



Republic of the Philippines
Province of Bohol
Municipality of Jagna
Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. G.O.7-06-2006

**AN ORDINANCE ENACTING THE CODE OF
GENERAL ORDINANCES OF JAGNA, BOHOL**

The 5th Sangguniang Bayan of Jagna, Bohol
in session duly assembled ordains the following:

CHAPTER 1

GENERAL PROVISIONS

Article A. Title and Scope

Section 1. a) Title. – This Ordinance shall be known as the Code of General Ordinances of Jagna, Bohol, herein referred to as the “Code”.

b) **Scope.** – This Code covers all general ordinances of the town enacted over the years, Executive Orders of the Municipal Mayor as well as resolutions of the Sanggunian that partake the nature of an ordinance.

Article B. Statement of Purpose

Section 2. Purpose. – This Code establishes the legal, political, economic, social, cultural and holistic framework of municipal governance, delivery of municipal government services, conservation, control and protection of environment and natural resources.

Installation of appropriate public technology, harnessing the full potential of all sectors of society for the implementation, monitoring and engineering to attain a better quality of life for the present and future generations.

It localizes and reinforces superior laws distinctly applicable in the municipality.

Article C. Rules of Construction

Section 3. Words and Phrases. – Words and phrases embodied in this code but not herein specifically defined shall have the same meaning as found in legal dictionaries as well as in the existing laws and the rules on statutory construction in which shall be supplementary to this Code.

Section 4. Construction of Provisions. – In construing the provisions of this Code, the following rules shall be observed:

- i) **General Rule.** – All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such other words in this Code which may have acquired a peculiar or appropriate meaning shall be construed according to such technical, peculiar, or appropriate meaning.

- ii) **Gender and Number.** – Every word in this Code importing the masculine gender shall extend to both male and female. Every word importing singular number shall extend and apply to several persons or things as well, and every word importing the plural number extend and apply to one person or thing.
- iii) **Computation of Time.** – The time within which an act is to be done when expressed in days shall be computed by excluding the first day and including the last day except;
“When the last day falls on a Sunday or holiday in which case, the same shall be excluded from the computations and the next business day shall be considered the last day.”
- iv) **Tenses.** - The use of any verb in any tenses shall include the future when applicable. The words “shall have been “ shall include past and future cases.
The use of the word “shall” means the act to be mandatory while “may” is permissive.
- v) **References.** – All references to Chapter or Sections are to chapter or sections in this Code unless otherwise specified.
- vi) **Conflicting provisions of Chapters.** If the provisions of different chapters conflict with or contravene each other, the provisions of each chapter shall prevail as to all specific matters and questions involved herein.
- vii) **Conflicting provisions of Sections.** If the provisions of different sections in the same chapter conflict with each other, the provisions of the section which is last in point sequence shall prevail.
- viii) **Service Documents.** – Where any notice, or any document is required to be served upon any person in connection with this Code, it is deemed and construed as appropriately served or given by any of the following circumstances or acts:
 - (i) **personally given to the persons to whom it is directed or to any person of sufficient discretion in the address of the person concerned;**
 - (ii) **acknowledge receipt of copy of the order or notice sent through facsimile or fax or any electronic transmission, or the return card of a registered mail containing such notice or order;**
 - (iii) **in case of corporation, service on a director, officer or recognized agent of the corporations is deemed sufficient service.**

Section 5. Amendment and Integration of Additional Provisions. - Any amendment to this Code may be introduced to the section concerned.

All ordinances enacted subsequent to the date of effectivity of this Code shall be compiled in such a way as to amend the corresponding section to which said ordinances or provisions pertain.

The provisions will be integrated into the corresponding section whenever a new printing or reproduction of this Code will be undertaken upon the authority of the sanggunian.

Section 6. Existing Rights. – No action or proceeding shall commence before this Code takes effect, and no right accrued is affected by this Code. All the procedures after the effectivity of this Code shall conform to the provisions of this Code specifically provided.

Section 7. Effect of Heading. – The section headings do not, in any manner, affect the scope, meaning or intent of the provisions contained in this Code.

Section 8. Relation to prior Ordinances. - The provisions of this Code which are substantially the same as those of previous or existing ordinance particularly when dealing with the same subject matter, shall be construed as restatements and not as new enactments.

CHAPTER II
ADMINISTRATIVE DEVELOPMENT

Article A. The Municipality

Section 9. – Foundation and Establishment.

- a) **Toponym-** Jagna/ Hagna is located near the sea, southeast of Bohol Island. Jagna first appeared in written records when the Spanish expedition of Miguel Lopez de Legaspi dropped anchor at its bay in 1565. Three etymologies have been offered by various authors for a toponymic study of Jagna. In the *Vocabulário de la Lengua Bisaya* (Vocabulary of the Visayan Language), authored by Father Matheo Sanchez of the Society of Jesus and published in Manila in 1711, the Visayan term *hagna* is the equivalent of the Spanish *cienaga* which is rendered into *swamp* or *marshy moor*. In addition, *Hagna* refers to a *pueblo* in Bohol, known with another name *San Miguel* (Saint Michael).

The Augustinian Recollect Father Juan Felix de la Encarnacion, author of the *Diccionario bisaya-español*, first published in Manila in 1852, has two Spanish meanings for the Visayan word *Hagna*: these are *basac* (field planted with rice) and *cienaga* (swamp, marshy moor). Both etymologies undoubtedly are acceptable.

A third “modern” meaning refers to the moment during the process of making the local delicacy called *kalamay* when the coconut milk begins to boil and coagulate. This last etymology – now quite popular (as in the expression “*ni hagna na!*”) – apparently has no basis in toponymic studies, for the evident absence of that meaning in ancient language dictionaries.

Our primary source: *Libro de Cosas notables of Jagna* (1897)

The Augustinian Recollect priest Father Ambrosio Iturriaga is the author of the *Libro de Cosas notables de Jagna*. He was given specific orders by the prior provincial to gather data for the historical account of the parish of Saint Michael of Jagna in Bohol. In the introductory page of the relatively informative 1897 historical account, he decried the dearth of sources, brought about by the fire that gutted the church and convent and that consequentially converted into ashes all what have been written and recorded in the annals of the Jesuit history of Jagna. But Father Iturriaga tried his best to search for sources everywhere he could. He might have interviewed the old folks of the community, like his Augustinian Recollect confreres had done in other curacies in order to obtain reliable first-hand information on their parishes of assignment.

Father Iturriaga then clearly tells us that 1631 was the year when the missionaries of Society of Jesus “erected the mission of Jagna under the invocation of St. Michael Archangel” and 29 September has been the fiesta of the parish of San Miguel de Jagna since time immemorial.

Section 10. Role of the Municipality. – The municipality is composed of 33 barangays, and as a political and corporate unit of government, serves as a dynamic mechanism for developmental processes and governance of local government units within its territorial jurisdiction, specially the promotion of the general welfare as mandated under Section 16 of RA 7160 (General Welfare Clause).

Section 11. Component Barangays – The following are the component barangays of the municipality:

- | | | |
|----------------|---------------|-----------------|
| 1. Alejawan | 12. Cantagay | 23. Malbog |
| 2. Balili | 13. Cantuyoc | 24. Mayana |
| 3. Boctol | 14. Can-uba | 25. Naatang |
| 4. Bunga Ilaya | 15. Can-upao | 26. Nausok |
| 5. Bunga Mar | 16. Faraon | 27. Odiong |
| 6. Buyog | 17. Ipil | 28. Pagina |
| 7. Cabunga-an | 18. Kinagbaan | 29. Pangdan |
| 8. Calabacita | 19. Laca | 30. Poblacion |
| 9. Cambugason | 20. Larapan | 31. Tejero |
| 10. Can-ipol | 21. Lonoy | 32. Tubod Mar |
| 11. Canjulao | 22. Looc | 33. Tubod Monte |

Section 12. Vision / Mission

VISION

Jagna will be the leading center of trade and sustainable agro-industrial tourism municipality in southeastern Bohol, with a self-reliant and God-loving people living a better quality of life, preserving their cultural heritage and wisely using the natural resources through good governance.

MISSION

In order to realize our vision and fulfill our aspirations, we therefore commit ourselves

- to the promotion of good governance by transforming the local government unit into one that is committed to defend and serve the interest and welfare of its people;
- to the preservation of our rich cultural heritage and the foundation values of the municipality as reflected in its noble history;
- to the promotion of Jagna as a municipality conducive to initiatives for economic development, tourism promotion and environmental protection.

Section 13. Municipal Hymn – the hymn of the municipality is the “HIMNONG JAGNA-ANON” composed by Mr. Leoncio C. Gulle, Sr. for the music and Wenifredo G. Bertumen for the lyrics.

The lyrics HIMNONG JAGNAANON

Lungsod hatag sa kahitas-an
Anaa sa silangang bahin sa Bohol
Buhong sa kinaiyahan ug sa katanuman
Sa bugnaw’ng tubod binisbisan

Chorus:

Lumulopyo ang kalinaw gihuptan
Sa mga dumuduong guiugupan
Maanyag nga mga anak ug kalantip sa isip
Mga kaliwat naila sa lalawigan

Dagat ug ang kaumahan gisaligan
Bulad sanga ug matam-is nga Calamay
Lamas ug utanon sa yutang tabunok gikan
Ug miabot sa mga lalawigan
(balik sa chorus dayon coda)

CODA:
Oh! Jagna, Oh! Jagna
Akong gipakamutya

Section 14. Municipal Flag – the municipal flag is of the same size with the Philippine National Flag, color sky-blue with municipal seal inscribed at the center.

Section 15. Seal and Symbols – The municipal corporate seal, registered with the National Historical Commission has the following symbols/symbolism:



- a) **Municipality of Jagna, Province of Bohol** – inscribed around the seal.
- b) **Capt. Gregorio “GOYO” Caseñas** – personified on the center picture who was the last Jagna-anon outlasted in the battle between the Americans and Filipinos in 1896 at Barangay Lonoy.
- c) **Ship**–indicating that Jagna is a port town, the gateway to Mindanao areas. Jagna port is now part of the “Strong Republic Nautical Highway”.
- d) **Radar** – at upper left corner, located at Barangay Mayana, the highest peak of Bohol. Mayana is considered the “Little Baguio” of Bohol. Several communication facilities are established here.
- e) **Manta Ray and Flying Fish** – at lower right corner which are abundant in Jagna areas although seasonal.
- f) **Famous Calamay** – at lower left corner which made Jagna famous. Cooked from ground glutinous rice mixed with sugar and coco milk. Imitated but never been equaled in taste.

