



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF BINGAWAN



SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 51st REGULAR SESSION OF THE 13TH SANGGUNIANG BAYAN OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO, HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON JUNE 20, 2017.

Present:

Hon. Matt P. Palabrica, Ph.D.	Vice Mayor/ Presiding Officer
Hon. Ted Peter P. Plagata	SB Member
Hon. Joy L. Quimba	SB Member
Hon. Jose C. Rabago, Jr.	SB Member
Hon. Lorens M. Belloga	SB Member
Hon. Nemesio A. Cachite	SB Member
Hon. Jofe C. Celeste	SB Member
Hon. Eduardo A. Dalipe	SB Member
Hon. Perceval T. Girao	Ex-officio SB Member/Liga President

On Leave:

Hon. Leovy C. Simora	SB Member
----------------------	-----------

Absent:

None

**MUNICIPAL ORDINANCE NO. 243
(Series of 2017)**

Sponsored by: Committees on Peace & Order & Public Safety and
Committee on Rules Privileges, Ordinances and Legal Matters

Hon. Jose C. Rabago, Jr. – Chairperson, Comm. on Peace & Order; Member, Comm. on Rules
Hon. Leovy C. Simora – Chairperson, Comm. on Rules
Hon. Ted Peter P. Plagata – Vice Chairperson, Comm. on Rules; Member, Comm. on Peace & Order
Hon. Perceval T. Girao - Vice Chairperson, Comm. on Peace & Order; Member, Comm. Rules
Hon. Nemesio A. Cachite – Member, Comm. on Rules and Comm. on Peace & Order
Hon. Joy L. Quimba – Member, Comm. on Peace & Order

AN ORDINANCE CREATING THE BINGAWAN DRUG RELATED NUISANCE BOARD (BDRNB) AND PROVIDING PROCEDURE THEREFOR.

NOW THEREFORE:

On motion of Hon. Jose C. Rabago, Jr., duly seconded by Hon. Perceval T. Girao, and Hon. Nemesio A. Cachite;

Be it ordained by the Sangguniang Bayan assembled that:

Section 1. Title. This ordinance shall be known as an Ordinance Creating the Bingawan Drug Related Nuisance Board (BDRNB) and Providing Procedure Therefor.

Section 2. Declaration of Policy. In deference to Section 52, Article VII of Republic act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002; and Section (a) (4) (i) of Republic Act No. 7160, otherwise known as the local Government Code of 1991, it is the policy of the local government unit of Bingawan to safeguard its territory and the well-being of its citizens particularly the youth from the harmful effects of dangerous drugs.

It is further declared a policy of the local government to provide mechanisms for the abatement of drug related public nuisances.

Section 3. Definition of Terms. As used in this ordinance, the following terms shall mean:

a) Nuisance – something illegal, something not allowed by law it causes harm or offense, either to the people in general public nuisance or to an individual person.

b) Abatement – the suspension or ending of a nuisance.

c) Drug Related Public Nuisance – any place or premises which have been used on two or more occasions as the site of unlawful sale or delivery of dangerous drugs.

Section 4. Creation and Composition of the Bingawan Drug Related Nuisance Board (BDRNB). There is hereby created a Bingawan Drug Related Nuisance in the Municipality of Bingawan, Province of Iloilo. It shall be composed of the following:

Chairperson: Municipal Health Officer

Members: Municipal Chief of Police, PNP

Chief of Staff, Office of the Mayor or his/her authorized representative

Section 5. Procedures for Abatement of Nuisance:

a) any employee, officer or resident of the municipality may bring a written or verified complaint before the Bingawan Drug Related Nuisance Board (BDRNB) after giving not less than 3 days written notice of such complaint to the owner of the place or premises at his/her last known address; and

b) after hearing in which the Municipal Administrative Board may consider any evidence, including evidence of the general reputation of the place or premises, and at which the owner of the premises shall have an opportunity to present evidence in his/her defense, the Bingawan Drug Related Nuisance Board (BDRNB) may declare the place or premises to be a public nuisance.

Section 6. Effect of the Municipal Administrative Board Declaration. If the Bingawan Drug Related Nuisance Board (BDRNB) declares a place or premises to be a public nuisance, it may declare an order immediately prohibiting the conduct, operation or maintenance of any business or maintenance of any maintenance or activity on the premises which is conductive to such nuisance.

An order entered under this Section shall expire after one year or at such earlier time as stated in the order. Bingawan Drug Related Nuisance Board (BDRNB) may bring a complaint seeking a Permanent injunction against any nuisance described in the ordinance.

Section 7. Administrative Provisions. The Municipal Mayor may issue such other rules which may be deemed necessary for the smooth implementation of this ordinance.

The Municipal Administrative Board may establish its own Rules of Procedure in the performance of its functions.

Section 8. Effectivity. This ordinance shall take effect 15 days after its approval and posting in at least two (2) conspicuous places in the Municipal Hall.

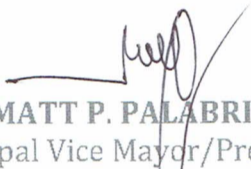
ENACTED, this 20th day of June 2017.

I HEREBY CERTIFY to the veracity of the above-quoted ordinance.

CERTIFIED CORRECT:


JULIO C. CASTIGADOR
SB Secretary

ATTESTED:


MATT P. PALABRICA, Ph.D.
Municipal Vice Mayor/Presiding Officer

APPROVED:


MARK P. PALABRICA
Municipal Mayor
Signed on: 28 JUN 2017