



Republic of the Philippines
Province of Bohol
Municipality of Jagna

OFFICE OF THE 5TH SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. PSO 1-01-2007

**AN ORDINANCE ADOPTING JAGNA CODE OF PUBLIC
SAFETY, SECURITY, AND ORDER OF 2006**

SPONSORED BY Hon. Jesus B. Acedillo

Chairman, Committee on Public Utilities

Hon. Alberto Y. Cafe

Chairman, Committee on Rules & Ways and Means

Hon. Andrew G. Tadena

Chairman, Committee on Public Order & Security

Hon. Victorino M. Nayga Sr.

Chairman, Trade, Industry and Tourism

Hon. Senen C. Lloren

Chairman, Health and Sanitation

Be it ordained by the 5th Sangguniang Bayan of Jagna, Bohol, that:

CHAPTER 1

GENERAL PROVISIONS

Article A. TITLE

Section 1. Title. This Ordinance shall be known as Jagna Public Safety, Security and Order Code of 2006, otherwise known as "The JPSSO" Code of 2006".

Article B. SCOPE

Section 2. Scope. This Code shall cover all activities within the municipality that involves the risks, safety, security and order of the general public.

Article C. Policy, Authority and Purpose

Section 3. Policy. It is the policy of the Municipality of Jagna to promote and ensure safety, security, order, convenience and comfort to its constituents and the general public.

Section 4. Authority. This code is enacted pursuant to the provisions of R.A. 7160 otherwise known as the Local Government Code of 1991 which mandates the LGU to adopt adequate measures to protect, safeguard and improve quality of life for every Jagnaanon by imposing an appropriate penalties for acts that endanger the whole community.

Section 5. Purpose.

1. To promote the principle of public Safety, Security and Order in consonance to sustainable development.
2. To implement applicable measures to protect and enhance quality of life through active participation of every Jagnaanon.
3. To establish mechanism for implementing the provision of this code.

**CHAPTER II
REGULATORY PROVISIONS**

Article D. DRUG ABUSE

Section 6. RUGBY and other Volatile substances.

a) Prohibited Acts.

1. No store shall sell rugby and other volatile substances or similar items to minors UNLESS with written consent of their parents or guardians.
2. Anybody caught inhaling rugby and similar products or other volatile substances shall be penalized.

b) Penalty Clause. Any violation to the foregoing provisions shall be penalized in the following manner:

- | | |
|------------------|-----------------------------------|
| * FIRST OFFENSE | - PhP 2,500.00 |
| * SECOND OFFENSE | - Cancellation of Business Permit |

Article E. DOGS (Stray and Domesticated)

Section 7. Domesticated Dogs.

a) Mandatory Requirements.

1. Dog over three months of age shall be properly vaccinated with “anti-rabies” vaccine and shall be registered at the Municipal Treasurer’s Office.
2. A dog tag shall be issued and be worn at all times.
3. Regular immunization and registration of dogs shall be done annually.

Section 8. Stray Dogs.

a) Mandatory Requirements.

1. Dogs with or without tag wandering in public places without the owner / caretaker shall be considered “stray dogs”.

2. Stray dogs shall be temporarily impounded at the designated municipal pounding area and shall be disposed after five days EXCEPT those dogs being claimed by the owner within the five-day grace period and also upon payment of the POUNDAGE FEE.
3. Dogs that become violent and pose an eminent danger to life of a person maybe exterminated on site.
4. Owners of dog shall report any unusual behavior of the dog to the municipal veterinarian for ocular evaluation and recommendation he deemed proper including disposal if circumstances warrant.

b) Penalty Clause.

1. Refusal of the owner to comply such requirements shall be penalized by a fine of P 2,500.00.
2. Dog owner whose dog has bitten a person or domesticated animals that cause injury thereof shall be penalized by a fine of P2,500.00 and shall shoulder the cost or expenses incurred as a result thereof.

Article F. PUBLIC MORALE

Section 9. Prostitution and Other Immoral Acts.

a) Definition of Terms.

1. *Prostitution* – the act of habitually engaging in sexual relation with persons for a certain consideration.
2. *Prostitute* - a person who habitually engaged in sexual relations with others for profit, gain, or fee.
3. *Sexual relation* - any act committed for sexual gratification to include sexual intercourse, touching, manipulation, act of lasciviousness, and similar conduct.
4. *Procurer, Pimp, or Pander* - a person who serves or engages the services of a prostitute for sexual relationship who otherwise act as a middle person to facilitate prostitution.

b) Prohibited Acts. NO PERSON SHALL

- 1) operate a prostitution den.
- 2) act as procurer, pimp or pander for purposes of prostitution.
- 3) engage in sexual relationship with a prostitute for some consideration including payment but not limited to a sum of money.

c) Penalty Clause.

1. Any person violating this section shall be penalized by a fine of P 2,500.00 or Six Month imprisonment.
2. If the violator is a foreigner, he shall be subject to deportation.