Section 16. Other Symbols. Also adopted are the other symbols as part of municipality’s identity, to wit:

- a) **Municipal Tree** – **NAGA (NARRA)**, symbolizing strength & determination.
- b) **Municipal Flower** – **ANTHURIUM**, because of its heart-shape flower which remains fresh for long period of time.
- c) **Municipal Bird** – **KINGFISHER**, being a coastal town with fishing as major industry.
- d) **Municipal Fish.** – **MANTA RAY**, a seasonal fish which are abundant during summer.

- e) **Municipal Fruit.** – *DUHAT(Lomboy)*
- f) **Municipal Dance/s.** – *MAZORCA DE JAGNA and LA JOTA JAGNELIÑA- original composition of a Jagna-anon registered at the NCCA*

Section 17. Geographical Features:

The municipality of Jagna is located in the southeastern part of Bohol province. It is approximately 63 kilometers from Tagbilaran City – the capital city of the province. The municipality is a coastal town highly accessible by land and sea transportation. Travel time to Tagbilaran City by bus averages one and a half hours.

Jagna with its port facilities, is a strategic point of sea transport – as it straddle a major Visayas-Mindanao sea-lane, part of the Strong Republic Nautical Highway. The Jagna to either Cagayan de Oro City or Nasipit (Butuan) would take six hours more or less.

Land area of Jagna is more than twelve thousand hectares

Jagna has its "wealth of wonders" and to name a few, we have the

- a) **Kinahugan Falls** – sitio Karap-agan, Cabunga-an, Trigonometrical in nature and are equidistant to each other. Noted for its bridal veil beauty.
- b) **Can-uba Beach** - ideal for picnic, scuba diving
- c) **Eva Cave** - (Odiong) Several caves with underground rivers are also found in Odiong. It has the longest cave in the country ever discovered by Slovenian spelunkers in early 1999.
- d) **Cantuyoc Cave** - two known caves as second deepest in the Philippines discovered by two Slovenian spelunkers in 1995. It has underground rivers also.
- e) **Luinab Rice Terraces** - Located at Boctol covering an area of 50 hectares.
- f) **Lonoy** - site of bloody encounter between Filipino revolutionist and American invaders during WW I. With cold spring and swimming pool
- g) **Mayana** - the highest peak of Bohol. Noted for its cold climate – the coolest in the province. Site of telecommunication towers. Also the site of the second biggest Centennial Tree (NARRA). 3.2. meters in diameter, 30 meters high and believed to be 230 years old. Has a man-made forest.
- h) **Balili** - has a crystal-clear lagoon at sitio Ceiling and caves with underground rivers. Has a cool climate suited for summer resort
- i) **Birhen sa Barangay Shrine (Ilihan Hill)** - hundreds of devotees regularly come every Friday to adore the original painting of the Birhen sa Barangay said to be miraculous.

Section. 18. Seat of the Municipal Government. The seat of the Municipal Government of Jagna, Bohol where the Executive and Legislative Offices are located is at Poblacion, Jagna, Bohol

Article B. Municipal Government Structure

Section 19. Elective Officials. The following are the Municipal Elective Officials:

- a) Municipal Mayor
- b) Municipal Vice Mayor
- c) Members of the Sangguniang Bayan

Section 20. Appointive Officials. The mandatory Appointive Officials of the municipality are the following:

- I. a) Secretary to the Sangguniang Bayan
 - a. Municipal Treasurer
 - b. Municipal Assessor
 - c. Municipal Budget Officer
 - d. Municipal Accountant
 - e. Municipal Planning and Development Coordinator
 - f. Municipal Engineer
 - g. Municipal Civil Registrar
 - h. Municipal Health Officer

II. The Optional Appointive Officials of the municipality are the following:

- a) Municipal Agricultural Officer
- b) Municipal Social Welfare Officer

Any creation thereof and appointment thereto shall be subject to the provisions of the Local Government Code of 1991, CSC Rules, Regulations and Policies.

Section 21. Powers, Duties and Functions.

The powers, duties and functions of elective and appointive officials of Jagna, Bohol both mandatory and optional are those as provided under R.A. 7160 otherwise known as the Local Government Code of 1991.

Article C. Executive Administration

Section 22. Human Resource and Development.

The Municipality shall adopt and implement an organizational structure and staffing pattern based on service requirements and financial capability of the town subject to the guidelines prescribed by the Civil Service Commission

The Municipal Mayor shall be responsible for human resources and development of the local government unit in accordance with the civil service laws, rules and regulations including standard policies and guidelines.

Section 23. Personnel Management.

The Human Resource Management Officer who is under the control and supervision of the Municipal Mayor shall take charge in the personnel management and development of the LGU under the established policy, rules, and regulations of the Civil Service Commission.

Section 24. Recruitment, Selection and Placement System.

For purposes of recruitment selection, placement, and appointment to regular positions, the MERIT SELECTION PLAN of the LGU now on file and under the custody of the Human Resource Management Officer shall be adopted. (Annex A)

Section 25. Settlement of Grievance. A Grievance Committee is created to resolve expeditiously any grievance against any official and employee.

a. Composition:

- | | |
|----------|--|
| Chairman | - HRMO |
| Members | - Two Department Heads |
| | - Two Rank and File representatives who will serve for two years |

The *GRIEVANCE MACHINERY* of the town under the custody of the HRM Officer shall be adopted and shall form part of this Code in settling any grievance. (Annex B)

Section 26. The Performance Evaluation System.

For the improvement of individual employee's efficiency or organizational effectiveness, and development of each division, and in line with CSC Resolution No. 991792 and CSC MC. No. 13, 1999, the municipality hereby adopts the PERFORMANCE EVALUATION SYSTEM (PES) enacted on June 30, 2000 further filed and in custody of the HRM Officer. (Annex C)

Section 27. Awards and Incentives.

To encourage creativity, innovativeness, efficiency, integrity, and productivity, the municipality also adopts its "PRAISE" (Program on Awards and Incentives for Service Excellence) also on file at the HRM Office. This award is conferred during the Civil Service month culmination. (Annex D)

a) PRAISE Committee Composition.

- | | |
|----------|--|
| Chairman | - Municipal Mayor |
| Members | - HRMO |
| | - Budget Officer |
| | - Municipal Treasurer |
| | - Municipal Accountant |
| | - 1 representative from the Second Level and |
| | - 1 representative from the First Level |

b) Funding. The agency shall allocate 5% of the HRD funds for the PRAISE and incorporate the same in the annual Work and Financial Plan and budget.

Section 28. Executive and Legislative Advisory Committee. An Executive and Legislative Advisory Committee (ELAC) is hereby organized composed of all Department Heads and representatives from the Sangguniang Bayan, to be chaired by the Municipal Mayor.

The ELAC shall be a venue where problems and concerns of the Local Government Unit are aired and threshed out. This shall also serve as the coordinative body between the Executive and the Legislative.

The ELAC shall conduct regular bi-monthly meetings or as often as maybe necessary.

The Municipal Local Government Operations Office (MLGOO) shall serve as the Secretariat of the ELAC.

Section 29. Flag Ceremony and Convocation. All Officials, LGU Department Heads, National Offices, regular employees and casuals are required to attend the flag raising ceremony on every first working day of the week with convocation lead by different department heads.

Section 30. Code of Ethics.

All municipal officials and employees shall, at all times be accountable to the people and to discharge their duties with utmost responsibility, integrity, competence and loyalty, act with patriotism and justice, lead modest lives and uphold public interest over personal interest.

CHAPTER III

Article A. Legislative Development

Section 31. Legislative Policy. It shall be the Policy of the Sangguniang Bayan of Jagna, Bohol to enact ordinances and adopt resolutions to promote, protect, ensure, enhance and maintain stability, prosperity, employment, livelihood, education, peace and order, health, social justice, cultures, moral values, technology, comfort and general welfare of the community & the inhabitants thereof.

Section 32. Legislative Agenda. The Sangguniang Bayan shall formulate a Legislative Agenda:

The following major steps shall be observed in developing a Legislative Agenda:

- STEP 1. Identification and articulation of needs, problems and aspirations;
- STEP 2. Aggregation of diverse needs, problems and aspirations into a coherent theme to facilitate legislation;
- STEP 3. Evaluation and classification of aggregated needs, interests, and aspirations;
- STEP 4. Prioritization of aggregated interests, needs and aspirations;
- STEP 5. Agenda legitimation through a legislative measure. This will serve as a road map for legislative actions and reforms.

Section 33. Legislative Management System.

To strengthen the legislators capability in its legislative tasks and functions, and to keep track of its existing measure for their predictive legislations, a Legislative Management System (LMS) also known as the Sanggunian Information System (SIS) shall be established with the use of modern information technology through computer.

This system shall cover, but not limited to the following features:

- a) automatic format of resolution or ordinances;
- b) automatic format of resolution or ordinances by category;
- c) database of legislator's legislative performance through authoring;
- d) minutes, resolutions and ordinances;
- e) other useful features.

Section 34. Review Policy.

- a) All barangay ordinances submitted for review in the sanggunian may first be submitted to the district councilor in charge of the barangay for its initial scrutiny prior to its submission to the sanggunian for review;

- b) *Basis for Review.* The review of barangay ordinances shall be based not only on legal interpretation but also on the social, economic, political and cultural dimensions;
- c) *Criteria of Review.* The criteria of review shall be time-bounded, acceptable and attainable as well as consistency with the development plan and cost-effective.
- d) *Other Requirement.* Barangay ordinances must have complied the provisions required in enacting an ordinance.

Section 35. The Sanggunian Rules of Procedures. (See Separate Copy)

The Sanggunian Rules of Procedures, otherwise known as the Internal Rules of Procedures of the Sanggunian is enacted separately but shall form part of this Code. Every Sanggunian may adopt its own Rule.

Section 36. The Sanggunian Committees.

The standing committees, ad hoc, and special committees of the Sanggunian is included in the IRP of the Sanggunian.

Article B. Rules and Procedures in Administrative Investigations

Rule I – Rules and Procedures

Section 37. Filing of Verified Complaint. – A verified complaint with the corresponding affidavit or affidavits to support complaint and documents, if any, shall be filed with the Sangguniang Bayan through the Secretary of the Sangguniang Bayan. The Secretary shall see to it that filing and summons fees are paid. A copy of the complaint shall be furnished to each respondent, local chief executive, Department of Interior and Local Government, and the presiding officer of the Sangguniang Bayan.

