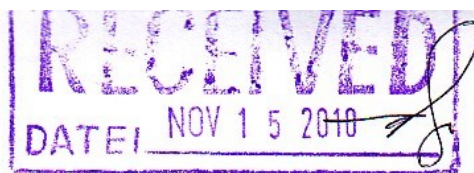
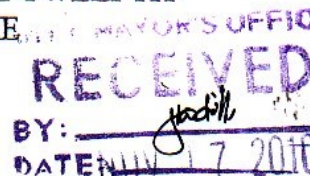


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE TWELFTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE MAYOR'S OFFICE
SANGGUNIANG PANLUNGSOD SESSION HALL,
NEW ORMOC CITY HALL BUILDING
ON NOVEMBER 11, 2010



PRESENT:

Hon. Nepomuceno P. Aparis I,
Hon. Ruben R. Capahi,
Hon. Rolando M. Villasencio,
Hon. Claudio P. Larrazabal,
Hon. Mario M. Rodriguez,
Hon. Filomeno P. Maglasang,
Hon. Jose C. Alfaro, Jr.,
Hon. Sotero M. Pepito,
Hon. Demosthenes F. Tugonon,
Hon. Rafael C. Omega, Jr.,
Hon. Antonio M. Codilla,

Vice Mayor & Presiding Officer
City Councilor, Majority Floor Leader
City Councilor, Minority Floor Leader
City Councilor, Presiding Officer "Pro-Tempore"
City Councilor, Assist. Minority Floor Leader
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor
Ex-Officio City Councilor
Chapter President, Liga ng mga Barangay ng Ormoc

ABSENT:

Hon. Lea Doris C. Villar,
Hon. Corinne M. Corro,

(On Leave), City Councilor,
Assist. Majority Floor Leader
(On Leave), Ex-Officio City Councilor,
SK Federation President

PREFATORY STATEMENT

WHEREAS, this Local Code for Children was presented by the City Council for the Welfare of Children, Ormoc City and has passed through several deliberations/discussions due to its effort and desire to uphold and provide humane understanding of the children's situation and concern for their growth and development;

WHEREAS, as mandated by Republic Act No. 7160, the City Council is empowered to provide care for abandoned minors, children in conflict with law, abused children and other needy and disadvantaged persons, particularly children and the youth below eighteen years of age;

WHEREAS, it is imperative that every Local Government Unit have it's own policy that would uphold the rights of children for survival, protection, participation and development;

WHEREAS, the Ormoc City Council for the Welfare of Children particularly the Situational Analysis of the Children serving as basis to formulate the Ormoc City Local Development Plan, show the magnitude of the issues adversely affecting the Children of the City, therefore pointing to the urgent need for a comprehensive local legislation to respond to the problems and gaps manifested therein;

FOREGOING PREMISES CONSIDERED, on motion of City Councilor Ruben R. Capahi, Vice-Chairman, Committee on Social Welfare, Senior Citizen, Women & Family, jointly seconded by City Councilors Rafael C. Omega, Jr. and Sotero M. Pepito ; be it

RESOLVED, to enact:

ORDINANCE NO. 165

Series of 2010

AN ORDINANCE PROVIDING FOR CHILD SURVIVAL DEVELOPMENT, PROTECTION, SECURITY AND PARTICIPATION AND ESTABLISHING A COMPREHENSIVE CHILDREN SUPPORT SYSTEM IN ORMOC CITY AND FOR OTHER PURPOSES OTHERWISE KNOWN AS "THE CHILD WELFARE CODE OF ORMOC CITY"

BE IT ORDAINED, by the 12th Sangguniang Panlungsod of Ormoc City in session assembled, That:

ARTICLE I

TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS

SECTION 1: **TITLE**. This Ordinance shall be known as "The Child Welfare Code of Ormoc City".

SECTION 2. **DECLARATION OF PRINCIPLES AND POLICIES**. Ormoc City is hereby declared a Child-Friendly City. As such it is the policy of the City Government that the rights of children for survival, protection, participation and development of their potentials must be given priority. It shall support the role of the family providing for children and promote the efforts of parents, other child care and development workers, People's Organizations, Non-Government Organizations and Communities, to Nurture and care for children, from infancy, especially during the earliest stages of childhood, up to adolescence. Consistent herewith, the City Government shall endeavor to strengthen the establishment of comprehensive children and family support system in the entire city and enjoin all the efforts of both the public, the People's Organizations and Non-Government Organizations and the private sector to achieve the goals for the survival, protection, participation and development of children.

Furthermore, it shall ensure that all programs aimed at achieving the goals for the survival, protection, participation and development of children are given priority when resources are allocated, thus, exerting all efforts to ascertain that these programs are protected in times of economic austerity and structural adjustments.

