

MUNICIPAL BOARD
Office of the Secretary
Ormoc City

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE MUNICIPAL
BOARD OF ORMOG CITY, PHILIPPINES, HELD AT ITS SESSION HALL
ON DECEMBER 21, 1962

Hon. Francisco D. Aviles,	City Councilor, Presiding
Hon. Guillermo T. Parrilla,	City Councilor
Hon. Marcelino S. Conopio,	City Councilor
Hon. Francisco D. Abas,	City Councilor
Hon. Jesus B. Lladoc,	City Councilor
Hon. Teotimo P. Ocubillo,	City Councilor
Hon. Cesar Samson,	City Councilor

ABSENT:

Hon. Rafael M. Mejia,	Vice-Mayor & Presiding Officer
(waived the Chair to Councilor Aviles)	
Hon. Benjamin T. Pongos,	City Councilor

RESOLUTION NO. 315

"WHEREAS, experience has indubitably shown that the provisions of the ordinance imposing curfew hours (Ordinance No. 1, series of 1958) have caused many persons to be subjected to inconvenience and embarrassing situations by reason of strict and stunted interpretation of certain sections thereof said provisions being broad and encompassing that even a person below the age limit provided therein can be arrested for violation of said ordinance if he stays outside his residence or home during the prohibited hours even within a few meters away;

"WHEREAS, while this is not the spirit and scope of the ordinance, its implementation by law-enforcement agents can put within the punitive tentacles of the ordinance persons not subject thereof simply because of semantic inaccuracies;

"WHEREAS, there is no gain saying that this ordinance seeks to prevent the upsurge or incidence of juvenile delinquencies or vandalistic acts of teenagers who, in diabolical spirits or, perhaps, ignited by alcoholic stimulants, transgress the penal statute books with impunity and with sangfroid, and this state of affairs can very well be controlled or stopped by prescribing curfew hours for these teenagers during which time these young boys shall be held in rein;

"WHEREAS, it becomes necessary that the curfew hours be moved back to 10:00 in the evening because the 11:00 P.M. thus provided as the start of the curfew hours practically renders the ordinance nugatory as people, old and young, are already long past in bed;

"NOW, THEREFORE, the Board, on motion of Councilor Abas, seconded by Councilor Lladoc;

"RESOLVED, as it is hereby resolved, to adopt:

ORDINANCE NO. 12

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 1 DATED FEBRUARY 14, 1958, ENTITLED "AN ORDINANCE IMPOSING CURFEW HOURS TO PERSONS UNDER TWENTY YEARS OF AGE AND PROVIDING PENALTIES FOR VIOLATION THEREOF" AND FOR OTHER PURPOSES

BE IT ORDAINED by authority of the Municipal Board of Ormoc City, Philippines, pursuant to the provisions of Republic Act 179, as amended by Republic Act 429, otherwise known as the Charter of Ormoc City, that:

SECTION 1. - Section 1 of Ordinance No. 1 dated February 14, 1958, is hereby amended to read as follows:

'SECTION 1. - It shall be unlawful for any minor person of any sex below twenty (20) years of age to loiter, roam, saunter, or wander in any public or private street, road, alley, park, plaza, market, beach or any other public places, or be found in restaurants, carenderias, refreshment parlors, or stores where food or drink is usually served or offered for sale between ten o'clock in the evening (10:00 P.M.) and four o'clock in the morning (4:00 A.M.) when not accompanied by any parent, guardian, or adult in charge of his or her custody, PROVIDED, HOWEVER, that an emancipated minor or minor person released from parental authority in accordance with law shall not be subject to the provisions hereof.'

SECTION 2. - Section 2 of Ordinance No. 1 dated February 14, 1958, is hereby amended to read as follows:

'SECTION 2. - Any person under twenty (20) years of age, who, in pursuance of an urgent or emergency purpose or mission, shall go outside his house or residence during the prohibited hours, shall accompany himself with any person twenty (20) years of age or over, except when such person has no relative or kin or friend to accompany him in such urgent or emergency purpose or mission.'

SECTION 3. - The provisions of Section One hereof shall not be applicable to minors below twenty (20) years of age, attending or participating in, or going home from, scholastic functions, commencement exercises, convocations, educational and religious programs, or in wholesome and decent assemblage, and during Yuletide Masses, New Year's Eve and Holy Week cults, during the hours mentioned above;

Neither shall said provisions of Section One be applicable to persons subject hereof in cases of "emergency" like, commotion, floods, earthquakes, or other calamities, when such minors run for cover or escape to places of safety, or when such minors are on an errand to protect or save life and/or property; and also to minors who are enroute to their homes or houses of temporary stay during the said hours mentioned above after their arrival or landing in the City of Ormoc by land or sea conveyances;

For purposes of this Ordinance the word "emergency" shall be defined as an unforeseen circumstance or combination of circumstances which calls for immediate action.

SECTION 4. - Parents, guardians, or persons in charge of the custody of such minors shall be responsible for the civil liabilities of such minors;

SECTION 5. - Any person who violates any of the foregoing provisions shall, upon conviction by competent court, be punished with a fine of not more than two hundred pesos (P200.00) or an imprisonment of not more than fifteen (15) days or both such fine and imprisonment in the discretion of the Court.

SECTION 6. - This Ordinance shall take effect immediately upon its approval.

ENACTED, December 21, 1962.

APPROVED, December ____, 1962.

"RESOLVED, FINALLY, to furnish a copy of this resolution each to the Honorable Municipal Judge, the Honorable City Attorney and the Chief of Police, all of Ormoc City;

"CARRIED UNANIMOUSLY."

I hereby certify to the correctness of the above-quoted resolution-ordinance.

(SGD) [Signature]
Secretary

ATTESTED:

(SGD) FRANCISCO D. AVILES
City Councilor
Presiding Officer

APPROVED:

(SGD) ESTEBAN C. COMPOS
City Mayor

ATTESTED AS APPROVED:

(SGD) LUCAS DE LOYOLA
Secretary to the City Mayor

A True Copy:

Parrilla
ROBERTO V. PARRILLA
Private Secretary
September 2, 1970