Section 38. Endorsement of Complaint. – The Secretary shall endorse the complaint to the Presiding Officer and calendar the same for business.

Section 39. Period to Submit Verified Answer. – Within seven (7) days after the complaint is filed, the Sangguniang Bayan through the Presiding Officer shall require the respondent to submit his verified answer within fifteen (15) days from receipt thereof with corresponding counter-affidavits and documents, if any, and commence the investigation of the case within ten (10) days after receipt of such answer of the respondent.

Section 40. Determination of Prima Facie Case. – The Sanggunian shall determine whether or not there is a prima facie case to warrant the commencement of the investigation with or without the respondent filing his answer. If no prima facie case exists, the Sanggunian shall motu proprio dismiss the case. If prima facie case exists, the Sanggunian shall calendar the case for a preliminary conference.

Section 41. Preliminary Conference – The preliminary conference shall consider the following:

- a) Simplification of issues;
- b) Stipulation or admission of facts and of documents;
- c) Limitation of number of witnesses;
- d) Possibility of an amicable settlement or compromise;
- e) Schedule of formal investigation; and
- f) Such other matters that may aid in the prompt disposition of the case.

Rule II – Formal Investigation

Section 42. Affidavit and Counter-Affidavit as Testimonies. The affidavits submitted by the complaint shall serve as the testimony on direct examination subject to the cross-examination by the respondent and clarificatory questions by the members of the Sanggunian.

The counter-affidavits submitted by the respondent shall serve as his testimony on direct examination subject to the cross-examination by the complainant and clarificatory questions by the members of the Sanggunian.

Section 43. Failure to Submit Affidavits/Counter-Affidavits. The failure of the parties to submit affidavits and counter-affidavits shall be considered a waiver to present evidence in their behalf.

Section 44. Presentation of Rebuttal or Surrebuttal. In case of presentation of rebuttal or surrebuttal evidence, the parties may be allowed to present oral testimonies of witness, subject to cross-examination and clarificatory questions.

Section 45. Ruling on Motion or Objection. The Presiding Officer may be authorized by the Sanggunian to rule on any motion or objection.

Section 46. Opportunity to Confront and Cross-Examine. The parties shall be accorded opportunity to confront and cross-examine witnesses against them in person or by counsel, and to require the attendance of witnesses and the production of documentary evidence in their favor through the compulsory process of subpoena duces tecum.

Section 47. Rules of Court as Suppletory. The rules of Court of the Philippines shall have suppletory effect.

Rule III – Termination of Investigation and Decision

Section 48. Termination of Investigation and Decision. The investigation of the case shall be terminated within ninety (90) days from start thereof. Within thirty (30) days after the end of the investigation or after the lapse of the period of submission of memoranda or position papers by the parties, the Sanggunian Bayan shall render a decision in writing stating clearly and distinctly the facts and reasons for such decision. Copies of said decision shall immediately be furnished to the respondent and all interested parties.

CHAPTER IV– GOVERNMENT SERVICES

Article A. Public Order and Security

Section 49. Statement of Policy – The promotion and maintenance of peace, order and security shall be the joint responsibility of government and the populace. Every citizen shall be a stakeholder in building a society that is free from fear, harassment and exploitation.

Section 50. Creation and composition of Peace and Order Council. Pursuant to EO 309 and Section 116 of RA 6975 the Peace and Order Council shall be strengthen with the following composition.

Chairman: Municipal Mayor
Vice Chairman: Municipal Vice Mayor

- Members:
- Chairman, Sangguniang Bayan Committee on Peace, Order and Security
 - Municipal Local Government Operations Officer (DILG)
 - PNP Chief of Police
 - BFP –Chief Fire Marshall
 - Social Welfare Officer (MSWO)
 - Health Officer (MHO)
 - Agriculture Officer (MAO)
 - Civil Registrar Officer (MCR)
 - Municipal Accountant (M.A.)
 - Municipal Budget Officer (MBO)
 - Municipal Treasurer (M.T.)
 - Municipal Assessor (M.A.)
 - Municipal Engineer (M.E.)
 - Municipal Planning and Development Officer (MPDO)
 - Representative from DepEd
 - Representative from MCTC
 - Representative from DAR
 - Coast Guard
 - PPA
 - Liga President
 - Parish Priest
 - 3 NGO Representatives

b. **Duties and Functions** - The Council shall have the following duties and functions:

1. Formulates plans and recommends such measures which will improve or enhance peace and order and public safety.
2. Monitor the implementation of Peace and Order program and project of the town
3. Makes monthly assessment of availing peace and order situation and submit report thereof with recommendation to the Provincial Peace and Order Council
4. Perform all other functions assigned by law or by the Provincial Peace and Order Council.

c. **Meeting** - The council shall meet monthly at a place and time to be designated by the chairman

d. **Secretariat**- The DILG Officer shall act as the Head of the Secretariat of the Council.

Article A.1 Prank Calls

Section 51. Anti-Prank Calls

a. **Declaration of Policies**– It is hereby declared the policy of the Municipal Government of Jagna, Bohol to accelerate the use of Emergency Hotline Numbers that provide quick response to emergency situations, by providing unhampered accessibility to these emergency numbers.

b. **Definition of Terms.** – As used in this Ordinance:

1. **Emergency Hotline Numbers** – shall refer to, but not limited to the following: Patrol 117; PNP Hotlines; BFP Hotlines, National/Regional/Local Disaster Coordinating Council Hotlines; NBI Hotlines, Hospitals, and such other government and/or private hotlines whose entities provide quick response to emergency situations as hereinafter defined;

2. **Emergency Situations** – shall refer to incidents of fire, flood, earthquake, conflagration, civil disturbances, war, acts against national security and similar public disorders, traffic accidents, incidents that require immediate medical assistance, and such other incidents that involve the loss of life or property, and reporting of commission of a crime;
3. **Prank Calls** - shall refer to telephone calls or text messages made or sent by any person to the emergency numbers as herein defined, which do not involve a report of an emergency situation or a request for emergency assistance, but are made solely for the purpose of making fun of such hotline numbers, or sow confusion among emergency responding units;
4. **Service Providers** – shall refer to both landline mobile phone and hand-held radio operators, including all forms of telecommunications equipments;
5. **Person** – shall refer to any individual who makes a call to any number designated as emergency hotline number.

c. Prohibited Acts. - It shall be prohibited for any person to:

1. Make a prank call/text message through any service provider to any emergency number;
2. Make a call/text message to said emergency numbers for the purpose of reporting a false emergency situation;
3. Call/text an emergency number and leave said line hanging for the purpose of paralyzing the emergency line so called;
4. Make lewd calls or sending lewd messages to emergency numbers; and
5. Call/text said emergency numbers to mock, ridicule, insult, insult or otherwise hurl invectives at the phone operator, or otherwise, utter derogatory remarks against any individual other than said operator.

d. Penalty – Upon conviction the offender shall suffer the penalty of Imprisonment for a period not exceeding six (6) months or fine not exceeding two thousand five hundred pesos, (PhP2,500.00) or both at the discretion of the court.

**Article A.2 Fraternities/Sororities
and other Types of Organizations**

Section 52. Regulating all forms of Fraternities/Sororities and other types of organizations.

a. Definition of Terms: The following terms when used in this ordinance shall mean:

1. **FRATERNITY** – A body of men associated together by common bond of interests but acceptance of members is done through hazing/paddling, forced labor and other related modes of acceptance detrimental to one's physical health and causes moral turpitude;
2. **SORORITY** – a secret organization of women only; an association of school girls or out of school youths; acceptance of members is done through hazing/paddling, forced labor, sexual harassment and other related modes detrimental to one's physical health and moral turpitude;

3. **GANG** – A number of persons/company banded together for criminal or sinister designs;
4. **PUBLIC PLACES** – All places open to general use such as plaza's, streets, beaches, market, schools, offices and other places which the public has an interest as affecting the safety, health, morals and welfare of the community;
5. **HAZING/PADDLING** – A popular term which connotes the manner in accepting members inflicting physical pain in the body by using a paddle/wood, through overwork or unpleasant tasks, the playing of practical jokes upon a person or prospective member;
6. **DISTURBANCE** – The interruption of a settled state of an individual; an act of annoyance, disquiet to a person and community;

b. Rules and Regulations:

1. Recruitment for membership to any fraternities, sororities and other types of organizations in school and offices during school and working days is strictly regulated;

Private and public school heads and barangay officials shall have the authority to implement this ordinance aside from their internal rules or school policies and barangay ordinances on the existence of fraternities/sororities and gangs in their campuses and in barangay in due coordination with the PNP.

2. Private and public school heads are directed to submit lists of fraternities/sororities and gangs in existence within their campuses with all their corresponding by-laws and members of the organization to the office of the Mayor and the PNP;
3. Existing organizations in the barangays not registered with Securities and Exchange Commission should be properly indorsed by the barangay council for recognition and copies of its membership shall be submitted to the office of the mayor and PNP;
4. Organizations not recognized by the school authorities and/or by the barangay council shall be considered as GANGS;
5. Hazing/paddling activities as a means of acceptance to prospective members is strictly prohibited;
6. No person/s belonging to a fraternity and sorority or gang shall be allowed to gather and perform activities that will cause public disturbance in all public places;
7. Members of fraternities and sororities under 21 years of age shall have in their possession at all times a written consent of their parents, to be presented to authorities during time of inspection or raid;

Fraternities/sororities should issue identification cards with picture of the member duly signed by parents/guardians signifying consent to such membership.

- a) **Penalty** – Any person who violates any of the succeeding provisions shall be penalized as follows:

First Offense	- A fine of not less than P 600.00
Second Offense	- A fine of not less than 1,000.00

Third and successive offense- A fine of P1,500.00 or an imprisonment of not more than 7 days for ages 21 and above or both such fine and imprisonment at the discretion of the court. Ages below 20 shall be reprimanded of 3 working days by rendering 24 office hours in public service through the recommendation of the municipal mayor and the DSWD offices.