SECTION 3. **DEFINITION OF TERMS**

- a.) **ANTI-SOCIAL RELATED ACTIVITIES** are those acts against property, chastity and person which include but not limited to the following: (R.A. 7610);
1. Petty crimes such as snatching, shoplifting, misrepresentation;
 2. Using and pushing prohibited drugs, selling illegal or lewd reading materials;

3. Pimping for young or old prostitutes, doing or participating in obscene shows;
 4. Gambling of any form;
 5. Rape and incest;
 6. Unjust and inhuman manner of eviction and demolition; and
 7. Any other circumstances as defined in the existing laws; (R.A. 7610)
- b.) *CHILDREN* refer to persons below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical or mental disability or condition. (Sec. 3, R.A. 7610)
- c.) *CHILD IN CONFLICT WITH THE LAW* refers to a child who is alleged as accused of/or adjudged as, having committed an offense under Philippine Laws. (R.A. 9344, "Juvenile Justice & Welfare Act")
- d.) *CHILD LABOR* – Working under conditions hazardous to life, safety and morals which unduly interfere with their normal development or working without provision for their education.
- e.) *CULTURALLY RELEVANT ACTIVITIES* refer to activities depicting the Filipino culture and tradition such as but not limited to the following:
- a. Ethnic dances;
 - b. Historical drama;
 - c. Folk dances
 - d. Others
- f.) *DEVELOPMENT RIGHTS* pertain to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities, and the right to freedom of thought, conscience and religion. (Child Rights)
- g.) *DISADVANTAGED CHILDREN* – are those children who belongs to poor family and or under poverty threshold, and those who are physically impaired.
- h.) *DIVERSION PROGRAM* – a program which the child in conflict with the law is required to undergo after he/she is found responsible for an offense without resulting to formal court proceedings.
- i.) *EXPLOITATIVE DANCE* refers to a dance wherein minors are being coerced to dance with or without partner upon payment of a certain price.

- j.) **GANGS** – a group of individuals who usually meet regularly, and do things together in the performance of an illegal, violent or hostile activities;
- k.) **LOITERING** – Roaming around/dawdling and or participating in any commercial and in gaming establishment such as but not limited to malls, video arcades, internet cafes, billiard pool halls and other forms of recreation, amusement centers and movie houses / cinemas from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon during school days.
- l.) **OCCWC** – Ormoc City Council for the Welfare of Children.
- m.) **PARTICIPATION RIGHTS** include the child's freedom to express oneself in matters affecting his / her life as part of preparation for responsible parenthood and to freedom of association. (Child Rights)
- n.) **PRE-SCHOOL CHILDREN** refers to the age from birth up to five years of age (0-5) which is known to be the critical phase of the child's psychomotor development.

It is the phase when ninety percent (90%) of the human brain is developed. It is therefore the phase when activities for development stimulation for children must be provided, hence, the need for early childhood care and development program. (R.A. 8980, "The Early Childhood Care & Dev't. Act")

- o.) **PROTECTION RIGHTS** cover those, which guard children against all forms of child abuse, exploitation and discrimination in major areas where a child is considered in extremely difficult circumstances. (Child Rights)
- p.) **SPECIAL CONCERN** are circumstances which gravely threaten or endanger the survival and normal development of children which include but are not limited to the following: (Sec. 3, R.A. 7610)
 - 1. Being in a community where there is an armed conflict of being affected by armed conflict-related activities;
 - 2. Working under conditions hazardous to life, safety and morals, which unduly interfere with their normal development or working without provision for their education;
 - 3. Living in or finding for themselves in the streets of urban and rural areas without the care of parents or guardians or any adult supervision needed for their welfare;
 - 4. Being a member of indigenous cultural community and/or living under condition of extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life;

5. Being with family members or guardians having psychological problems grave enough for them to commit incest, siblings rape, lascivious acts and other forms of physical and mental abuse;
 6. Being a victim of man-made or natural disasters or calamity;
 7. Being a victim of an illegal transnational organization; or child trafficking;
 8. Circumstances analogous to those above stated which endanger the life, safety or normal development of children.
- q.) *SURVIVAL RIGHTS* are rights which ensure the child's inherent right to life and to the needs that are most basic to existence, the rights to a name and to a nationality, the right to identify and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security and rehabilitation. (United Nations Convention on the Rights of Children)

ARTICLE II

SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

SECTION 4. **ESTABLISHMENT OF DAY CARE CENTERS AND CHILD MINDING PROGRAM.** The City Government thru the CSWDO shall ensure to the maximum extent possible the survival and development of the child. The Early Childhood Care and Development Program 0-5 years old coupled with Parents Effectiveness Service Program as developed and implemented by CSWDO and DSWD shall include among others the following:

4.1 ***DAY CARE SERVICE PROGRAM.*** The City Government shall develop, implement, and sustain its Day Care Service Program which is population and community based. The day care centers which shall serve 3 to 5 years old children shall be set-up in every barangay pursuant to R.A. No. 6972 or the Barangay-Level Total Development and Protection of Children Act. The Manual on Day Care Service Program developed for the City of Ormoc shall form part of the rules and regulations and implementing guidelines of the day Care Service Program of the City Government.

