hereby amended, viz:

"SECTION 7. PENALTIES. The following penalties shall be imposed on violators of this ordinance:

a. Violation of Section 5 for person-in-charge of houses:

i. First Offense – P250.00

ii. Second and Subsequent Offenses – P500.00

b. Violation of Section 5 for person-in-charge of establishments:

i. First Offense – P500.00

ii. Second and Subsequent Offenses – P1, 000.00

iii. For humanitarian considerations as the case maybe, if the violator has no capacity to pay or unable to pay the penalty reflected above has the option to render community service. The community services herein specified shall be determined and/or enforced by the Municipal General Services Office depend on the number of hours equivalent to the offenses he/she committed."


SECTION III. SEPARABILITY CLAUSE. That Municipal Ordinance No. 19-18, Series of 2019 is still in effect and enforceable as amended.

SECTION IV. EFFECTIVITY. This Ordinance shall take effect upon approval.

Enacted this 20th day of July 2020.

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

**CERTIFIED CORRECT
AS TO ITS PASSAGE:**


PRIMITIVO D. CASTILLO
Municipal Vice Mayor
(Presiding Officer)


WILFREDO Q. DOMPALES
Sangguniang Bayan Secretary

APPROVED:


JOSECOR S. GEPOLONGCA
Municipal Mayor

JUL 22 2020