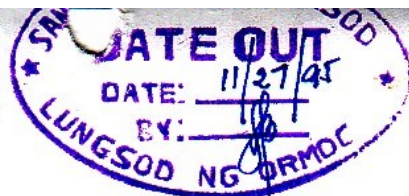
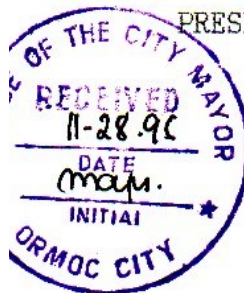


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON NOVEMBER 23, 1995

PRESENT:



Hon. Benjamin F. Tugonon,	Vice-Mayor & Presiding Officer
Hon. Celso P. Adolfo,	Majority Floor Leader, Kagawad
Hon. Claudio P. Larrazabal,	Asst. Majority Floor Leader, Kagawad
Hon. Benjamin B. Lladoc,	Kagawad
Hon. Sotero M. Pepito,	Kagawad
Hon. Alfredo F. Capahi,	Kagawad
Hon. Manuel T. Fiel,	Kagawad
Hon. Jose C. Alfaro, Jr.,	Kagawad
Hon. Gregorio A. Yrastorza, Jr.,	Kagawad
Hon. Mariano Y. Corro,	Minority Floor Leader, Kagawad
Hon. Fernando P. Parrilla,	Chapter Pres., Liga ng mga Barangay ng Ormoc, Ex-Officio, Kagawad



ABSENT:

Hon. Jose B. Conejos,	Kagawad
Hon. Angelyn R. Paca,	(On Leave), SK Federation President, Ex-Officio, Kagawad

RESOLUTION NO. 95-136

EXPLANATORY NOTE

The present Curfew Ordinance for Minors embodied in Ordinance No. 1, enacted on February 14, 1958 of the then Municipal Board of Ormoc City, is now 37 years old and has now become anachronistic, hence requires revision, especially that the age of majority has now been reduced to 18 years old under Republic Act 6809.

Article 139 of The Child and Youth Welfare Code (PD No. 603) authorizes City Councils to prescribe such curfew hours for children as may be warranted by local conditions.

Likewise, Section 458, par. (a) (i) (v) of the Local Government Code of 1991 (RA No. 7160) empowers Sangguniang Panlungsod to enact Ordinances intended to prevent, among others, juvenile delinquency.

WHEREFORE, foregoing premises considered, on motion of Kagawad Mariano Y. Corro, Chairman, Committee on Laws and Ordinances, severally seconded by mga Kagawad Fernando P. Parrilla, Celso P. Adolfo, Benjamin B. Lladoc and Alfredo F. Capahi; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to adopt:

ORDINANCE NO. 52

AN ORDINANCE REVISING ORDINANCE NO. 1 ENACTED ON FEBRUARY 14, 1958, AS AMENDED, ENTITLED: "AN ORDINANCE IMPOSING CURFEW HOURS TO PERSONS UNDER 20 YEARS OF AGE, AND PROVIDING PENALTIES FOR VIOLATIONS THEREFOR".

BE IT ORDAINED by the 7th Sangguniang Panlungsod ng Ormoc, That:

SECTION 1. This Ordinance shall be known and cited as the 1995 CURFEW ORDINANCE FOR MINORS.

SECTION 2. The City Government of Ormoc hereby adopts the policy that the child is one of the most important assets of the nation. Every effort should be exerted to promote his welfare and enhance his opportunities for a useful and happy life. To this end, special measures shall be adopted to prevent the child from becoming addicted to intoxicating drinks, narcotic drugs, smoking, gambling and other vices or harmful practices.

SECTION 3. The child should not be allowed to stay out late at night to the detriment of his health, studies or morals.

SECTION 4. As used in this Ordinance, CHILD or MINOR refers to persons below 18 years old.

SECTION 5. It shall be UNLAWFUL for any child of any gender to wander, saunter or loiter on any public or private street, road, alley, park, plaza, wharf, public market, beach or any other public place, and similar places but not limited to, restaurants, cenderias, refreshment parlors, or stores where food or drink is usually served or offered within the territorial jurisdiction of the City of Ormoc between TEN (10:00) o'clock in the evening and four (4:00) o'clock in the morning of the following day EXCEPT when accompanied by any parent, guardian or any responsible person of legal age.