4.2 ***CHILD MINDING SERVICE PROGRAM.*** The City Government shall develop, implement, and sustain a Child Minding Service Program for the care of 2 to 3 years old children of working parents during the day; provided, that the child minding service program need not take care of the children in particular place but shall develop network of homes where adults may take care of the children with adequate supervision of a Social Worker of the City Social Welfare and Development Office; provided further, that where young children are left to the care of paid house helpers, and elderly relative or older children without adequate and competent adult supervision.

The City Social Welfare and Development Office shall furnish such training and adult supervision until the children's care meets adequate standards whereby the children under their care will develop normally healthy, happy and loved children, even in the absence of their parents during working hours. The City Social Welfare and Development Office, in coordination with institutions dealing with under four year-old children, shall develop a manual for this service to augment the manual developed for the day Care Service Program.

SECTION 5. **MOTHER AND CHILD CARE.** The City Government of Ormoc through the City Health Office shall provide technical assistance, updates, and augmentation support in line with the implementation of programs and services anchored to the survival and development rights of the child as follows:

A. *Maternal and Child Health Care and Nutrition Program & Health and Nutrition Related Activities* - The City Government of Ormoc shall strengthen the implementation of primary health care and nutrition program that cater to the health of the mother in her pre-natal period to ensure the delivery of a healthy baby, and to the child throughout the early childhood years. This shall include the provision of technical assistance and augmentation support to the following programs.

a.1 **WOMEN'S HEALTH AND SAFE MOTHERHOOD PROGRAM** - The program shall ensure fetal development and maternal well-being from pregnancy, delivery, to post partum period. Thus, the City includes programs that would improve access to health facilities with basic emergency obstetric case. The following activities are undertaken to ensure fetal and maternal welfare:

- Review of Maternal Deaths
- Conduct of Pre-natal and post partum visits
- Provision of Tetanus toxoid immunization
- Family Planning Services
- Promotion of Exclusive Breastfeeding for six month.
- Promote establishment of birthing facilities where deliveries are handled by trained health personnel.
- Discourage handling of deliveries by hilots.

a.2. **CHILD HEALTH AND NUTRITION PROGRAM** - The program shall provide for services to ensure children's full growth and development. This includes the following activities to wit: Expanded Program on Immunization, Environmental Sanitation, Infant & Child Feeding, Nutritional Guidelines for Filipinos, Children's growth monitoring and deworming, and new born screening.

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a.3. **UNDER NUTRITION AND MICRONUTRIENTS DEFICIENCY PROGRAM** – The program shall be undertaken to ensure that women and children are protected from under nutrition and consequences of micronutrient deficiency such as Vitamin A Deficiency Disorder, Iron Deficiency Anemia and Iodine Deficiency Disorder. Thus, the city supports the implementation of R.A. 8976 otherwise known as the Philippine Food Fortification Act of 2000. Moreover, to address under nutrition, supplemental feeding for 90-120 days are given to undernourished pre-schoolers. In support to the initiatives to ensure decrease in the incidence of micronutrient deficiency, the conduct of Garantisadong Pambata every April and October of every year shall be continued.

a.4. **FEMALE FUNCTIONAL LITERACY AND ENHANCED CHILD GROWTH** – The program shall improve the health caring and seeking behavior among families of the poor, vulnerable, and hard to reach population, this also aims to empower women by improving literacy among them as mothers and caregivers.

a.5. **ESTABLISHMENT OF LACTATION STATIONS.** It is hereby mandated that all health and non-health facilities, establishments or institutions shall establish lactation stations. The lactation stations shall be adequately provided with the necessary equipment and facilities, such as: lavatory for hand-washing, unless there is an easily-accessible lavatory nearby; refrigeration or appropriate cooling facilities for storing expressed breastmilk; electrical outlets for breast pumps; a small table; comfortable seats; and other items, the standards of which shall be defined by the Department of Health. The lactation station shall not be located in the toilet.