Article A.3. Traffic and Transportation

Section 53. Regulatory Provisions.

a) One-Way Street:

- 1) The road passing through sitio PONDOL, barangay POBLACION this town shall be a "ONE-WAY STREET or ROAD" with ENTRANCE at the crossing national highway going towards the Bohol Institute of Technology (BIT);
- 2) The MARKET CIRCUMFERENTIAL ROAD going to the wharf area parallel to the LOOC/PAGINA river and located at the east side of the market shall be used exclusively as ENTRANCE TO THE PORT AREA for all kinds of vehicle including bicycle except cart, and the adjoining provincial road located at the west side of the market shall likewise be used exclusively as EXIT FROM THE PORT area is thereby declared as ONE-WAY STREET or ROAD.

Traffic however in this area maybe rerouted anytime if exigency arises.

b) No Parking /No Stopping Areas and No Loading/No Unloading Zones:

- 1) No parking nor stopping shall be allowed on both sides of the road within 5 meters from the edge of a road intersection whether national highway, provincial or municipal road or street for both public utility vehicles, commercial trucks/vans, and private cars;

c) Parking Areas:

- 1) Parking area and/or public utility vehicles waiting area shall be designated either thru an Executive Order or legislative enactment and a visible sign shall be installed at the designated area;

d) **Penalty.** Any violation to the foregoing provisions or to other executive issuances related to this ordinance shall, upon approval hereof, be automatically subjected to the fines as provided below by issuing a CITATION TICKET printed for this purpose and to be issued by the authorized representative of the LGU whose proceeds shall accrue exclusively to the municipality, to wit:

First Offense	- P25.00 fine plus first warning (corresponding listing shall be done by the apprehending officer/employee of the LGU)
Second Offense	- P200.00 fine plus last warning (also proper listing be done)
Third offense	- P500.00 fine plus ultimate warning
Succeeding Offenses	- P 1,000.00 fine plus confiscation of the Drivers License to be turned-over to the local LTO- for the issuance of the Temporary Operators Permit (TOP) and/or proper disposition;

Section 54. Sidewalk Stalls.

- a) **Regulated Acts** – No person shall construct, establish or maintain any stall and the like on or along any sidewalk or shoulder of road or street which will obstruct or impede the passage of pedestrians and the flow of vehicular traffic;

Any structures constructed in sidewalks or shoulder of road shall be removed within two days from notice at the expense of the owner by the task force of the office of the Mayor.

Section 55. All kinds of vehicles are prohibited to run without silencer in their exhaust system.

- a) **Penalty.** Violation of this ordinance shall pay a fine of PhP300.00 for First Offense, PhP500.00 for Second Offense and PhP1,000.00 for Third Offense and Five days imprisonment.

Section 56. All vehicles passing barangay Looc, Pagina and Poblacion are required to drive slow at 30 KPH.

- a) **Penalty.** Violation of this ordinance shall pay a fine of PhP300.00 for First Offense, PhP500.00 for Second Offense and PhP1,000.00 for Third Offense and Five days imprisonment.

Section 57. Traffic rules and regulations shall be implemented and violation thereof shall be subjected to the issuance of traffic citation tickets.

- a) **Traffic Citation Ticket.** There shall be a Traffic Citation Ticket issued to any violations but not limited to the following and the violator shall pay the corresponding fee:

1. Driving under the influence of liquor and prohibited drugs;
2. Obstruction loading/unloading in prohibited zone;
3. Illegal turning;
4. Reckless driving;
5. Disregarding traffic sign/signal;
6. Illegal parking;
7. Refusal to convey passenger;
8. Arrogant and discourtesy;
9. Overloading of passenger;
10. Smoking driver/passenger;
11. Two passenger front seat;
12. Operating outside line;
13. Hitching;
14. No Valid Driver's License;
15. Student Driver unaccompanied by Licensed Driver;
16. Defective lighting accessories;
17. No U-TURN
18. No Parking
19. Other violations

- b) **Authority.** Personnel of the LGU-Jagna duly authorized by the Local Chief Executive as Traffic Enforcer shall by virtue of this ordinance be authorized to apprehend violators of traffic rules and issue the traffic citation ticket.

- c) **Compromise Fee.**

1. The compromise fee for above violation shall be One Hundred (P100) Pesos per violation.

2. Non-payment of the compromise fee within the prescribed period (3 days) shall subject the offender to an additional surcharge of 25%.

d) **Penalty.** Should the offender still fails to pay the compromise fee and additional surcharge; the violator shall be fined in the amount of PhP1,000.00.

Section 58. Mandatory Markings. Owners/operators of motorelas, tricycles and motorcycles for hire are required to print the following at their units for easy and proper identification purposes, to wit:

Motorelas/Tricycles for Hire

- a) Name of operator
 - b) Franchise/Case Number
 - c) Municipal Control Number – at 4 sides of the body of the unit and inside above the windshield
- } At the sides of the body of the unit

Motorcycle (Habal-Habal) for Hire

Control Number – at the front (below the headlight) and at the back (below the plate number)

a) **Penalty.** Violation to any part of this ordinance shall be fined in the amount of PhP500.00.

Article A.4. Mobile Phones and Accessories

Section 59. Sellers of Fake Cell Cards to Cellphone users shall be penalized as follows:

1. For individual or group of persons – be fined of of P2,500.00 and imprisonment of six months;
2. For Commercial establishments - be fined P2,500 and cancellation of business permit.

Section 60. Buyers of stolen cellular phone.

A fine of PhP2,500.00 and six months imprisonment. shall be imposed to buyers of stolen cellular phone

Article A.5. Video Games and Amusement

Section 61. Regulating the operation of Video Games sets.

a) **Regulatory Provisions:**

No person shall engage in the operation of video game set popularly known as “family computer, video computer game, Atari computer game and the like” without first securing a permit and license from the municipality and pay the corresponding fees.

b) **Rules and Regulations:**

1. The owner, lessor, trustee, possessor or keeper of video computer sets shall not allow minors to play, view or watch video games during school days/school time except from 5:00 P.M. to 7:00 P.M. and during Saturdays, Sundays, & Holidays;
2. A filtering screen must be provided by the owner, lessor, trustee, possessor or keeper of video computer sets to be attached thereto for eye-glare protection;

- c. **Penalty.** Violation to any of the foregoing provisions shall be punished by a compromise fine of P2,500.00 without going further to Court proceedings and revocation of the Business Permit;

Section 62. Regulating KTV-Sing Along Operation.

a) **Regulatory Provisions:**

1. The presence of KTV-Sing Along machine in Jagna, Bohol becomes popular and increasing every year which shall be subject to proper regulation;
2. KTV-Sing along machine shall only operate at 9 o'clock in the morning up to 11 o'clock in the evening.
3. At 10 o'clock in the evening, the volume of KTV unit shall be reduced to a level that will not disturb the neighboring residence.

- b) **Reason for Regulating Such Operation.** Allowing any customer to sing during late night will definitely disturb the resting activity of any individual nearby the location of the KTV-Sing Along establishment;

c) **Definition of Terms:**

1. **KTV-Sing Along Machine** – is a machine technically programmed with thousands of music intended to be used for singing for commercial purpose;
2. **Operator** –person who is having such KTV-Sing Along machine in their own establishment used for singing for commercial purpose;

- d. **Penalty.** Violation to this regulation shall be penalized as follows:

First Offense	- Warning
Second Offense	- Fine of PhP1,000.00
Third Offense	- revocation of business permit

Article A.6. Port Area

Section 63. Penalizing persons directly or indirectly involved in blackmarketing of tickets in the port area.

- a) **Rationale.** – The port of Jagna, Bohol is known to have huge blackmarketing of tickets during passenger season. The usual price of blackmarket tickets are more than double of the regular price imposed by the shipping lines. The act of blackmarketing of tickets in the port of Jagna, Bohol becomes later a syndicated activity conspired by big time financier. This measure is practically initiated to support the Philippine Port Authority of Jagna, Bohol to stop illegal activity as well as to protect the general welfare of the passenger.

b) **Definition of Terms:**

1. **Blackmarket Tickets** – are tickets of certain shipping lines being sold more than the regular price imposed by the shipping company. The manner of transaction is usually done outside the shipping lines ticketing booth;
2. **Black Marketer** – is a person or group of persons involved directly or indirectly in selling tickets to passengers whose tickets being sold are more than double the price of the regular price being imposed by the shipping company;

3. **Directly Involved Person**– is the one responsible of directly closing the sale of black market tickets to the passenger;
 4. **Indirectly Involved Person** - is the one responsible of expediting in securing the tickets or he/she maybe the financier.
- c) **Prohibition.** Any person engaged in selling of blackmarket tickets whether he/she is directly or indirectly involved are prohibited and shall be penalized thereof.
- d) **Penalty.** Any violation to the foregoing provisions shall be penalized by a fine of Two Thousand Five Hundred Pesos (P2,500.00) or Six Months imprisonment or both.

Section 64. Professionalizing the Porters and Canvassers.

- a) **General Policy.** There shall be a policy that will serve as the standard governing guidelines to all Porters and Canvassers who are actively working at the port of Jagna, Bohol.
- b) **Rationale.** It has been observed that the Jagna Porters and Canvassers play an active role and participation in terms of extending services to the passengers. It is the responsibility of the local government of Jagna, Bohol to maintain professionalized portage and canvassing. This measure is in support to the management reforms initiated by the Philippine Ports Authority.
- c) **Mandatory Provisions:**
1. For Jagna Porters Group
 - a. shall always wear proper uniform and shoes.
 - b. must have proper ID.
 - c. shall always practice proper grooming.
 - d. drinking liquor on duty is strictly prohibited.
 - e. Porter's service fee shall not exceed what is provided by the PPA's standard service fee.
 - f. shall always maintain courtesy and respect to the passengers.
 - g. not allowed to offer their services outside the port zone area.
 - h. quarrel among porters is strictly prohibited.
 - i. must be a registered and accredited member of the association recognized by the LGU-Jagna.
 2. For Jagna Canvassers Group
 - a. shall always wear proper uniform and shoes.
 - b. shall always practice proper grooming.
 - c. shall wear proper ID.
 - d. not allowed to enter inside the port area.
 - h. not allowed to get and touch the baggage of any passengers, unless the passengers personally permit them to do so.
 - i. drinking liquor while on duty is strictly prohibited.
 - j. quarrel among canvassers is strictly prohibited.
 - k. must be a registered and accredited member of the Canvassers Association duly recognized by the LGU-Jagna
 3. Sagoy / Truckboy, Conductors, Drivers are not allowed to canvass.

d) **Penalty.** The penalty for violating such ordinance shall be in the following manner:

1. For Jagna Porters:

First Offense – One-month suspension to be recommended to the Porters/Canvassers Association and the Philippine Ports Authority.

