

MUNICIPAL BOARD
Office of the Secretary
Ormoc City

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE MUNICIPAL
BOARD OF ORMOC CITY, PHILIPPINES, HELD AT ITS SESSION HALL
ON APRIL 10, 1963, in LIEU OF APRIL 12, 1963

PRESENT:

Hon. Francisco D. Aviles, City Councilor, Presiding
Hon. Benjamin T. Pongos, City Councilor
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

RESOLUTION NO. 66

"WHEREAS, there is need for improving, strengthening and raising the present level of morality and discipline of the men and officers of the Ormoc City Police Department in order to make it truly worthy of being called 'ORMOC'S FINEST';

"WHEREAS, to this end, certain acts or omissions involving officers and members of the Ormoc City Police Department deserve to be enumerated, defined and penalized as offenses or misdemeanors and punished accordingly;

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

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

ORDINANCE NO. IV

AN ORDINANCE DECLARING CERTAIN ACTS BY MEMBERS AND OFFICERS OF THE ORMOC CITY POLICE DEPARTMENT UNLAWFUL AND TO PRESCRIBE PENALTIES THEREFOR.

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. It shall be unlawful for any member or officer of the Ormoc City Police Department:

1. To wilfully disobey lawful orders by superior officers;
2. To refuse assistance to any person by reason of his race, nationality, religion, social position or political affiliation;
3. To wilfully maltreat or use unnecessary violence upon any person without sufficient justification;
4. To use force against a prisoner or suspect, except when necessary in the prevention of escape, or in self-defense, or in defense of a third person or stranger as provided for by law;
5. To report for duty while under the actual influence of liquor or alcoholic beverage in drunken condition;
6. To drink liquor or alcoholic beverage while on duty;
7. To disturb the peace or create public disturbance by false alarm, or by reason of his misconduct;
8. To suggest or recommend to any person arrested or any person under arrest a particular attorney to be his legal counsel, or a particular bonding firm to furnish his bail bond, or to solicit clients for any particular attorney or for any particular firm engaged in the business of furnishing bail bonds;

9. To use his badge, uniform, identification card, or official position to solicit special favor or privilege for his own benefit or for others, except as may be expressly permitted in departmental orders;

10. To use his official position as a means of forcing or intimidating his opponents in a criminal, civil or administrative action for the purpose of obtaining a settlement favorable or advantageous to his side;

11. To permit illegal acts to be done in his presence or with his knowledge or consent, with or without consideration;

12. To cause to be published or broadcast any oral or written statement tending to bring the Ormoc City Police Department or its administrative officers into discredit or ridicule without prior permission or approval of the City Mayor;

13. To buy or accept any article for personal disposition from any suspect or prisoner, or from any associate of any suspect or prisoner;

14. To borrow money or receive money as a gift or reward from known police character, prisoner, person arrested or under arrest, or from persons who are known to be engaged in smuggling or to be maintainers of gambling dens or houses of prostitution;

15. To confiscate money or other property from suspects or prisoners without issuing receipt therefor and turning over the same to the Desk Sergeant or to any duly authorized officer;

16. To convert to his personal use any property found by him while on duty or received by him in his official capacity, or any property held as evidence;

17. To lend firearm, ammunition, badge or identification card or any police equipment to any unauthorized person;

18. To sleep while on duty;

19. To abandon his post or leave his place of assignment without prior permission from his immediate superior officer;

20. To guide customers to bowdy houses or houses of ill repute when not on official mission. By the word "customers" is meant persons who habitually frequent places of ill repute or those who have the intention to indulge in immoral or lecherous acts in the houses of ill repute;

21. To enter illegal gambling dens when not on official mission;

22. To discriminate in handling matters or cases brought to his attention as such peace officer for proper action or disposition;

23. To engage openly in political activities except to vote;

24. To use police vehicles to transport members of his family or other unauthorized persons, except on emergency cases;

25. To reveal to any unauthorized person any information in his possession, however obtained, which may enable anyone to escape detection, arrest or prosecution, or enable one to destroy evidence, or to hide, destroy or withhold stolen property;

26. To discharge firearms without any lawful purpose or reasonable justification;

27. To use departmental stationery in corresponding ~~any~~ with any private individual or any unauthorized person for any purpose other than the transaction of official business; and

28. To use abusive, insulting or indecent language to any person.

SECTION 2. It shall likewise be unlawful for any member or officer of the Ormoc City Police Department:

1. To enter any place of amusement while on duty, unless the nature of his work or mission at the time requires him to do so;

2. To toy with his firearm in public;

3. To dance in cabarets, night clubs, dance halls and other places, private or public, while on duty, whether in uniform or in plainclothes;

4. To have his shoes polished while on duty;

5. To intervene in facilitating the issuance of, or in fixing the release of drivers' licenses, either with the Motor Vehicles Office, with the Traffic Officers, or with the Traffic Division of the Ormoc City Police Department;

6. To solicit Christmas or birthday presents or any gift or contribution whatsoever under any guise from any person, except relatives within the fourth civil degree of consanguinity or affinity, or business establishment for himself or for any other public official, employee or person;

7. To drive or operate any motor vehicle without a proper driver's license or permit;

8. To teach or enroll in any private or public school without prior written permission from the City Mayor;

9. To go outside the Ormoc City limit without prior written or oral permission from the Chief of Police or Officer Incharge, except when he is on sick or vacation leave, or on official business;

10. To report for duty without wearing the proper or prescribed uniform, unless there was prior written permission from the Chief of Police or Officer Incharge of the office; and

11. To show discourtesy by not saluting elective national public officials, and those of the City of Ormoc, the Philippine Constabulary, Battalion Combat Team, or Armed Forces of the Philippines officers.