In addition, all health and non-health facilities, establishments or institutions shall take strict measures to prevent any direct or indirect form of promotion, marketing, and/or sales of infant formula and/or breastmilk substitutes within the lactation stations, or in any event or circumstances which may be conducive to the same.

Apart from the said minimum requirements, all health and non-health facilities, establishments or institutions may provide other suitable facilities or services within the lactation station, all of which, upon due substantiation.

SECTION 6. FAMILY WELFARE SUPPORT SYSTEM. The City Government through the City Social Welfare and Development Office, City Health Office, DEPED and non-government organization (NGO's) shall implement and sustain a Family and Community Welfare Support System for children. To further ensure the implementation of this Section it shall take appropriate measures to support the program on family and community under a family and community welfare and development framework.

There shall be established a Comprehensive Family and Community Welfare and Development Program which shall include courses and services on reproductive health, child health and child rearing practices, parent effectiveness, pre-marriage and marriage counseling, responsible parenthood, among others, in the context of Filipino psychology. This shall also include courses and services in community volunteer resource development, and social welfare structure development, among others. The following programs shall form part of this Comprehensive Family and Community Welfare Program which this government shall zealously support:

6.1 *CHILD WELFARE PROGRAM.* The City Government shall establish and support a Comprehensive Child Welfare and Development Program which shall include among others the services such as street and community-based services for street children, Community-based programs for Children in Conflict with the Law (CICL) and services for children in especially difficult circumstances.

6.2 *WOMEN WELFARE PROGRAM.* The City Government shall recognize the role of women in the formation of the society as well as the child, hence, it shall establish and support a Women Welfare and Development Program which shall include among others courses and services such as self-enhancement skills development, maternal and child care, skills training for employment and livelihood support.

SECTION 7. **COMMUNITY SUPPORT SYSTEM.** There shall be established a comprehensive community support system for the survival and development, protection, security and participation of children in Ormoc City. The community support system and structures shall be the Ormoc City Council for the Welfare of Children and Barangay Council for the Protection of Children.

7.1 *THE ORMOC CITY COUNCIL FOR THE WELFARE OF CHILDREN, ITS MEMBERSHIP AND FUNCTIONS.* The existing Ormoc City Council for the Welfare of Children (OCCWC) is hereby institutionalized by this ordinance. The OCCWC shall be the consultative assembly of Ormoc City for its periodic planning and programming, assessment and evaluation. It shall act as a regulatory body for operations of all existing programs and projects designed for children.

7.2 *MEMBERSHIP OF THE ORMOC CITY COUNCIL FOR THE WELFARE OF CHILDREN.* In consonance with the revised guidelines issued by the National Child Welfare Council and Executive Order No. 19 Series of 2010, the Ormoc City Council for the Welfare of Children shall be composed of the following:

Chairman	- City Mayor
Vice-Chairman	- Chairperson, SP Committee on Social Services
Members	- City Director, DILG
	- City Social Welfare and Development Officer
	- City Schools Division Superintendent
	- Chairperson, SP Committee on Finance
	- Head of Office, DOLE-Ormoc City Field Office
	- City Planning and Development Coordinator
	- City Budget Officer
	- City Health Officer
	- City Director Ormoc City Police Office

- City Prosecutor
- Liga ng mga Barangay President
- SK Federation President
- City Civil Registrar
- City Agriculturist
- Executive Directors, CCF Hayag, Eclipse,
WorldVision/Norweledapai
- Child Representative

7.3 FUNCTIONS OF THE ORMOC CITY COUNCIL FOR THE WELFARE OF CHILDREN.

The following shall be the functions of the Ormoc City Council for the Welfare of Children:

1. Formulate city plan of action for children; incorporating projects and programs needing assistance by the barangays; and ensure its integration into the city development plan;
2. Monitor and evaluate the implementation of the city and barangay action plans for children;
3. Submit quarterly status report on the plan implementation to the Regional Child Welfare Council through the City Planning and Development Office;
4. Promptly address and resolve issues and concerns affecting children.
5. Advocate for the passage of other relevant child protective laws and ordinances;
6. Advocate for the increased support and resource allocation for children's programs and projects;
7. Provide technical assistance to the community-based front-line workers through conduct of capability building and human resource development activities;
8. Prepare contingency measures to protect children and their families in crisis situations brought about by natural and man-made calamities;
9. Develop measures and support system to strengthen the operationalization of the BCPC; and
10. Ensure the proper implementation of this Ordinance and other national laws relevant to the child welfare.

7.4 CREATION OF COMMITTEES BY THE COUNCIL. The Council shall create Committees which it may deem appropriate and necessary whose chairmanship shall be held by the regular mandated members of the Council for the purpose of furthering its functions.