SECTION 6. The prohibited acts mentioned in the next preceding section do not apply to minors attending at or participating in, or proceeding to or going home from, scholastic functions, commencement exercises, convocations, educational and/or religious programs, or in wholesome and decent social functions/assemblage, and during Yuletide Masses, New Year's Eve and Holy Week cults.

Neither shall the provisions of Section 5 hereof be applicable to "EMERGENCY CASES OR SITUATIONS" when MINORS run for cover or escape to places of safety when confronted or impelled by imminent danger to his life and limbs or his property, or to save the life or property of another which is in jeopardy of being lost or damaged, and also in cases where such MINORS are enroute to their homes or houses of temporary stay upon their arrival in Ormoc City by land or sea transportation, or proceeding to transportation terminals to take public transport.

For purposes of this Ordinance, the words "EMERGENCY CASES OR SITUATIONS" refer to an unforeseen circumstances or combination of circumstances which call for immediate action. It may also refer to "Fortuitous Events".

SECTION 7. Parents or guardians are responsible for the damage caused by the child under their parental authority in accordance with the Civil Code of the Philippines.

SECTION 8. Any parent or guardian found grossly negligent in the performance of his duties as such parent or guardian over the delinquent minor shall be admonished by the City Social Welfare and Development Officer.

SECTION 9. Any person found by competent court guilty of violating Section (5) hereof, shall be punished with a FINE of not more than Five Hundred Pesos (P500.00) or IMPRISONMENT of not more than twenty (20) days or both such fine and imprisonment at the discretion of the Court subject to the provisions of Article 189 of the Child and Youth Welfare Code, as amended by (PD 603).

SECTION 10. A person whether the parent or guardian of a youth or youth offender shall be punished upon conviction with a fine not exceeding Five Hundred (P500.00) Pesos or imprisonment not exceeding 20 days or both such fine and imprisonment at the discretion of the Court if he knowingly or willfully-

- a) aids, causes, abets or connives with the commission by the Child of a delinquency; or
- b) does any act producing, promoting or contributing to a child's being or becoming a delinquent or youth offender.

"DELINQUENCY" as used in this Ordinance shall refer to a violation of a law, ordinance or rule which is punishable by imprisonment or fine or both.

SECTION 11. Ordinance No. 1, enacted on February 14, 1958, as amended by Ordinance No. 12 enacted on December 21, 1962 of the then Municipal Board of the City of Ormoc is hereby expressly repealed, and all ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are likewise repealed or modified accordingly.

SECTION 12. If any provision of this Ordinance is declared invalid, the other provisions not affected thereby shall remain in full force and effect.

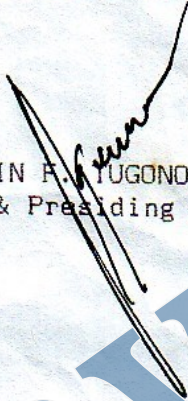
SECTION 13. This Ordinance shall take effect fifteen (15) days following its publication in a newspaper of general circulation in Ormoc City, and after it shall have been posted at conspicuous places in the City of Ormoc for three (3) consecutive weeks. The fifteen (15) day period shall be counted either after its publication or at the end of the period of its posting whichever comes later.

ENACTED, November 23, 1995.


RESOLVED, FURTHER, to furnish copies of this Ordinance, one each, to the Honorable City Mayor of Ormoc; the Honorable Judges of the Regional Trial Court and Municipal Trial Court, Ormoc City; the Honorable City Prosecutor, Ormoc City; the District Superintendent Philippine National Police (PNP), Ormoc City; the City Social Welfare and Development Officer, Ormoc City, and others concerned;

CARRIED UNANIMOUSLY.

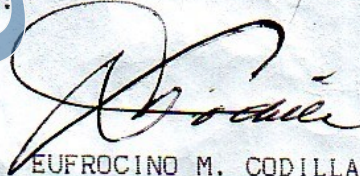
I HEREBY CERTIFY to the correctness of the foregoing ordinance.


BENJAMIN F. TUGONON
Vice Mayor & Presiding Officer

ATTESTED:


Sumalinog
HERMOGENA P. SUMALINOG
Secretary the the
Sangguniang Panlungsod

APPROVED:


EUFROCINO M. CODILLA, SR.
City Mayor

12/5/15
(Date)