Section 10. Loitering.

a) **Definition of term.**

Loitering shall mean as to remain idle in essentially one location, loafing or walking aimlessly.

b) **Regulated Act.** *No person shall loiter in any place in such a manner to create or cause:*

1. danger of breach of peace;
2. any disturbance or arrogance to the comfort and repose of any person;
3. obstruction to the free passage of pedestrian or vehicle;
4. interference to the lawful activity of any person;

c) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P2,500.00

Section 11. Drunkness.

a) **Regulated Acts.** No person shall be under the influence of liquor or any narcotics in public places. A person is considered to be in the state of drunkenness or under the influence of liquor or narcotics if one has drunk or has taken alcoholic substance in any amount and commits the following:

1. An act causing injury to people or damage to property.
2. Makes unnecessary noise in public places which would cause alarm or disturbance to anybody.
3. Behaves in a scandalous way, or doing acts offensive to the senses such as but not limited to urinating, defecating, walking naked, uttering defamatory statements that would ruin the reputation honor and dignity of a person.
4. An act that would tend to obstruct, hamper, impede vehicular traffic and free passage of the pedestrians in any road or street;
5. Obstruct, hinder, and unlawfully interferes the normal proceeding of any social, civic, political, and religious affairs.

SPECIAL PROVISION. A person who directly forces or induces another to drink or take excessively alcoholic or narcotic substance causing the latter to be influenced thereby and commit any of the aforementioned acts shall be considered "PRINCIPAL BY INDUCEMENT" and therefore liable under this provision.

b) **Penalty Clause.** Person violating any of the above provisions shall be penalized by a fine of P2,500.00 or Six months imprisonment.

Section 12. Putting of feet on the back or arm of any seat.

- a) **Regulated Acts** – No person shall put his feet on back of the seats in movie houses, PU vehicles, social gatherings, conventions, meeting, public and private offices and programs of any kind held in public places;
- b) **Penalty** – Any person violating the above section shall be penalized by a fine of PhP1,000.00.

Section 13. Mendicancy.

- a) **Definition of term:**

Beggar- refers to one who is strong but deceives the public through some scheme, device, or method, or one who is incapacitated but solvent or is an owner of property whose immediate or near kin are solvent.

- b) **Regulated Act.** - No person shall beg or serve as guide or accompany any person or beggar for the purpose of begging.
- c) **Penalty Clause.** - Any person violating the above section shall be penalized by a fine of PhP200.00

Section 14. Betting on sports Activities.

- a) **Basis of Action.** It is a common experience that once betting is tolerated during sports competition, the usual consequence is quarrel between bettors and public disturbance is most likely to happen which usually cause damage and harm to people and property.
- b) **Regulated Act** – No person shall bet money or any object, article or representative of value upon the result of any boxing, basketball, volleyball, tennis, or other kinds of sports competition.
- c) **Penalty** – Any person violating the above section shall be penalized by a fine of PhP1,500.00

Section 15. Washing / Drying garments in Public.

- a) **Regulated Act.** – No person shall wash or hang cloths, linens, underwears, blankets and the like for drying on fixtures intended for public use or in public places within the municipality of Jagna, Bohol.
- b) **Penalty** – Any violation to this section shall be penalized by a fine of PhP500.00

Section 16. Taking a bath naked or half naked in Public.

- a) **Prohibited Act.** – Taking a bath naked or half-naked in public is strictly prohibited.

- b) **Penalty-** Any violation to this section shall be penalized by a fine of PhP2,500.00

Section 17. Illegal Gambling.

- a) **Prohibited Act.** No person shall operate, maintain or conduct any game of chance such as masiao, swertres, jueteng, monte, chikicha, tong-its, tupada, cara y cruz and other gambling activities wherein bets of money, articles or representation of value are made or in the exploitation or use of any other mechanical devices to determine by chance the loser or winner thereof.
- b) **Penalty Clause.** Any person guilty of violating this section shall be fined in the amount of PhP 2,500.00 or Six Months Imprisonment.

Section 18. Mentally Deranged Person.

- a) **Prohibited Acts.**
1. Parents, spouses and close relatives of deranged persons who willfully abandoned them shall be penalized
 2. No public transport or private vehicles shall convey (accommodate) unescorted deranged persons from one place to another
- b) **Penalty Clause.** Any person violating this section shall be penalized by a fine of PhP1,000.00

Section 19. Public Disturbance

- a) **Prohibited Acts.**
1. No person shall shout malicious or maligning words in public that absolutely cause public nuisance and disturbance.
 2. Immoral quarrel of married and unmarried (live-in) couple in public is strictly prohibited.
- b) **Penalty Clause.** Any person violating the above mentioned section shall be penalized by a fine of P1,500.00

ARTICLE G. ENVIRONMENT

Section 20. Dangerous Trees.

- a) **Definition of Terms.**
1. *Owner* refers to the real and actual possessor of the property.
 2. *Caretaker* refers to person who physically assigned as the administrator or custodian of the said property.

b) Prohibited Acts

1. Owners or Caretakers who refused to cut down trees that posed danger to people and properties shall be penalized accordingly
 2. Owner of the tree that caused damage to property shall shoulder the actual cost of the damages.
- c) **Requirements.** The complainant shall facilitate and shoulder the expenses in securing necessary clearances and permits.
- d) **Penalty Clause.** Penalty under b1 is P2,500.00.