7.5 SECRETARIAL SUPPORT. The secretariat support shall be lodged in the City Social Welfare and Development Office and shall be responsible for the documentation of proceedings and meetings, preparation of reports and other necessary documents needed by the Committee.

SECTION 8. **INSTITUTIONALIZATION OF FOSTER HOMES FOR CHILDREN**. The City Government, in its effort to establish a community-based strategy for the protection of children, shall endeavor to institutionalize the foster homes for the children with the technical assistance and supervision of the Department of Social Welfare and Development-Field Office. The City Social Welfare and Development, shall promulgate the implementing rules and regulations of this section.

SECTION 9. **CHILD FRIENDLY BUILDINGS**. In the approval of the proposed building plans which are open to the general public in Ormoc City, the Office of the City Engineer, shall ensure the inclusion of child-friendly safeguards/facilities to avoid any child accidents. The proposed building plans must observe the hereunder specifications:

1. Railings/Balusters in staircase must be placed in a manner that their distance from each other would not exceed six (6) inches to avoid children from accidentally falling through.
2. In case of buildings having more than one storey, railings / balusters acting as horizontal or vertical barriers must be likewise spaced in a manner that their distance from each other must not exceed six (6) inches and said railings or balusters must have height of not less than five (5) feet.
3. Lavatories exclusively for children's use must be installed to accommodate the personal necessities of children entering said buildings.

SECTION 10. **SURVEY AND ACTIVE PROGRAM FOR CHILDREN WITH DISABILITIES**. The City Government shall make a periodic comprehensive survey and situational analysis on the children with disabilities in the city. The City Social Welfare and Development Office together with the Department of Education and City Health Department shall spearhead the conduct of this situational analysis on children with disabilities in the city. The result of this situational analysis shall be the basis of the planning by the City Council for the Welfare of children and other concerned agencies, for programs and projects for these children.

SECTION 11. **TRAINING PROGRAM FOR EDUCATORS AND HEALTH PROFESSIONALS HANDLING CHILDREN WITH DISABILITIES**. Training program for educators and health professionals handling children with disabilities shall form part of the priority programs of the City Government of Ormoc, hence, funds from the 20% Local Government Development Fund shall be provided thereof.

SECTION 12. **SUPPORT TO SPECIAL EDUCATION (SPED) PROGRAM**. The City Government shall support the Special Education Program which is presently implemented by the Department of Education by providing regular financial assistance thereto. The City Government with the assistance of DepEd shall ensure that the Special Education Center shall be set-up in public schools whenever and wherever necessary to enable the children with disabilities to enroll if possible within their respective barangays. The City Government shall regularly provide funds for the SPED program to be taken from the Special Education Fund (SEF).

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SECTION 13. **PROVISION OF SUPPORT SYSTEM TO THE PRE-SCHOOL EDUCATION PROGRAM FOR EARLY CHILDHOOD CARE AND DEVELOPMENT.** The City Government shall provide for a support system to the pre-school education program for early childhood care and development by significantly responding to the gaps of government service in providing for a pre-school education program having an alternative curriculum which is developmentally appropriate and culturally relevant to poor/depressed communities; encouragement of accreditation; materials; technical assistance such as enrichment training for facilitators; and financial aid and monitoring activities for community based Early Childhood Care and Development Program (ECCD) as an alternative approach for the continuing basic problem of disadvantaged children.

SECTION 14. **BARANGAY LEVEL RECREATIONAL FACILITIES AND PROGRAM.** A barangay-level program for the revival of indigenous games shall be implemented. The Barangay Council shall allocate space for recreation and provide recreational facilities appropriate for children. This regular cultural program shall be spearheaded by the respective barangay councils under the leadership of the Barangay Chairman and the Chairman on Committee on Social Services. The existing community structures in the barangay shall be tapped to support this program.

SECTION 15. **LOCAL CHILDREN'S LITERATURE.** In support to the socio-cultural development of children of Ormoc City, the City Government shall invest in the production of local literature for children and other relevant materials. The barangay governments shall also be encouraged to invest in such project.

SECTION 16. **INTEGRATION OF THE RIGHTS OF CHILDREN IN THE SCHOOL CURRICULUM.** As part of the advocacy, information and education campaign of the government on the survival and development, protection and security, and participation rights of children, the Rights of Children shall be encouraged to include as part of the school curriculum of the schools in Ormoc City, both public and private schools at all levels.

SECTION 17. **TRAINING FOR TEACHERS ON RIGHTS OF CHILDREN.** Teachers, specially those in the kindergarten, elementary, and high school are encouraged to undertake continuous training on the rights of the child and sensitivity to children in need of special protection to be able to help them. The training shall be spearheaded by the Ormoc City Council for the Welfare of Children and the Department of Education in coordination with the City Social Welfare and Development Office and other child-focused NGOs.