Second Offense – Six months suspension to be recommended to the Porters/Canvassers Association and the Philippine Ports Authority.

Third Offense – Lifetime termination to work for porter/canvasser services.

2. For Canvassers:

First Offense – One month suspension

Second Offense – Six months suspension

Third Offense – Lifetime Termination

3. For Drivers, Conductors and Sagoys violating the foregoing provision shall be penalized by a fine of PhP 500.00.

Article A.7. Anti-Drug Abuse

Section 65. Statement of Policy. It is the policy of the municipality of Jagna, Bohol to promote a healthy and drug-free environment wherein the youth are given opportunities for total development. The municipality envisions an environment where the people's peaceful way of living is assured and the youth are provided with good ideas in their heads and moral character in their hearts so that their potentials will be best tapped and developed for the community and the country.

Section 66. Creation and Composition of Anti-Drug Abuse Council. Pursuant to EO 309 and Section 116 of RA 6975 the Anti-Drug Abuse Council shall be strengthen with the following composition.

Chairman	- Municipal Mayor
Vice Chairman	- Municipal Vice Mayor
Members	- Chairman, Sangguniang Bayan Committee on Peace, Order and Security
	- Municipal Local Government Operations Officer
	- PNP Chief of Police
	- Chief Fire Marshall
	- Social Welfare Officer
	- Health Officer
	- Agriculture Officer
	- Civil Registrar Officer
	- Municipal Accountant
	- Municipal Budget Officer
	- Municipal Treasurer
	- Municipal Assessor
	- Municipal Engineer
	- Municipal Planning and Development Officer
	- Representative from DepEd
	- Representative from MCTC
	- Representative from DAR
	- PPA
	- Coast Guard
	- Liga President
	- Parish Priest
	- Representatives from 3 NGO

Section 67. Powers and Functions. – The powers and functions of the MADAC are, but not limited to the following:

- a. To formulate measures, programs and frameworks for prevention and control of drugs and other substance abuse;
- b. To recommend to the PNP, NARCOM, or other proper authority concrete measures for the implementation of Anti-Drug Abuse Program and shall ensure that the Program will be implemented down to the barangay level;
- c. To serve as the consultative body on drug abuse issues;
- d. To coordinate and collaborate with all sectors and groups, public or private such as civic organizations, foundations and NGO's engaged or willing to be involved in the Anti-Drug Abuse Program;
- e. To monitor and check the activities and operation of the proper government agencies that are engaged in law enforcement to control and/or prevent drug abuse;
- f. To serve as pressure group for the proper agencies or offices of the government to make sure of their sincerity and efficiency in implementing the laws against drug abuse;
- g. To perform such other functions to carry out the Anti-Drug Abuse Campaign.

Section 68. Meeting –During Municipal Peace and Order Council meeting.

Section 69. Selling of volatile substance / product such as “Rugby” to minors.

a. Regulatory Provision.

1. Proprietors or owners of commercial stores shall be prohibited to sell volatile substance / product such as rugby to minors.
2. Minors are prohibited to use rugby for addictive purposes.

b. Penalty.

- | | |
|----------------|-----------------------------------|
| First Offense | - PhP 2,500 fine |
| Second Offense | - Cancellation of Business Permit |

Article A.8 People's Law Enforcement Board

Section 70. Statement of Policy. Memorandum Circular No. 94-014 of the National Police Commission addressed to all City and Municipal Mayors prescribes the creation of People's Law Enforcement Board.

Section 71. People's Law Enforcement Board (PLEB) and its Composition.

a) Composition

1. One (1) member of the Sangguniang Bayan
 2. One (1) member of the Liga ng mga Barangay
 3. Three (3) Members of the Municipal Peace and Order Council
- They will select among themselves the Chairman and Vice Chairman

Section 72. Function. The Council shall be responsible in handling complaints against erring members of the Philippine National Police.

Section 73. Meeting. The council will convene as need arises.

Article A.9 Municipal Disaster Coordinating Council

Section 74. Creation. There shall be established the Municipal Disaster Coordinating Council pursuant to P.D. No. 1566.

a) Composition.

- | | |
|----------------|--|
| Chairman: | - Municipal Mayor |
| Vice Chairman: | - Station Commander, PNP |
| Members: | - Municipal Vice Mayor |
| | - Municipal Budget Officer (Deputized Coordinator) |
| | - Municipal Treasurer |
| | - Municipal Accountant |
| | - Municipal Assessor |
| | - Municipal Health Officer |
| | - Municipal Engineer |
| | - Municipal Social Welfare Officer |
| | - Municipal Local Civil Registrar |
| | - Municipal Planning and Development Coordinator |
| | - Municipal Agricultural Officer |
| | - Municipal Fire Marshall Chief |
| | - DILG Officer |
| | - Parish Priest |
| | - Liga ng mga Barangay – President |
| | - MCTC Representative |
| | - DepEd Representative |
| | - Representative from 3 NGOs |
| | - SB Secretary |
| | - SB, Chairman on Social Services |
| | - SB, Chairman on Public Information |

b) Function. Takes charge of the daily monitoring of the condition of the area in coordination with the Barangay Disaster Coordinating Council headed by the Punong Barangay

c) Meeting. During Municipal Peace and Order Council meeting.

Article B. Public Morals

Section 75. Curfew Hours to Minors.

a) Rationale.

1. Minors are supposed to be at home during evening who shall take care of their school assignments
2. Minors should always sleep early so as to protect their biological growth process
3. Minors allowed to roam around during evening are always prone to criminal act due to some bad influence.
4. Minors allowed to be out of their own house during evening has a high tendency to be influenced of taking illegal drugs.

b) Imposition of Curfew. Curfew hours shall be imposed to minors (18 yrs. below)

c) Curfew Hours. Curfew hours among minors is 10:00 P.M. to 4:00 A.M.

d) Exemptions.

1. Minors accompanied by parents, relatives or guardians during curfew hours attending important occasions such as birthday party, Thanksgiving party, Christmas party, etc.
2. Minors attending School activities during the designated curfew hours
3. Minors who are confronted with emergency events.

e) Implementation. Barangay Tanods are also authorized to apprehend curfew violators to augment the Jagna PNP.

f.) Penalty.

First Offense	- 8 hours civic works
Second Offense	- 16 hours civic works plus fine of PhP200.00 to be shouldered by the parents or guardians
Third and succeeding Offenses	- PhP500.00 fine to be shouldered by the parents or guardians

Section 76. Regulating Amusement Places –

a) Definition of Terms-

1. **Recreation Hall** – means any establishment or compound devoted to the playing of basketball, volleyball, pingpong, or indoor games such as madjong, billiard, pool and the like where no fees are collected in the games.

b) Regulated Acts – No person shall established, maintain or operate a night club, cabaret, dancing school, pavilion, bar, saloon and recreation hall and other similar places of amusement without first securing a permit and license from the Municipal Mayor and paying the corresponding fee imposed under the Municipal Revenue Code.

c) Rules and Regulations-

1. Establishments mentioned in this Section shall not be established within a radius of two hundred (200) linear meters from any public building, school, hospital and church;
2. Betting or gambling or to maintain or employ any device, method or scheme for betting or gambling of the said establishment shall not be allowed;
3. No children below 18 years old shall be allowed to play or view, watch or loiter within the vicinity of any billiard and pool halls;
4. Persons permitted or licensed to operate mahjong dens shall allow mahjong session or session only from 1:00 o'clock P.M. to 8:00 P.M. This provision shall not apply during Saturdays, Sundays, holidays and during wakes.

d) Penalty – Any person who violates any provision of this Section shall be punished by a fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not less than thirty (30) days but not more than six (6) months or both fine and imprisonment, at the discretion of the court.

Section 77. Entertainment.

a) Regulated Acts – No person shall perform, stage, or exhibit a circus, show, vaudeville or drama which is obscene, immoral, indecent or pornographic;

- b) **Penalty** – Any person who violates this Section shall be fined with not less than Five Hundred Pesos (P500.00) or an imprisonment of not less than fifteen (15) days but not more than thirty (30) days or both, at the discretion of the court.

Section 78. Regulating Caroling.

- a) **Regulated Acts** – No person shall carol without securing a permit from the Municipal Mayor and paying the corresponding fee imposed under the Municipal Revenue Code.

b) **Rules and Regulations.**

1. Caroling by any person, group of persons or associations shall be allowed only on December 24 to January 1 of every year from 8:00 A.M. to 8:00 P.M.;
 2. Children 12 years old and below, and persons who are physically disabled and poor may be allowed to solicit by way of caroling and other forms of solicitation without a permit from the office of the Municipal Mayor.
- c) **Penalty.** – Any person who violates any provision of this Section shall be punished by a fine of One Hundred Pesos (P100.00) but not more than Five Hundred Pesos (P500.00).

Article C. Public Health Service, Sanitation and Beautification

Section 79. General Policy. The Municipality of Jagna, Bohol shall consistently promote public health and sanitation to attain a sustainable healthy life for every constituent.

Beautification shall therefore be one of its thrusts in carving a good image and personality of this Municipality because it always follows that a beautiful place like Jagna, Bohol projects that the people living in this municipality are not beautiful in its physical well being but beauty also lies inside an individual Jagnaanon.

Section 80. Local Health Board.

- a) **Creation and Composition.** There shall be established a local health board in the municipality. The composition of the local health board shall be as follows:

Chairman	- Municipal Mayor
Vice Chairman	- Municipal Health Officer
Members	- SB Chairman-Committee on Health
	-Representative from the private sector or non-governmental organization involved in health services
	-Representative of the Department of Health in the municipality

b) **Functions.**

1. To propose to the sanggunian concerned, in accordance with standards and criteria set by the Department of Health, annual budgetary allocations for the operation and maintenance of health facilities and services within the municipality as the case may be;
2. To serve as an advisor committee to the sanggunian concerned on health matters such as, but not limited to, the necessity for, an application of, local appropriations for public health purposes; and

3. Consistent with the technical and administrative standards of the Department of Health, create committees which shall advise local health agencies on matters such as, but not limited to, personnel selection and promotion, bids and awards, grievance and complaints, personnel discipline, budget review, operation review and similar functions.

c) Meetings and Quorum.