Section 21. Barangay Clean up.

a) Mandatory Requirements.

1. All Barangays shall conduct a mandatory once a month coastal clean up in river banks, creeks, estuaries and water ways.
2. In case of flash floods, the affected Barangays shall conduct an immediate clean up.

Section 22. Fishing through Electrocuting and Poisoning.

- a) **Prohibited Act.** Any person catching fish using the electrocution method and poisoning by any means in the river banks, estuaries, lakes, rice fields, etc. shall be strictly prohibited.
- b) **Penalty Clause.** Any person violating the above mentioned section shall be penalized by a fine of P1,000.00 or Two Months imprisonment.

Section 23. Treasure Hunting.

- a) **Prohibited Act.** Treasure hunting activity in this municipality is strictly prohibited unless the treasure hunter can produce permit duly signed by the President of the Republic as required by law.
- b) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Article H. PEACE, ORDER, AND SECURITY

Section 24. Bladed Weapon, Sharp Object, Broken Glasses.

a) Regulated Acts.

- 1) No person shall possess in public any pointed, sharp instruments or bladed weapon or tools except farm tools, carpentry, kitchen, fishing, haircutting or others of helpful usage in a given time;

- 2) No person shall intentionally break glass or bottles or cause the same or other sharp objects such as but not limited to nails, scrap iron, tin cans etc. to spill on the road, streets, or passage ways;
 - 3) Vendors of barbecue, banana or camote cue, tinap-an and the like, shall cut-off the sharp pointed portion of the stick before giving the item to the buying public.
- b) **Responsibility of Parents** - Parents or guardians shall be responsible for the violation of the above section by any of his/her minor children being involved.
- c) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P2,500.00.

Section 25. High Powered Firearms.

a) **Definition of Term.**

High-Powered Firearms means Armalite, Uzi, AK-47, Browning- Automatic and other long and short firearms

- b) **Regulated Acts** - No person shall carry high-powered firearms outside his/her residence, except peace officers on official missions, cashiers, finance officer and other persons in-charge of delivery of money who possesses a permit to carry firearms outside residence.
- c) **Administrative Provision.** - The Jagna PNP can request any person on board in any transport vehicle to open its baggage compartment or any other suspected space of the said vehicle for inspection of illegally carried or possessed firearms. Provided, that the inspection shall be done in a gentleman's manner to prevent inconvenience to the occupants thereof.
- d) **Penalty Clause** - Any Person violating this section shall be penalized through confiscation of the said firearm/s and by a fine of P2,500.00 or six months imprisonment

Section 26. Use of an Improvised Toy Gun.

a. **Prohibited Acts.**

1. No person shall sell toy gun improvised to look like a real gun which may be used for any criminal offense.
 2. No person shall own, keep, possess, or play with any toy gun that utilize tanzan, tin, stone, wire, or molded wax and all others as bullets which may cause injury to a person or property.
- b. **Liable Person.** - Parents or guardians shall be responsible for the violation of this section by his/her minor son, daughter and ward.

- c. **Penalty Clause** - Any person violating this section shall be fined in the amount of P1,000.00 or three (3) months imprisonment.

Section 27. Throwing of Ice water and other objects to Public and Private Vehicles.

- a) **Basis of Action.** - It is a common experience that during St John's and St. Peter's Day, June 24 and 29 respectively, there are incidence of throwing of ice waters and other objects to public and private vehicles by irresponsible citizen that caused damages and harm to passengers and the vehicle as well.
- b) **Prohibited Act.** -Indiscriminate throwing of ice waters and other objects to PUV, PUJ, Motorelas, Tricycles, Habal-habal, private and any other kind of vehicles shall be strictly prohibited
- c) **Penalty.** Any person violating this section shall be fined in the amount of PhP1,000.00 or three (3) months imprisonment.

Section 28. Installation of Billboards and Signboards.

- a) **Prohibited Acts.**
- 1) No person, organization or corporation shall install billboards and signboards without securing necessary clearances / permits from the Local Chief Executive thru the Municipal Engineer's Office;
 - 2) Administrative Order No. 160 and 160-A shall also be strictly considered before the installation of billboards and signboards to prevent eminent danger to the public.
- b) **Penalty Clause-** Any person/corporation violating this section shall be fined in the amount of PhP2,500.00 or six (6) months imprisonment.

Section 29. Regulation on Digging and Excavation. (refer Revised Revenue Code; Page 85, Sec. 114)

Section 30. Municipal Water Reservoirs.

- a) **Basis of Action.** The existing municipal water reservoirs of LGU-Jagna are at all times prone to eminent danger such as by poisoning or throwing unhealthy waste into the water reservoirs. In such case, there is an extreme need to protect our water resources to promote public safety at all times.
- b) **Mandatory Provision.** LGU-Jagna shall appropriate funds for the construction of a perimeter fence or any structures of our existing municipal water reservoirs and to hire security personnel to maintain regular security, protection and safety.
- c) **Prohibited Acts.** Poisoning or throwing of waste to the water reservoirs or water sources shall be strictly prohibited.