ARTICLE III **PROTECTION RIGHTS OF CHILDREN**

SECTION 18. **PROGRAM ON CHILD ABUSE, EXPLOITATION AND DISCRIMINATION.** There shall be comprehensive program to be formulated by the Ormoc City Council for the Welfare of Children in coordination with other government agencies, the private sector or NGO's concerned to protect children against worst forms of child labor; child trafficking; obscene publication and indecent shows and other acts of abuse; and circumstances which endanger child survival and normal development.

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The program shall cover the strict implementation of the provisions of PD 603, otherwise known as "The Child Welfare Code: R.A. 7610 as amended, otherwise known as "An Act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, providing penalties for its violation, and for other purposes," and all other laws affording protection against child exploitation.

SECTION 19. **SANCTIONS FOR ESTABLISHMENTS OR ENTERPRISES WHICH PROMOTE, FACILITATE OR CONDUCT ACTIVITIES CONSTITUTING CHILD PROSTITUTION AND OTHER SEXUAL ABUSE, CHILD TRAFFICKING, OBSCENE PUBLICATIONS AND INDECENT SHOWS.** All establishments or enterprises caught promoting or facilitating child prostitution and sexual abuse, child trafficking, obscene publications and indecent shows, and other acts of abuse shall be immediately closed and be fined an amount of Five Thousand Pesos (P 5,000.00) with their authority or license to operate permanently cancelled, without prejudice to the owner, manager and other personnel thereof for being prosecuted under the provisions of R.A. 7610, R.A. 9208 and R.A. 9231.

SECTION 20. **ESTABLISHMENT TO POST NOTICES AND INFORMATION AT ENTRY OR FRONT DESKS REGARDING CHILD PROTECTION.** All hotels, sauna bath, inns, motels, night clubs and other establishments of similar services shall be required to post notices and information about child protection to serve as deterrent to committing child trafficking, prostitution and other sexual abuse. The notices and information to be posted shall be developed by the City Council for the Welfare of Children. To ensure the compliance by the concerned establishments to this section of this Ordinance, the office of the City Mayor through the City Permits and Licensing Office shall require these establishments to post such information or notices before their respective license shall be reviewed and/or approved. Removal and/or defacing of such notices shall be subject to penalty provided for in section 19 of this ordinance.

SECTION 21. **CREATION OF SPECIAL SERVICES FOR CHILDREN IN NEED OF SPECIAL PROTECTION AND LEGAL SERVICES.** The City Government through the City Social Welfare and Development Office shall create special programs for the protection of children who are victims of incest and rape cases. It shall also endeavor to muster the support of the private sector more particularly the local chapter of the Integrated Bar of the Philippines and the academe to provide legal and protective services to children who are in need of such services.

SECTION 22. **MONITORING CRIMINAL CHARGES FILED AGAINST CHILDREN AND APPROPRIATE ASSISTANCE.** Application for suspension of sentences of children charged with criminal offenses in connection with or related to any anti-social activities as defined herein shall be done by the City Social Welfare and Development Office. A special team from such offices shall be tasked to monitor closely the cases involving children in court to adequately enforce the suspension of sentences. Appropriate and responsive rehabilitation program shall be afforded to them under the care of the City Social Welfare and Development Office pursuant to PD 603 otherwise known as the "Child and Youth Welfare Code" R.A. 7610 otherwise known as "An Act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, providing penalties for its violation, and for other purposes" and R.A. 9344 otherwise known as the "Juvenile Justice and Welfare Act of 2006". The framework of assistance shall be designed by the Ormoc City Council for the Welfare of Children in close coordination with the NGO's and other groups having special interests on children's rehabilitation.



SECTION 23. **SUPPORT TO PROSECUTORS OR COUNSELS WHO HANDLE CASES OF CHILDREN TO OBTAIN SPEEDY DISPOSITION AND PREFERENTIAL SETTLEMENT.** The City Government, in its desire to protect the children who may either be the victim or the accused in any crime, shall give moral and other necessary support to the prosecutors or counsels handling their cases to ensure the speedy disposition and preferential settlement thereof.

SECTION 24. **ESTABLISHMENT OF CHILD RELATIONS SECTION FOR THE PURPOSE OF STRENGTHENING THE PILLARS OF THE JUSTICE SYSTEM.** Each Police Station in Ormoc City shall have a Women and Children Concerns Desk tasked to handle cases involving children. Child-friendly police procedures shall be implemented as contained in the Police Handbook on the Management of Cases of Children in Especially Difficult Circumstances. Each PNP element shall be provided a copy of the said handbook. The said Section must be administered by a female police officer.