1. The local health board shall meet at least once a month or as often as necessary.
2. A majority of the members of the board shall constitute a quorum but the chairman or the vice-chairman must be present during meeting where budgetary proposals are being prepared or considered. The affirmative vote of all the majority of the members shall be necessary to approve such proposals.

Section 81. Health Examination.

- a) **Regulated Acts.** - No person shall perform the following work, occupation or services without first registering and securing a Health Clearance Certificate from the Municipal Health Office, to wit:

1. chefs, cooks, bakers, butchers, waiters and waitresses, bartenders, meat, fish and vegetables vendors, or any person engaged in the preparation, handling, serving, peddling or repacking of food, foodstuffs, drinks, beverages, and other liquids, whether raw, fresh, cooked or processed, which are intended for human consumption.
2. dance instructors and guest relations officers (GROs), tourist guides.
3. barbers, beauticians, and persons rendering tonsorial services as defined by law.
4. drivers of motorized tricycles, motorelas, multicabs, jeepneys, buses, taxis, cars, vans and other motor vehicles for hire or rent and bus conductors.
5. any person who, in the performance of his or her job, directly and physically interact with a customer.
6. other similar occupation or callings.

- b) **Compulsory Registration** – Business establishments, whether of single proprietorship, partnership, incorporated or otherwise, employing the foregoing persons as regular, casual or contractual employees are mandated to register the said employees, with the Municipal Health Office. Any person performing the foregoing functions within the premises or vicinity of the establishment, regardless of the degree of control or supervision by the owner or management, shall be deemed an employee of said establishment. Persons rendering the aforementioned services as self-employed are likewise mandated to register themselves with the Municipal Health Office. Such registration shall be made immediately before employment.

- c) **Compulsory Examination** - The foregoing defined in paragraph (a) of this Section shall undergo the following tests undertaken by the Municipal Health Office: x-ray, urinalysis, stool exams, physical, medical and dental examinations not later than the 20th day of January each year or before they commence work, as the case may be. Upon the recommendation of the examining officer, the examinee shall undergo further examination. Such additional tests may be undertaken by the Municipal Health Office for a fee or by a government recognized, certified, or accredited medical clinic or physician.

By virtue of the Municipal Ordinance No. 12-11-2004 requiring G.R.O. or Guest Relation Officer who by the nature of their services rendered or work performed are exposed, vulnerable or susceptible to sexually transmitted diseases, as determined by the Municipal Health Office, shall undergo regular medical examination every fifteen (15) days or at least twice a month or with such frequency as may be recommended by the examining physician.

d) **Issuance of Health Clearance Certificate** – Persons who passed the health examinations shall be issued a Health Clearance Certificate by the Municipal Health Office after payment of a fee provided under existing ordinance, the validity period of which is determined by the examining physician, but not to exceed one year. The Municipal Health Office shall keep a record of all certificates issued and shall ensure that the same are non-transferable and free from alteration.

e) **Revocation of Health Clearance Certificate** – A Health Clearance Certificate shall be revoked or cancelled by the Municipal Health Office under the following circumstances:

Upon determination by the examining physician that the holder is infected or suffering from any disease that is hazardous or highly communicable.

Failing to undergo regular medical examination every fifteen (15) days or twice a month or with such frequency for those required as recommended by the examining physician and as instructed by the Municipal Health Office.

Unauthorized entries, alteration or tampering of any entry, signature, photograph of the holder, or unlawful use thereof by any person other than the holder.

f) **Duty to Carry and Present Health Clearance Certificate** – It shall be the duty of the employee or holder to carry at all times his or her Health Clearance Certificate while at work in any establishment and to present the same to any customer and members of the Health Composite Team who may demand its presentment.

g) **Penalty.** Violation to this measure shall have the following fine:

First Offense - GRO shall be fined of PhP500.00

Owner of the Establishment shall be fined of PhP500.00

Second Offense - GRO shall be fined of PhP1,000.00 and cancellation of Proprietor's business permit

h) **Creation of Health Composite Team** – To ensure compliance of this Section, a Health Composite Team is hereby created composed of the Municipal Health Officer as Chairman, the Sanitary Inspector and elements of the Philippine National Police Jagna Station who may be deputized as members of the Composite Team by the Municipal Mayor and in cooperation with Barangay Officials.

i) **Duties and Functions of the Health Composite Team.** – The Task Force shall:

1. Conduct random inspection and monitoring without need of prior notice of all covered establishments, employees and holders of Health Clearance Certificates to ensure the compliance of the provisions of this Section.
2. Impose or recommend appropriate actions against violators of this Section.
3. Assist in the prosecution of violators.
4. Perform such other lawful functions as may be directed by the Municipal Mayor or by ordinance or resolution by the Sangguniang Bayan.

j) **Penalties** – Compliance of this ordinance is a condition precedent for the issuance or renewal of a business license or permit. Any violation of this ordinance shall be meted with penalties as hereunder provided:

1. Any establishments, employer, or self-employed who fail to register their employees or themselves, as the case may be, with the Municipal Health Office within the specified period shall be penalized as follows:

First offence - a fine of P500.00 and P500.00 fine for the owner of the establishment;

Second offence - a fine of P1,000.00; and cancellation of the business permit to owners of the establishment.

2. Any establishment, employer or self-employed who fail to submit their employees or themselves, as the case may be, for health examination as provided in this Section or for allowing any of its, his or her employee to perform work without a valid Health Clearance Certificate shall be penalized as follows:

First offence- a fine of P500.00; and

Second offence- a fine of P1,000.00 and revocation of business permit or license.

3. Any employee or holder who fails to carry and present his or her valid Health Clearance Certificate when so demanded shall be penalized as follows:

First offense - a fine of P100.00;

Second offense - a fine of P200.00; and in

Third offense - a fine of P300.00 and imprisonment of one (1) to three (3) days.

Section 82. Regulating the Services of Mananabang (Hilot)

a) Definition of Terms -

1. **Mananabang or Hilot** – refers to home-grown or self-made midwives who obtained their skills and learning through experience and observation and not through formal education and training.

2. **Qualified Health Personnel** – refers to health practitioners such as midwives, nurses, physicians, and others who are recognized by the government to render health services.

b) **Regulated Acts** – No person shall render services as Mananabang (Hilot) nor assist to childbirth unless he is trained and is duly registered in the Municipal Health Office and after paying the annual registration fee imposed under the Municipal Revenue Code.

c) **Administrative Provisions** – The Municipal Health Office shall conduct regular trainings/seminars for the Mananabang or Hilot and only those Mananabang or Hilots who have undergone such trainings/seminars shall be certified by the Municipal Health Office as “Registered Hilot.”

d) **Services to be rendered** – The Registered Hilot shall be allowed to render only the following services:

1. To advise the expectant mother to seek professional service from a licensed Midwife or Physician for her prenatal care;
2. To help ease or alleviate muscle pains and discomfort to expectant mothers and if he suspects something abnormal or irregular he must report the same to the midwife, nurse, and physician;
3. To call the midwife of the barangay or the neighboring barangays, and in case of non-availability of midwives of the barangay, he must call the supervising nurse or physician to handle the delivery of the child.
4. To assist during childbirth and be allowed to cut the umbilical cord only if within thirty minutes to one hour after delivery the medical personnel will not arrive. To see to it that the instruments used in the dressing of the umbilical cord are sterilized and to report the childbirth to the barangay midwife.

e) **Penalty** – Any person who violates any provision of this Section shall be punished by a fine of not less than Three Hundred Pesos (P300.00) but not more than Five Hundred Pesos (P500.00) or an imprisonment of not less than fifteen (15) days but not more than thirty (30) days or both fine and imprisonment, at the discretion of the Court.

A registered Hilot called to render services in case of extreme emergency shall be exempt from any penalty.

Section 83. Barangay Nutrition Scholar. The Brgy. Nutrition Scholar shall be designated/appointed in every barangay to assist the Rural Health Office in the massive information campaign and implementation related to nutrition programs.

Section 84. Barangay Health Workers. Barangay Health Workers shall be appointed by the Punong Barangay to assist Midwives and the Rural Health Office in the massive information campaign and implementation related to health programs.

The Municipality shall appropriate counterpart funds to the barangay for Barangay Health Workers.

Section 85. Toilets (Comfort Room/Rest Room)

a) **Required Acts.** – All houses, business establishments like restaurants, hotels, cockpits, theaters and other similar establishments shall have an adequate comfort room or toilet facilities.

b) **Rules and Regulations -**

1. No permit shall be issued by the Municipal Mayor to any person operating any business establishments like restaurants, hotels, cockpits, theaters and similar establishments without the required comfort room, which is provided at least, with a water-sealed toilet bowl in accordance with the standard set forth by the Municipal Health Office.
2. No person shall construct a toilet of an “Antipolo” type.
3. Water-sealed temporary toilets shall be required before construction of any house, subdivision, buildings or housing unit.

4. Water-sealed temporary toilet shall be required of those sponsoring special activities like circuses, carnivals, cultural, agricultural and trade fairs lasting of three (3) days or more provided that such toilets shall be properly maintained.
- c) **Penalty** – Any person who violates any provision of this Section shall be fined Two Hundred Pesos (P200.00) but not more than Five Hundred Pesos (P500.00) or an imprisonment of not less than ten (10) days but not more than twenty (20) days or both fine and imprisonment at the discretion of the Court.

Section 86. Pasturing of Animals –

- a) **Regulated Acts.** - No person shall graze, tether, or pasture his domestic animals like horses, mules, asses, cattle, carabaos, goats, sheep and pigs on public or private lands without first securing permission from the owner or legal possessor thereof.
- b) **Penalty** - Any person who violates the provision of this Section shall be punished by a fine of Two Hundred Pesos (P200.00) but not more than Five Hundred Pesos (P500.00) plus restitution of the amount of the damage caused, and or imprisonment of not less than three (3) days but not more than ten (10) days or both fine and imprisonment, at the discretion of the court.

Section 87. Regulating the Selling of Fruits –

a) **Definition of Term** -

1. **Fruits** – shall mean, in its popular sense, the luscious food products of a large group of trees, shrubs and bushes such as banana, mango, apple, orange, grapes, lemon, melons, guava, pomelo or grapefruit (citrus fruit), chico, tamarind, papaya, jackfruit, avocado, pomegranate or *atis*, *sinaguelas*, *lomboy*, *lanzones*, *balimbing*, *tambis*, and the like.