- d) **Penalty Clause.** Any person or group of persons violating the foregoing provision shall be penalized by Six Months imprisonment.

Article I. – HEALTH AND SANITATION

Section 31. Indiscriminate Disposal of Toxic Products.

- a) **Prohibited Act.** Throwing of toxic products, materials or substances at public places shall be strictly prohibited.
- c) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 32. VIT-MIN Fortified Foods.

- d) **Mandated Act.** All Grocery Outlets within the municipality are required to sell VIT-MIN (VITAMIN and MINERAL) Fortified Food Products including condiments with Sangkap Pinoy Seals for a strong & healthy body of the constituents.
- e) **Penalty Clause.** Failure of Commercial Establishment to comply the above section shall be penalized by a fine of P2,500.00 or Cancellation of their Business Permit.

Section 33. Over-The-Counter or OTC Drugs.

a) **Definition of Term.**

1. *Over the Counter or OTC Drugs* refer to any pharmaceutical specialty or drug preparation without a prescription by a physician.
2. *Other Drugs or medicines subject to Abuse* refer to those OTC preparations which will be used by drug addict or user and are considered dangerous drug by BFAD, DDB and or NBI Narcotics Division.

- b) **Prohibited Act.** No person shall give, sell, or dispense Over-the-Counter or OTC Drugs such as cough preparations and other pharmaceutical preparations subject to abuse, of whatever kind, brand or quality to the general public, unless it is recorded in an appropriate record book, indicating therein the name and address of the buyer, the generic and or the brand name of the OTC drugs subject to abuse, and the quantity sold.
- c) **Penalty Clause.** Any person who violates any provision of the above section shall be fined in the amount P2,500.00 or Six Months Imprisonment.

Section 34. Use of Styrofoam for Food.

- a) **Prohibited Act.** Being a health hazard material, the use of Styrofoam in any food center is strictly prohibited.

- b) **Penalty Clause.** Failure of Food Establishments / Food Caterers to comply the above section shall be penalized by a fine of P2,500 or Cancellation of their Business Permit.

Section 35. Food Cover.

- a) **Regulatory Act.** All Food Establishments including barbecue stands shall be strictly required to put covers to all foods for display.
- b) **Penalty Clause.** Proprietors of Food Establishments violating the above mentioned section shall be penalized by a fine of P1,000 or One Month Imprisonment.

Section 36. Regulation on Backyard Piggery.

a) **Regulated Acts.**

1. Backyard Piggery shall be allowed only to a minimum of Two heads and a maximum of five hogs.
2. Septic Tank is strictly required.
3. The distance of pig pen shall be at least twenty meters from the nearest residence.

Section 37. Selling of Sow meat for Commercial Purpose.

- a) **Prohibited Act.** No person shall display and/or sell sow meat for commercial purposes.
- b) **Penalty.-** Any person violating this section shall be penalized by a fine of P1,000.00 or revocation of business permit.

Section 38. Scavengers at Dumpsite.

- a) **Prohibited Act.** No person shall collect and/or gather scrap materials at the Jagna dumpsite.
- b) **Penalty Clause.** Any person violating the above-mentioned section shall be penalized by a fine of P500.00 or Seven (7) Days imprisonment.

Section 39. Human Waste.

- a) **Prohibited Act.** No person shall dispose their human waste to any places but not limited to sea, seashore, river, river banks, estuaries, lakeshore, etc.
- b) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P1,500.00 or One Month Imprisonment.

Section 40. Hard Cover for Truck Haulers.

a) Requirements.

1. Commercial Traders involved in truck hauling shall be strictly required to cover their cargoes which may produce dust and other toxic effect.
2. Commercial Traders and Haulers shall also be required to clean their truck after hauling to maintain cleanliness.

b) Penalty Clause. Any person violating this section shall be penalized in the amount of PhP1,500.00

Section 41. Copra Bugs.

a) Mandatory Requirements.

1. Copra Buying Station or Copra Buyers having their own warehouse shall be required to apply and spray insecticides after all copra has been disposed from their warehouse to eliminate copra bugs.
2. Copra Buying Station or Copra Buyers having been with so much stocks of copra shall be required to apply fumigation process for the purpose of disinfecting or destroying copra bugs and other pest.

c) Penalty Clause. Owner/Administrator of Copra Buying Station or Copra Buyers violating the above section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Article J. – FIRE PREVENTION

Section 42. Building / Establishments for Flammable / Combustible Materials

a) Prohibited Acts-

1. No person shall construct a station or warehouse for gasoline, petroleum and other allied products within a residential area.
2. No residential building or portion thereof shall be used as storage of gasoline, petroleum or other allied products, LPG, & similar items in commercial quantity or for commercial purposes.
3. Business establishment selling or storing these products aforementioned shall first secure local fire & other clearances & permit before starting their business.
4. No establishments other than gasoline station shall sell gasoline in retail.