SECTION 25. **ESTABLISHMENT OF A REHABILITATION CENTER AND PROVISION OF SUPPORT FACILITIES.** There shall be established a Rehabilitation Center for Children in conflict with the Law in the City of Ormoc. Said Center shall be equipped with necessary facilities for conducive dwelling. The Rehabilitation Center shall develop home life services, psycho-social interventions and other services that will make the center conducive to life and rehabilitation.

SECTION 26. **CHILDREN AND FAMILY PSYCHO-SOCIAL PROGRAM.** The City Social Welfare and Development Office in coordination with other government and non-government agencies shall design a comprehensive psycho-social program for both children and their families especially those affected by armed-conflict.

SECTION 27. **BAN ON EXPLOITATIVE DANCE.** Activities with coercion that includes "exploitative dance" as defined in this Ordinance is strictly prohibited. Any person caught promoting such "exploitative dance" shall be punished by an imprisonment not exceeding one (1) year and fined with Five Thousand Pesos (P 5,000.00) after due proceeding by the court of justice having jurisdiction thereof.

SECTION 28. **CURFEW ON MINORS.** For the protection of children, they shall be prohibited from loitering around or sleeping in public places from 10 o'clock in the evening until 4 o'clock in the morning of the following day, except when accompanied by parents or guardians. Children caught violating this provision shall be immediately turned over to the custody of the City Social Welfare and Development Office and shall be released only after having attended with their respective parents or guardians to a two (2) hours seminar on parent effectiveness and four (4) hours community service. Provided that this provision shall not be imposed during the Christmas season and any other festivities or celebration where the presence of children in public places during such time are allowed or encouraged.

SECTION 29. **REGULATING AMBULANT VENDORS OF UNHEALTHY FOODS IN SCHOOL VICINITIES FOR SANITATION PURPOSES AND ESTABLISHING MONITORING SYSTEM.** The City Government through the City Health Office shall protect the school children from unhealthy food. In furtherance of this mandate, all vendors within the vicinity of all school campuses within the city shall be subjected to safety and sanitation standards.

SECTION 30. **ELECTRONIC PORNOGRAPHY**. All internet cafes and other similar establishments shall keep their facilities transparent and/or open to view to deter customers especially children from accessing pornographic sites. Operators who maintain enclosed and / or non-transparent cubicles or rooms shall be subjected to possible cancellation of business permits. The Ormoc City Council for the Welfare of Children shall conduct regular monitoring on the implementation of E-Pornography and other similar ordinances.

SECTION 31. **ESTABLISHMENT OF THE BANTAY-BATA HOTLINE**. A round-the-clock reporting and monitoring base against child abuse shall be established and anchored by the City Social Welfare and Development Office. Said hotline shall act as the 24-hour vanguard of children in all crimes and abuses committed against them by any person. Upon receiving information regarding any crime committed against a child, the Bantay-Bata Hotline shall immediately report to the appropriate authorities such incident and shall monitor every progress that may occur in relation to the apprehension and prosecution of the criminal.

SECTION 32. **PROHIBITING STUDENTS OR SCHOOL CHILDREN FROM ENTERING IN PUBLIC PLACES OUTSIDE THEIR SCHOOL GROUNDS / CAMPUSES DURING SCHOOL HOURS**. To ensure that students or school children are in school attending classes they are banned from loitering in public places outside their school ground / campus during school hours.

Parents / guardians of loitering school children shall be notified and be sanctioned to attend a parent's orientation seminar and community service for 4 hours. While owners / managers / operators of entertainment establishments such as but not limited to video arcades, internet cafes, billiard pool halls and other forms of recreation that allows students / school children to enter their establishment during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon shall be subjected to a fine of Five Thousand Pesos (P 5,000.00) for every student caught.

SECTION 33. **PROHIBITION OF MINORS**:

- a. Minors are prohibited from joining FRATERNITIES/ASSOCIATIONS/GROUPS which are not duly recognized, authorized, or approved by educational institutions, religious organizations and civic organizations which are branded as FAKE/ILLCIT/SPURIOUS organization for purposes of this code.

RECRUITING of minors to these FAKE/ILLCIT/SPURIOUS organizations is punishable under this code, and the RECRUITER thereof upon conviction shall suffer the penalty of imprisonment of not more than one (1) year or fine of not more than P1,000.00 or both at the discretion of the court.

- b. MINORS are strictly prohibited from joining GANGS which is defined herein as a group of individuals, who usually meet regularly and do things together in the performance of an ILLEGAL, VIOLENT or HOSTILE ACTIVITIES.