- b) **Regulated Acts.** - No person shall sell fruits within the Municipality of Jagna for human consumption without first securing a permit and license from the office of the Municipal Mayor and paying the corresponding fees imposed under the Municipal Revenue Code.

c) **Rules and Regulations** -

1. Fruits of any kind shall be sold only in the following places: markets, public or private, and their premises or lots not covered by the market building, municipal wharf, municipal fish port terminal, stores fronting hospitals, public or private; eateries, and school premises. On special occasions like athletic meets and in places where people converge for several or more days for a political, military and religious purpose or otherwise, fruits may be sold and the sellers or vendors shall adhere to the municipal's sanitary rules and regulations. However, the vendor should provide at least two (2) covered garbage cans near his/her place of business.
2. No fruits shall be sold on sidewalks, alleys and along roads and streets
- d) **Penalty** – Any person who violates any provision of this Section shall be punished by a fine of not less than Two Hundred Pesos (P200.00) for the first offense, revocation of permits and licenses for second and third offenses or at the discretion of the Municipal Mayor.

Section 88. Selling Spoiled Food

a) Definition of Terms -

1. **Fish** – animals adapted to aquatic life to include but not limited to: crustaceans, shellfish, squid, octopus, sea cucumber (bat), jellyfish, sea anemone, sea mammals and the like.
2. **Meat** – the flesh and bones of animals to include but not limited to: egg, row, blood marrow, animal organs, skin, fat, and the like.
3. **Fruit** – the pulpy edible mass covering the seed of plants and trees to include but not limited to: seed, rind of the fruit, the bulbous product of the gourd family and other vines, pineapples, bananas and the like.
4. **Vegetables** – the edible part of any herbaceous plant to include but not limited to: leaves, stalks, shoots, flowers, fibers, pods bulbs, and bark of plants, seaweeds, moss, algae, mushrooms and the like.
5. **Food** – anything that is eaten, drunk, or absorbed by the human body for maintenance of life, growth, repair of tissues and nourishment to include but not limited to: chewing gums, milk beverages, wines and spirits, vinegar, and components to articles used as food, and the like.

b) **Regulated Acts.** - No person shall sell for human consumption any spoiled or putrid fish, spoiled or rotten meat, fruits, vegetables and food.

c) Rules and Regulations -

1. It shall be unlawful to sell fish, meat, fruits, vegetables, and other foods preserved with chemicals or preservatives or poison and other deleterious substances such as formalin, and alum (tawas) which are dangerous to human lives.
2. It shall be unlawful to apply dyes, like indigo or any food coloring or flavoring or use additives/methods with the intention to conceal the spoiled or rotten condition of the fish, meat, fruit, vegetable or food, thereby deceiving the buyer to purchase the spoiled or rotten items.
3. It shall be unlawful to mix the spoiled fish, meat, fruit, vegetables or food with fresh ones in order to defraud the consuming public into buying these spoiled items together with fresh ones.

d) **Administrative Provisions** - The Municipal Veterinarian, the meat and fish inspectors and the Municipal Agriculturist and other government agencies or anyone authorized by the Mayor shall fully enforce the provisions of this Section.

e) **Penalty** – Any person who violates any provision of this Section shall be punished by a fine of Two Hundred Pesos (P200.00) but not more than Five Hundred Pesos (P500.00) or an imprisonment of not less than ten (10) days but not more than one (1) month or both such fine and imprisonment at the discretion of the Court.

Section 89. Peddling Foodstuff –

a) **Regulated Acts.** – No person shall peddle or sell foodstuffs which easily deteriorate or perish, outside the public markets, market sites or premises.

b) Definition of Terms -

1. **Public Markets** - refers to any place, building or structure of any kind designated as such, and include those that are privately owned.
2. **Market site or premises** – shall refer to any open space in the market compound; part of the market lot, not covered by market building.
3. **Deteriorable or perishable goods** – shall mean, those goods that are prone or suitable to spoil or decay or ruin, such as fishes, meats, vegetables, poultry products, etc.

- c) **Penalty** - Any person who violates any provision of this Section shall be punished by a fine of One Hundred Pesos (P100.00) or an imprisonment of ten (10) days or both fine and imprisonment at the discretion of the Court, with subsidiary imprisonment to be determined by the court in case of insolvency.

Goods involved in the violation shall be confiscated and may be sold at public auction and the proceeds thereof shall accrue to the General Fund of the Municipality.

Section 90. Selling of Food at Pier Zone –

- a) **Regulated Acts.** – No person shall sell food and the like within the pier zone of the national wharf of the Municipality of Jagna except at the designated food eating zone established by the municipal government duly authorized by the Philippine Port Authority.
- b) **Penalty** - Any person who violates the provisions of this Section shall be punished by a fine of One Hundred Pesos (P100.00) but not more than Two Hundred Pesos (P200.00) or an imprisonment of not less than one (1) day but not more than thirty (30) days or both fine and imprisonment at the discretion of the Court.

Section 91. Smoking Ban in Public places

- a) **Smoking shall be absolutely prohibited in the following public places:**

1. Centers of youth activity such as playgrounds, preparatory, elementary, high schools, college and universities, youth hostels and recreational facilities for person under eighteen (18) years old.
2. Elevators and stairways;
3. Locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas explosives or combustible materials;
4. Within the building premises of public and private hospitals, medical, dental, and optical clinics, health centers, and laboratories;
5. Public conveyances, government offices and public utilities including ship terminals and bus stations, restaurants and conference halls except for separate smoking areas;
6. Food preparation areas.

- b) **Exemption.** The absolute ban on smoking in public conveyances shall not apply to ocean going vessels where smoking areas have been designated.

- c) **Designation of smoking and non-smoking areas.** In all enclosed places that are open to the general public, it maybe public and private workplaces and other places not covered by the preceding section shall establish smoking and non-smoking areas.

d) **Penalties.**

First Offense	- P 500.00
Second Offense	- P1,000.00
Third Offense	- P2,500.00

Section 92. Adopting the National Program for a Nationwide Salt Iodization Campaign.

a) **Requirements.**

1. All commercial retailers shall only sell iodized salt for human consumption;
2. All food establishments such as restaurants, canteens, hotels, hospitals, caterers and all other food outlets shall only use iodized salt in the food preparation;

b) **Penalty.**

First offense	- P 500.00
Second offense	- P1000.00
Third offense	- P2000.00

Section 93. Professionalizing the Meat Butchering Operation at the Slaughter House.

a) **General Requirements.**

1. Butchers shall wear proper uniform and such uniform shall be designed and determined by the Office of the Local Chief Executive;
2. Butchers shall wear hairnet, boots, gloves and mask during the butchering activity;
3. Cleaning and dressing of pigs, cows, carabao and others in the floor is strictly prohibited and cleaning shall be in hanging position;
4. Meat of whatever kind shall be delivered to the market through the local government meat van and accredited private van;
5. Accreditation requirement shall be based in section 54 of Jagna Market Code;
6. Butchers shall use stainless butchers knife and hook.

b) **Penalty**

First Offense	- P 200.00
Second Offense	- P 500.00
Third Offense	- Butcher is strictly prohibited to slaughter

Section 94. Mask Requirement for Port Laborers.

a) **Requirement and Prohibition.**

1. Cargo handler shall provide mask to their laborers during loading and unloading of cement, fertilizer, copra, palay, rice and corn, feeds, pesticides and other construction and agricultural products that produces hazardous dust;

2. Laborer shall not be allowed to work without wearing mask during loading and unloading of products mentioned under the preceding section;
3. Truck owners operating during the loading and unloading of products mention in the preceding section shall provide mask to their driver and such driver shall not be allowed to drive the truck carrying such products without wearing required mask;
4. Boom operator and other personnel of the vessel practically involved in the loading and unloading activity is also required to wear the required mask.

b) Penalty

1. For Cargo Handler
 - First Offense - P 500.00 fine
 - Second and successive Offense - P1,000.00 fine
2. For Laborer, Truck Owners and Drivers, Boom Operator and other personnel of the vessel.
 - First Offense - P 200.00 fine
 - Second Offense - P 500.00 fine
 - Third Offense - 5 days imprisonment

Section 95. Municipal Rabies Control Council. There shall be created the Municipal Rabies Control Council (MRCC) in the Municipality of Jagna.

a) **Composition.** The Municipal Rabies Control Council (MRCC) shall be composed of the following:

- | | |
|---------------|---|
| Chairman | - Municipal Mayor |
| Vice Chairman | - Chair of the SB Committee on Health |
| | - Chair of the SB Committee on Agriculture |
| Members | - Municipal Veterinarian |
| | - Municipal Health Officer |
| | - DECS District Supervisor |
| | - DILG, Municipal Local Government Operations Officer |
| | - Legal Management Consultant |
| | - President, Liga ng mga Barangay |
| | - 2 Representatives from the NGO/Civic Organizations to |
| | - be chosen by the Municipal Mayor |
| | - Municipal Agriculturist |
| | - PNP, Chief of Police |

b) **Functions.** The Municipal Rabies Control Council shall have the following functions:

1. To monitor and supervise the implementation of the Municipal Rabies Provisions/Program; and
3. To recommend measures for the enactment of legislation necessary in the effective control of rabies.

Section 96. Anti-Rabies

a) **Definition of Terms:**

1. **Owner** – shall include the lawful owner, the possessor, or person in custody of a dog.

2. **Quarantine** – confining of animals in restricted areas for a definite period of time to warrant close observation of the animals for the presence of rabies and other diseases.
 3. **Rabies** – a viral disease which is always fatal to man and animals.
 4. **Rabies Vaccine** – inactivated vaccine preparation under different brand names and license for sale in the Philippines by the Bureau of Animal Industry.
 5. **Registration** – the process of involving pets in a massive registration scheme for regulatory and disease monitoring and control purposes.
 6. **Vaccination Certificate** – an official document issued to animal owner by the vaccinating veterinarian conforming to the specifications set by the Veterinarian Practitioners Association of the Philippines (VPAP).
 7. **Municipal Rabies Control Council (CRCC)** – duly authorized person/persons responsible for the enforcement of the Municipal Rabies Control Provisions/Program.
 8. **Public or Municipal Pound** – shall refer to an establishment wherein stray animals at large shall be impounded or restrained.
 9. **Registered Dog Breeder** – any individual who engaged in keeping male dog for breeding purposes duly licensed by the municipal for the operation.
 10. **Stray Animals/Animal Running at Large** – shall be understood to mean an animal which loose, unrestrained, unconfirmed or not under complete control of its owner.
- b) **Required Acts.** – All owners of dog over three months of age shall have his dog registered and properly vaccinated with anti-rabies vaccine from the Municipal Veterinarian or any of his duly authorizes representatives and paying to the Municipal Treasurer the corresponding fees imposed under the Municipal Revenue Code.
- c) **Administrative Provision** –
1. Every person whose dogs are properly vaccinated by the Municipal Veterinarian shall for each dog, be issued a vaccination certification and a metal tag.
 - a. The vaccination certification shall be issued by the Municipal Veterinarian who shall state the name, age, the kind of vaccine the person who administered the vaccination, the tag number issued, and such other details as the Municipal Veterinarian may deem necessary.
 - b. A metal tag shall likewise be issued by the Municipal Veterinarian or accredited Licensed Private Veterinarian who shall imprint thereon the serial number and the year of immunization. This dog tag shall be worn by the dog at all times suspended in a conspicuous manner from the collar. Should the dog tag be lost during the affectivity of the vaccine, the owner/possessor should immediately ask for a replacement from the Municipal Veterinarian upon payment of replacement fee from the Veterinarian who first issued dog tag.