5. No building or portion thereof shall be used as storage for high piled combustible materials unless permit or clearances from the municipality is properly secured.
- b) **Penalty Clause.** Any person, firm or corporation violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months imprisonment.

Section 43. Firecrackers and Other Pyrotechnic Wares.

a) Prohibited Acts.

1. No person shall use any building or portion thereof for the storage, manufacture, or sale of firecrackers and other pyrotechnique wares & devices unless permit & necessary clearances are properly secured. Explosion shall only be at properly designated area.
 2. The building or structure used in the storage and manufacturing of firecrackers and pyrotechnic devices shall be at least 500 meters away from the nearest residential house.
 3. Detailed location plans for the warehouse where firecrackers and pyrotechnic devices will be stored shall be submitted to Jagna Fire Marshall for approval.
- b) **Penalty Clause.** Any person, firm or corporation violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 44. Designated Area for firecrackers.

- a) The Local Chief Executive shall determine the designated area to be used for firecracker user in consultation with the Jagna Fire Marshall Office.
- b) The Local Chief Executive shall determine the designated area to be used for the sellers of firecracker in consultation with Jagna Fire Marshall Office
- c) Selling of firecrackers is limited only to allowable classification of fire crackers.

Section 45. Safety Measures for Hazardous Materials.

- a.) **Mandatory Requirements.** Fire Safety measures shall be required for storage, handling and or use of hazardous materials involving:
- Combustible Fibers
 - Plastic of any kind, foam rubber, sponge rubber
 - Combustible or Flammable Liquids of gases of any kind
 - Flammable paints, varnishes, stains and organic coating
 - High piled or widely spread combustible stock
 - Blasting agents, explosives, industrial explosive and the like
 - Fireworks of any kind
 - Matches in commercial quantities

- Minerals, materials or other compound when heated or exposed to heat of flame becomes fire conductor or generate excessive smoke or toxic gas.
- b) **Regulated Acts.** Any person, firm or corporation handling and storing hazardous materials shall secure the necessary clearances and permits from the Jagna Fire Marshall Office and Mayor's Office respectively.
- c) **Penalty Clause.** Any person, firm or corporation violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 46. Safety Measure for Hazardous Operation or Processes.

a) **Mandatory Requirements.** Fire Safety Measures shall be required for the following hazardous operation or processes:

- Welding and Soldering
 - Disposal of combustible waste materials
 - Refining, distillation and solvent extraction
 - Industrial Banking or drying
 - Smelting
- b) **Regulated Acts.** Any firm or corporation engaging in hazardous operation or processes shall secure the necessary clearances and permits from the Jagna Fire Marshall Office and the Mayor's Office respectively.
- c) **Penalty Clause.** Any person, firm or corporation violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 47. Fire Safety and Warning Devices.

- a) **Mandatory Requirements.** Owners, occupants, administrators of building, structure and their premises on a especially hazardous in nature or when access by fire apparatus is unduly difficult, shall provide fire safety and warning system and develop fire safety programs, to wit:
- Fire protection features such as sprinkler system, hose or standpipe system and other fire fighting equipment
 - Fire alarm system
 - Firewalls to separate adjoining building or warehouse and storage areas from other occupancies in the same building
 - Fire exit program or plan for each floor of the building
 - Roof vents for use by firefighters
 - Self-closing fire resistive door heading to corridors
 - Fire dampers in centralized air condition ducts
 - Properly marked and lighted exists with provision of emergency lights adequately illuminated exit ways in case of power failure.

- b) **Penalty Clause.** Owners, occupants or administrators violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 48. Use of Lighted Candles and Torch Lamps.

- a) **Detailed Requirements for the Use of Candles.** The following detailed requirements for the use of candles in hotels, pension houses, residencies, restaurants, lodging houses and other business establishments shall be as follows:
1. Basic Requirements for Candle Holders:
 - a) The base must be at least one half in diameter of the height of the candle.
 - b) The base must support the light on the entire perimeter.
 - c) The candle must be secured from the holder so that it will not be easily dropped.
 2. Candles held in person's hand are extremely dangerous and should be handled with extreme care and precaution.
- b) **Prohibited Acts.** No person shall use lighted candles and torch lamps inside their place of business establishments at any time except lamps using oil, alcohol, kerosene or gas whose wicks are enclosed in a glass tube or chimney.
- c) **Penalty Clause.** Any person violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 49. Fire Safety for Building and Other Structures.

- a) **Regulated Acts.** It shall be unlawful for any person, firm or establishments to construct a building, occupy a newly-completed building or start and operates, directly or indirectly, a business in the building without the valid fire safety inspection certificate, clearance or permit from Jagna Fire Office.
- b) **Penalty Clause.** Any person, firm or establishments violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 50. Fire Extinguisher Requirement for BARANGAYS.