MINORS caught joining GANGS and FAKE, ILLICIT, SPURIOUS organization referred to in paragraph (a) hereof shall undergo DIVERSION PROGRAMS as provided for in Republic Act No. 9344, otherwise known as the "JUVENILE JUSTICE AND WELFARE ACT OF 2006".

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SECTION 34. **REGISTRATION OF CHILD AT BIRTH.** A child has the right to a name, nationality, and all the rights inherent to a citizen. Since civil registration is a basic framework in establishing the fundamental right to determine civil status of every citizen, the parents shall cause the early birth registration of the child with the Office of the Local Civil Registrar. To promote an effective and efficient timely registration of births and other vital events, the city shall implement the Barangay Civil Registration System (BCRS), pursuant to Republic Act No. 3753 or the Civil Registry Law.

ARTICLE IV **PARTICIPATION RIGHTS OF CHILDREN**

SECTION 35. **PARTICIPATION OF CHILDREN IN DECISION MAKING PROCESS.** The interest and welfare of children in the family, school, community or other organizations or institutions shall be heard. Every child has the right to express his opinion freely insofar as such opinion is not contrary to law, morals, good customs, public safety and public policy, and to have that opinion be taken into account in all matters affecting the rights of the child. It shall be the responsibility of the parents, guardians and concerned agencies of government to provide opportunities for children to express their views, organize among themselves, obtain information, make ideas or information known regardless of sex and religious belief.

SECTION 36. **CONVENTION OF MINORS FOR PURPOSES OF CONSULTATION.** It is important to consult and provide venue for expression of children's views in the City Government's Policies. Consistent herewith, it is necessary that 6 to 11 years old and 12 to 17 years old are convened once a year, specifically during the children's month to be heard collectively of their clamors and needs. Every NGO's concerned with these groups of children shall be instrumental in the process of the preparation and evaluation of the convention.

ARTICLE V **FINAL PROVISION**

SECTION 37. **IMPLEMENTING RULES AND REGULATIONS.** Within six (6) months after the effectivity of the code, the City Council for the Welfare of Children shall formulate and issue the appropriate rules and regulations necessary for the efficient and effective implementation of any and all provisions of this Ordinance.

Such rules and regulations shall be submitted to the Sangguniang Panlungsod for review.

SECTION 38. **APPROPRIATIONS.** The amount to carry-out the provision of this ordinance is hereby authorized to be appropriated in the city annual budget.

SECTION 39. **SEPARABILITY CLAUSE.** If for any reason a provision of this Ordinance is declared invalid or unconstitutional, all other provisions hereof not affected thereby shall continue to be in full force and effect.

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SECTION 40. **REPEALING CLAUSE**. All Ordinances, Executive Orders, Resolution and other Local Memoranda or Rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

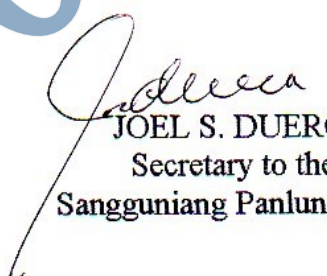
SECTION 41. **EFFECTIVITY CLAUSE**. This Code shall take effect immediately after completion of its publication once in a newspaper of general circulation in the City of Ormoc, and posted at two (2) public places in Ormoc City for three (3) consecutive weeks.

ADOPTED, November 11, 2010.

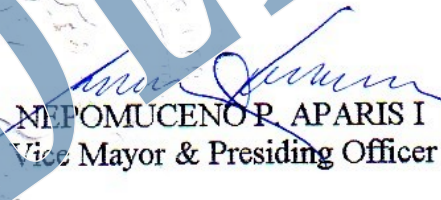
RESOLVED, FURTHER, to furnish copies of this Ordinance one each to His Honor, the City Mayor Eric C. Codilla; the City Legal Officer; the City Administrator; the City Treasurer; the City Budget Officer; the City Accounting; the City Police Director, Camp Downes, Ormoc City; Police Presinct I Commander, J. Navarro Street, Ormoc City; Police Presinct II Commander, Brgy. Valencia, Ormoc City; Police Presinct III Commander, Brgy. Linao, Ormoc City; the City Prosecutor; the Regional trial Court, Branch 35; the Regional Trial Court, Branch 12; the City Social Welfare and Development Office, and others concerned

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.


JOEL S. DUERO
Secretary to the
Sangguniang Panlungsod

ATTESTED:


NEPOMUCENO P. APARISI
Vice Mayor & Presiding Officer

APPROVED:


ERIC C. CODILLA
City Mayor

11/17/10
(Date)