SECTION 3. Commission of any of the acts enumerated in Section 1 hereof shall be punished by an imprisonment of not more than ten days or by a fine of not more than FIFTY PESOS or by both such fine and imprisonment at the discretion of the Court; and commission of any of the acts enumerated in Section 2 hereof shall be punished by imprisonment of not more than FIVE DAYS or by a fine of not more than TWENTY-FIVE PESOS or by both such imprisonment and fine at the discretion of the Court.

SECTION 4. This Ordinance shall take effect immediately upon its approval.

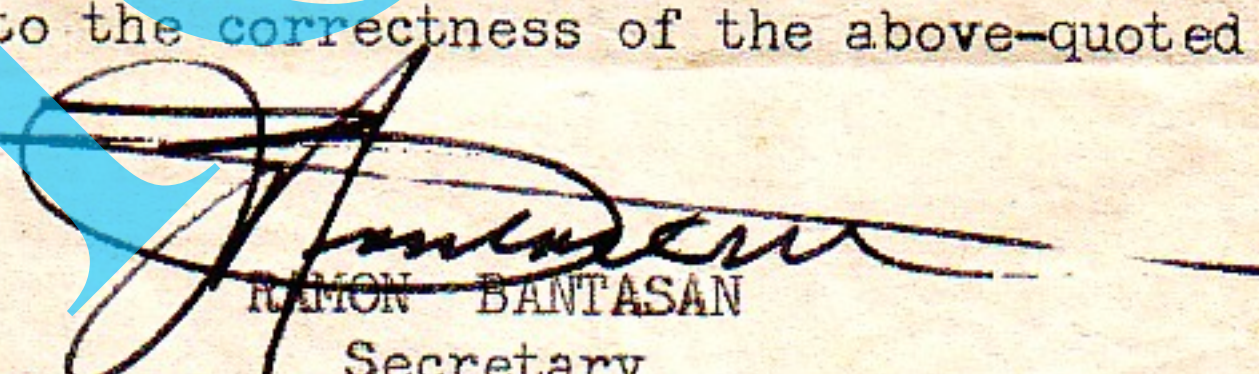
ENACTED, April 10, 1963.

APPROVED, April ____, 1963.

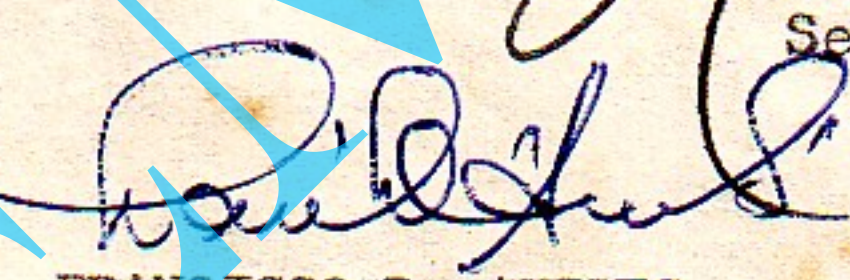
"RESOLVED, FINALLY, to furnish a copy of this resolution-ordinance each to the Chief of Police and all other officers and members of the Ormoc City Police Department, the Municipal Judge, the City Attorney, the City Treasurer and the City Auditor, all of Ormoc City;

"CARRIED UNANIMOUSLY."

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

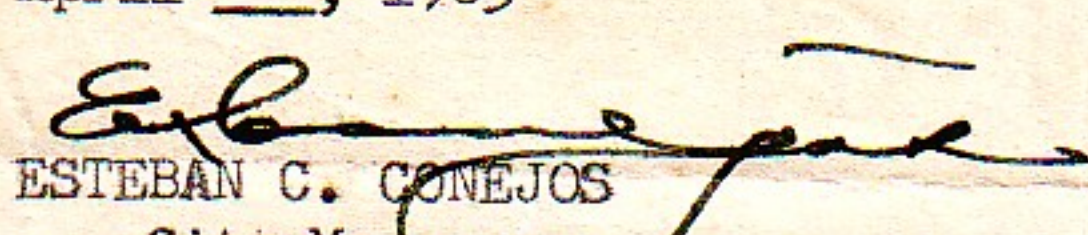

RAMON BANTASAN
Secretary

ATTESTED:



FRANCISCO D. AVILES
City Councilor
Presiding Officer

APPROVED:

April 20, 1963


ESTEBAN C. CONEJOS
City Mayor

ATTESTED AS APPROVED:


MAXIMO MALINAO
Secretary to the City Mayor