- a) **Mandatory Requirement.** All barangays of LGU-Jagna shall be required to have their own fire extinguisher as fire safety measure and such fire extinguisher shall be installed at the barangay hall. **(refer to JAGNA FIRE OFFICE)**

Section 51. Fire Exit for Lodging Houses, Boarding Houses, Apartments and Hotels / Pension Houses.

- a) **Mandatory Requirement.** All Hotels / Pension Houses, Lodging Houses, Boarding Houses and Apartments shall be strictly required to have a Fire Exit as one fire safety measure.
- b) **Penalty Clause.** Owners and Administrators of Hotels /Pension Houses, Boarding Houses, Lodging Houses and Apartments violating the above mentioned section shall be penalized by a fine of P1,500.00.

Section 52. Embers.

- a) **Definition of Terms.**
 - 1. *Ember* refers to a glowing fragment or the smoldering remains of a fire.
 - 2. *Lechon* refers to a local term for roasted domesticated animals like pig, cow and others.
- c) **Mandatory Requirement.** Lechon Dealers and their personnel shall be required to apply water or any kind of method to stop the flames of embers so as to prevent fire to spread out.
- d) **Penalty Clause.** Lechon dealers and their personnel directly involved in the process of roasting animals (lechon) violating the above mentioned section shall be penalized by a fine as follows:
 - 1. Lechon Dealers - P 1,500.00 or Two Months Imprisonment
 - 2. Lechon Personnel - P 1,000.00 or One Month Imprisonment

Section 53. Other Prohibited Acts.

The following acts are prohibited and are punishable under this Section:

- a) Obstructing or blocking the exit ways or access to building clearly marked for safety purposes, but not limited to aisle in interior area, any part of stairways or exit of any kind or tolerating or allowing said violations.
- b) Prevention, interference or obstruction during fire fighting operation.
- c) Obstructing a designated fire lane or access to fire hydrants.
- d) Locking fire exits during the period when people are existing inside the building.
- e) Giving false and malicious fire alarms.
- f) Use of jumpers or tampering on electrical wiring and installations, or overloading the electrical system beyond its designated capacity for the safety of the building or structure

- g) Minor children playing fire and other hazardous preparations, the liability shall fall under the responsibility of the parents or guardians.

Penalty Clause. Any person, firm or corporation found guilty of the above section shall be penalized by a fine of P2,500.00 or by closure of such building or structure, their premises or facilities which do not comply with the requirements, or both fine and closure to be imposed by the Local Chief Executive.

Article K. PUBLIC TRANSPORT AND COMMUNICATION

Section 54. Local Franchise.

a) **Mandatory Acts.**

Motorcycle-For-Hire (MCH) shall observe the following operating conditions, including other conveyances of municipal franchise;

1. MCH routes must be within the boundaries only prescribed in their permit.
2. MCH operation must comply the local franchise & other requirements.
3. Operators and drivers must observe and follow LTO and LGU rules & regulations including decency. Sleeveless shirt and short pants are not allowed.
4. Passenger carrying capacity must be observed.
5. Refusal to convey passenger is strictly prohibited.

- b) **Penalty Clause.** Any person violating the above mentioned section shall be penalized by a fine of P500.00 or one month imprisonment.

Section 55. National Franchise.

a) **Regulatory Acts.**

- 1.) All public conveyances of national franchise (operating in the municipality) shall register with the Mayor's Office for monitoring & other purposes.
- 2.) Parking, loading, unloading & other regulations including local traffic laws must be observed & strictly followed.
- 3.) Services of a dispatcher shall be at their option. The LGU shall not take responsibility thereof.

- b) **Penalty Clause.** Any person violating the above mentioned section shall be penalized by a fine of P 1,000.00 or 2 months imprisonment.

Section 56. Pedestrian Requirements.

a) **Definition of Terms:**

Pedestrian – means any person who is supposed to follow the crosswalk when crossing the highway, provincial or municipal street or walking on the sidewalk of the highway.

Jaywalking – for purposes of this Code, jaywalking shall mean any of the following acts; and is punishable by a fine of PhP200.00

- 1) Crossing the street or highway outside the marked crosswalk of pedestrian crossing, and in the absence of such mark, crossing the street, highway except at the corner of intersection, as nearly as possible at the right angle perpendicular to the intersection;
- 2) Crossing the street or highway even within the marked crosswalk of pedestrian crossing without conforming to the hand signal of the policemen or traffic enforcer at the intersection or contrary to the signal by other device for regulating traffic; and
- 3) Walking outside the sidewalk of a street or highway so as to inconvenience, obstruct, hinder or prevent free passage of vehicles, except if the street or highway without sidewalk shall at all times take/pass to outer portions of the same.

Section 57. Parking in Highways.

a) **Regulated Acts.** No person shall stop, stand or park a vehicle or motorcycle except when necessary to avoid conflict with other traffic or in compliance with law or directions of traffic officer, in any of the following places:

- a) On a sidewalk, except as otherwise provided herein;
- b) Within four feet or either of a public or private driveway;
- c) Within an intersection;
- d) Within six meters of the intersection of curb lines;
- e) Within four meters of the driveway entrance to fire station;
- f) Within four meters of fire hydrant; and
- g) On a crosswalk;

b) **Penalty Clause.** Violation to any provisions of this section shall be penalized by a fine of One Hundred Pesos (PhP100.00)

Section 58. Drying of Agri-Products on Roads and Streets

a) **Regulatory Acts.** No persons shall use any portion of any public roads, sidewalks, alleys, or lanes, for the following purposes:

- 1) Drying of apparels, whatever kind of cereals, buri palms or other agricultural products;
- 2) Repairing and washing of vehicles and other home appliances;

- 3) Bathing or laundering or other similar purposes;
 - 4) Hawking or peddling of any goods, merchandise, wares or any articles of commerce;
 - 5) Placing of construction materials or waste materials of demolished/renovated buildings;
 - 6) Installation of stalls, advertisement or other similar structure;
 - 7) Placing junk or unused vehicles and equipments.
- b) **Penalty Clause.** Any person who violates this Section shall be penalized by a fine of P 2,500.00 or Six Months Imprisonment.

Section 59. Overnight Parking.

- a) **Regulated Acts.** Delivery trucks and panel shall park only in front of Jagna Public Market from 9 o'clock in the evening up to 6 o'clock in the morning. Likewise, stalled vehicles caused by engine trouble and / or flat tire must be removed / towed away as soon as possible from the road or street.
- b) **Penalty Clause.** Driver, salesman and owner of the vehicle violating the above section shall be penalized by a fine of P500.00.

Section 60. Bicycle.

- a) **Regulated Acts-** No person shall drive a bicycle of whatever kind unless such bicycle is duly registered at LGU-Jagna with corresponding plate number issued in connection therewith. Unregistered bicycle shall be impounded with corresponding penalty mentioned in Jagna Revenue Code.
- b) **Rules and Regulations –**
1. The sticker shall be placed properly at the rear portion of the bicycle.
 2. The said bicycle must have at all times a bell or horn.
 3. The said bicycle shall also have a head light.
- c) **Penalty Clause.** Any violation to the above-mentioned section shall be penalized by a fine of P 50.00.

Section 61. Fighting Cocks and other Animals.

- a) **Prohibited Acts.**
1. No person shall place or tie their fighting cocks, goats or any kind of animals at the shoulder of the roads and streets.
 2. No person shall place or tie their domesticated animals near a water source.

- b) **Penalty Clause.** Any violation to the above section shall be penalized by a fine of P1,000.00.

Section 62. Parking of vehicles

- a) **Prohibited Acts.** All motorized vehicles including tricycles, motorelas, motorcycles, buses, mini-buses, habal-habal and private vehicles shall park only at the designated parking places designed by the LGU covering the municipal hall and the public market area.
- b) **Penalty Clause.** Any person violating the above section shall be penalized in the manner the citation ticket ordinance provides.

Section 63. Motorcycles for Hire (HABAL-HABAL)

- a) **Regulated Acts.**
 - 1) Carrying capacity shall be limited only to 3 including the driver
 - 2) Drivers shall wear a uniform prescribed by the Motor for Hire's Association.
 - 3) All passengers including the driver shall use helmet.
 - 4) Drivers shall not wear sleeveless shirt, short pants, and sleepers.
 - 5) Wearing of shoes is a must.
- b) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P1,000.00 or revocation of the franchise or permit.

Section 64. Use of Emergency Siren

- a) **Prohibited Act.** No person shall install or use an emergency siren in all kinds of vehicles including motorelas, tricycles or motorcycles.
- b) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P2,500.00 and confiscation of the prohibited item.

Section 65. Proper Grooming Of Drivers

- a) **Basis of Action.** It has been observed that some drivers of any kind of public utilities who do not have the regular practice of proper grooming create a hindering situation where the passengers voluntarily prevent themselves to avail such public utility because of bad odor and other irritating manifestation on behalf of the driver.
- b) **Regulated Act.** All drivers of motorelas, tricycles or motorcycle for hire (habal-habal) shall observe proper grooming to project good and positive image towards the prospective passengers and the whole community as well.
- c) **Penalty Clause.** Any person violating the above section shall be penalized by a fine of P200.00

Section 66. Unauthorized Sale / Display of Calamay and other Goods.

- a) **Prohibited Act.** No person shall sell / display calamay and other goods along the highway from barangay Poblacion to barangay Looc including the vicinity of the Jagna Public Market to avoid accident.
- b) **Penalty Clause.** Vendors violating the above section shall be penalized by a fine of P200.00.

Section 67. Overloading of Passengers and Farm Products

- a) **Prohibited Act.** Overloading of passengers and farm products from and to the market is strictly prohibited
- b) **Penalty Clause.** Driver or owner of vehicle violating the above section shall be penalized by a fine of P2,500.00 or Six Months imprisonment.

Section 68. Color Coding of Motorelas/Tricycles

- a) **Requirements.** For easy distinction of destinations, the following color coding shall be observed:
 - 1. East bound shall be colored sky blue
 - 2. West bound shall be colored yellow
 - 3. Bunga Ilaya route shall be colored green; and
 - 4. Central route covering Barangay Canjulao, Pagina, Poblacion and Tejero shall be colored Orange.
- b) **Point of Reference.** The Jagna Public Market shall be the base of reference for east and west direction or municipal designated parking area.

Section 69. Humps.

- a) **Prohibited Act.** Construction of humps in any roads and streets in this municipality shall be strictly prohibited.
- b) **Penalty Clause.** Construction of humps shall be penalized by a fine of P1,500.00.

Section 70. Using Cell phone while driving any Vehicle.

- a) **Prohibited Acts.** Contacting and Sending Txt messages through cell phone while driving any kind of vehicles shall be strictly prohibited.
- b) **Penalty clause.** Any person violating the above section shall be penalized by a fine of P2,500.00 or Three Months Imprisonment.

Section 71. Communication Towers.

- a) **Mandatory Requirement.** Communication companies installing tower in this municipality shall be required to install their tower with a 100 meters distance the least from the nearest residence, buildings and other structures to prevent possible negative effect of radiation.
- b) **Penalty Clause.** Violation to the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Article L. CONSUMER'S WELFARE AND PROTECTION

Section 72. Fixer.

- a) **Prohibited Acts.**
 - 1. Fixer is strictly prohibited to transact business inside the Jagna Land Transportation Office in behalf of any client.
 - 2. LTO personnel caught cradling fixers in transacting business inside the Jagna LTO shall also be held liable and shall be subject to proper sanction.
- b) **Penalty Clause.** Violation to the above-mentioned section shall be penalized by a fine of P 2,500.00 or Six Months Imprisonment.

Section 73. Car Insurance Companies.

- a) **Prohibited Acts.**
 - 1 Car insurance companies having no supporting documents and business permit from the Office of the Local Chief Executive is strictly prohibited to transact insurance services at the Jagna Land Transportation Office.
 - 2 Insurance Companies blacklisted by the Philippine Insurance Commission are also strictly prohibited to open an insurance office within the territorial jurisdiction of the Municipality of Jagna,
- b) **Penalty Clause.** Violation to the above-mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

Section 74. Direct / Personal Marketing.

- a) **Regulated Act.** Any person or companies conducting a direct or personal selling of any consumer products shall be required to secure business permit from the office of Local Chief Executive upon presenting necessary documents to support that their business is considered legitimate by DTI, SEC and other government agency.
- b) **Penalty Clause.** Any person violating the above mentioned section shall be penalized by a fine of P2,500.00 or Six Months Imprisonment.

CHAPTER III

EXISTING ORDINANCES/CODES WITH PUBLIC SAFETY PROVISIONS

Section 75. Existing Municipal Ordinances/Codes of Jagna, Bohol with Provisions covering Public Safety, Protection, Security and Order.

The following shall form part and parcel of this Code:

1. Municipal Ordinance No. 6-04-2003 - Jagna Revenue Code.
2. 13-11-2004 - Jagna Market Code
3. 20-11-2004 - Jagna Modified Integrated and Ecological Solid Waste Management Ordinance
4. 17-05-2005 - Jagna Environmental Code of Jagna, Bohol
5. CC3-01-2006 - Jagna Code for Children
6. G.O.-06-2006 - Jagna Code of General Ordinances

CHAPTER IV

FINAL PROVISIONS

Section 76. Penal Provision. The penalty for any violation of this code which is not provided elsewhere in other sections of this code or in national law shall be penalized by a fine of P 2,500.00 or Six Months Imprisonment.

Section 77. Separability Clause. If for any reason or reasons, any part or provision of this code will be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 78. Repealing Clause. All ordinances, resolutions, executive orders and other issuances which are inconsistent with any of the provisions of this code are hereby repealed or modified accordingly.

Section 79. Effectivity. This code shall take effect upon its approval.

Enacted: January 8, 2007.

AFFIRMATIVE:

SGD. JESUS B. ACEDILLO
Municipal Councilor

SGD. VICTORINO M. NAYGA, SR.
Municipal Councilor

SGD. PACHECO LL. RANCES
Municipal Councilor

SGD. GODOFREDO P. OKIT, SR.
Municipal Councilor

SGD. ALBERTO Y. CAFE
Municipal Councilor

SGD. SENEN C. LLOREN
Municipal Councilor

SGD. ANDREW G. TADENA
Municipal Councilor (ABC Pres.)

SGD. DEXTER LITO N. RANIS
Municipal Councilor (SKMF Pres.)

NEGATIVE: N O N E

ON LEAVE : BONIFACIO GO VIRTUDES, SR. Municipal Councilor

SICK LEAVE: ALFONSO R. GALES, SR. Municipal Councilor

CERTIFIED CORRECT:

SGD. RENATO R. ACERA
MGDHI/SB Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

SGD. ENGR. TEOFISTO C. PAGAR, SR.
Presiding

APPROVED: **01-30-2007**
Date Signed

SGD. HON. EXUPERIO C. LLOREN
Municipal Mayor