2. The Municipal Veterinarian shall establish vaccination stations in all barangays. Prior announcement shall be made at least one (1) week before the scheduled vaccination.
3. The immunization and licensing of every dog shall be done at a yearly interval depending upon the type of vaccine used. The Municipal Veterinarian may conduct castration of male dogs when requested by the owner/possessor upon payment for the services and other incidental expenses.

d) Rules and Regulations –

1. All dogs brought to the Municipal from any other places shall have an accompanying certificate of registration and vaccination duly certified by a licensed Veterinarian otherwise the office of the Municipal Veterinarian, Quarantine Office, Philippines Port Authority, Bureau of Custom who shall institute proper quarantine procedure before such dog shall be released.
2. All dogs without tag and found wandering on the streets, market, school premises, and other public places unaccompanied by owners, shall be considered as stray dogs. Any person threatened to be injured by a stray dog may kill such dog for reason of self-defense and report the incident to the police and the office of the Municipal Veterinarian.
3. All stray dogs shall be impounded at the designated Municipal Pounding area by the proper authorities (Office of the Municipal Veterinarian or other persons duly authorized). Dogs not claimed after 3 days without necessarily giving notice to the owner shall be disposed in any manner as the authorities may decide.
4. The office of the Municipal Veterinarian shall not be liable for any injury or death in an ordinary course of their capture and impoundment.
5. Any unusual behavior of any dog shall be immediately reported to the Municipal Veterinarian who shall make ocular evaluation of the behavior of the dog and shall recommend if the circumstances warrants for the proper disposal of the dog. Refusal or failure of the owner/possessor to comply with the recommendation of the Municipal Veterinarian shall make the former liable under this Section.
6. Dog owner whose dog has bitten or cause injury to a person shall be liable for the cost of expenses incurred as a result of the injury, without prejudice to the liabilities imposed by the New Civil Code of the Philippines. For the purpose of this section, STRAY DOG shall mean, a dog which is loose, unrestrained, unconfirmed or not under control of its owner and caretaker.
7. The death or disappearance of a vaccinated dog shall be reported not later than two (2) days to the Municipal Veterinarian Office. In case the dog dies, the dog tag shall be surrendered to the Municipal Veterinarian's Office.
8. No individual can keep a breeder dog, operate a pet shop unless he/she shall be given a Certificate of Registration to breed, operate and willing to abide the rules and regulations as determined by the Municipal Rabies Control Council. The number of dogs to be kept shall depend on the capability of the dog owner.

- e) **Funds** – There shall be appropriated annual funding for the purchase of anti-rabies vaccines and metal tag.

- f) **Penalty** – Any person who violates any provision of this Section shall be punished a fine of Two Hundred Pesos (P200.00) but not to exceed Five Hundred Pesos (P500.00).

Section 97. Retail selling of Gasoline in any place outside gasoline stations is strictly prohibited and punishable.

Penalty: PhP 2,500.00

Section 98. Vandalism, Littering, Improper practices or improper use of public facilities.

- a) No person shall commit vandalism, littering and improper use of facilities as herein defined.
- i) Vandalism – act of writing unnecessary words and destroying any public property.
 - ii) Littering – act of indiscriminate throwing of papers, wrappers, cellophane, and any discards including cigarette & cigarette butts instead of placing them in garbage can.
 - iii) Improper use of facilities – acts clearly manifesting improper acts such as but not limited to putting feet on chairs, stepping on space intended for sitting, defecating in designated place for urinal.
- b) **Penalty.** Any violation to the above provisions shall be fined in the following manner:
- i) First Offense PhP 100.00
 - ii) Second Office 500.00
 - iii) Third Offense 1,000.00

Succeeding offensePhP2,500.00 plus 3 months imprisonment.

Section 99. Putting up of announcement, notices, propaganda, bulleting, memoranda, advertisement, or any form of information intended for public consumption with the use of staple machines, nails, thumbstack, screws, paste or adhesive tapes and the like directly in the wall of the municipal building.

- a) **Purpose.** This ordinance is enacted to stop the unwholesome practices of transmitting messages and information to the public directly through the walls of the Municipal Building which if allowed to continue will poke ugly holes and leave remnants of rotten pieces of papers or cardboards on the walls.
- b) **Definition of Terms.** As used in this Ordinance maybe construed to mean:
- 1. Announcement, notices, propaganda, advertisement, bulletin memorandum, are synonymous. Each should be interpreted accordingly to its use in the particular sentence.
 - 2. Staple machines – a device use to piece materials together with the use of staple wires.
 - 3. Intended for public consumptions. Intended to inform the general public
 - 4. Unwholesome –unsound, not sound
 - 5. Medium of information –announcement notices, propaganda, advertisement, etc.,
 - 6. Cork Board – is a board made of cork where pieces of papers, cardboard or anything made of very light materials maybe pinned on

c) Regulatory Clause.

1. The walls of the Municipal Building should not be subjected directly attachment of whatever medium of information. The following options are suggested but not limited for use:
 - a. cork board
 - b. bulletin board
 - c. white board and others.
2. The heads of offices has the discretion on which portion of the walls within its compound should be used for information.
3. The Mayor's Office has the say on which walls outside of the confined of departments on the same purpose above-mentioned.

Section 100. The Ecological and Integrated Solid Waste Management Ordinance. (See Mun. Ord. No. 20-11-2004)

Section 101. Creation of Jagna Young Eco-Savers Club. (See Mun. Ord. No. 04-05-2006)

Article D. Infrastructure and Communications

Section 102. Building Permit Requirement - No person or corporation shall construct, erect, enlarge, alter, repair, demolish or maintain any building or structure without the approved building permit from the municipal building official after complying the following requirements:

1. Standard plan of the building including site development plan and vicinity map;
2. Bill of materials and cost of estimate;
3. Proof of ownership or consent of the owner of the land;
4. Tax Declaration and tax receipt;
5. Barangay building clearance where the house is to be erected;
6. Community Tax Certificate;

For Commercial, institutional or any public building, the requirements contained in Batas Pambansa No. 344 giving emphasis for disabled persons an access to enter the building should be followed.

The building permit or an improvised one shall be displayed at the construction site or at the place where the activity is being conducted indicating therein the Permit Number , Date of Issuance or Approval.

Section 103. Electrical Permit. Any form of electrical installations in any building whether new, rewiring, additional or extension shall not be made without first securing the necessary electrical permit from the municipality.

Section 104. Accreditation of Electricians. No person shall perform any kind of electrical installations in any building unless he is duly accredited and registered with the municipal government of Jagna through the Municipal Engineer and finally with the office of the LCE.

Section 105. Penalty. Any violation to the foregoing provisions shall be fined in the amount of P2,500.00.

Section 106. LGU Water Service. Water supplied by the Jagna Waterworks shall be utilized solely for domestic water supply to satisfy household use. However, in instances where there is an abundant supply of water, such maybe utilized for other purposes.

A separate water meter shall be required for every separate water connection.

Section 107. Communal Faucet. A group of not more than five households may be allowed a “communal faucet” with only one water meter.

Provided; that a duly authorized representative of the group is registered with the waterworks management who shall be responsible in the payment of the bill and in case of non- payment thereof including other charges and penalties.

Section 108. Jagna Public Market Building – (see separate Market Code)

Article E. Barangay Affairs

Section 109. Declaration of Policy. – It shall be the policy of the Local Government Unit to strengthen and support the barangays to make them more effective instrument of people empowerment and to attain genuine local autonomy by making them self-propelling, self-reliant and empowered political units.

Section 110. Role of the Barangay. - As the basic political unit, the barangay serves as the primary planning and implementing unit of the government policies, plans, programs, projects, and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystallized and considered, and where disputes may be amicably settled.

Section 111. The Barangay. The following are the cluster barangays:

1. Metro Jagna (8) – Bunga Mar, Can-upao, Looc, Pagina, Canjulao, Poblacion, Tejero and Pangdan
2. Coastal Jagna (8)– Alejawan, Naatang, Tubod Mar, Larapan, Nausok, Can-uba, Ipil, Cantagay
3. Upland Jagna (17)– Balili, Bockol, Bunga Ilaya, Buyog, Cabunga-an, Calabacita, Cambugason, Can-ipol, Cantuyoc, Faraon, Kinagbaan, Laca, Lonoy, Malbog, Mayana, Odiong, and Tubod Monte

Section 112. Barangay Affairs’ Staff. The Local Chief Executive provides staff for Barangay Affairs detailed at the Office of the DILG to facilitate and monitor barangay activities.

Section 113. Aid to Child Development (Day Care) . – There shall be provided a subsidy assistance incorporated in the annual appropriation for aid to child development ages three to four (3-4) years old.

The Day Care Workers shall assist the social welfare officer in the information drive as to the welfare of children and family in the community; to help in the development of pre-school children from socially disadvantaged and neglected children into emotionally and socially adjusted ones; to guide and help in the development of this mental abilities, language skills, personal abilities, and physical health of the children under their care.

Section 114. (Pre-School) . – There shall be provided a subsidy assistance incorporated in the annual appropriation for aid to child development age five (5) years old.

Section 115. Annual Aid to Barangay. There shall be provided annually an aid to barangay project taken from the 20% Development Fund of the municipality.

Section 116. Annual Search for Outstanding Barangay. – A barangay with outstanding performance in barangay governance shall be given awards of recognition.

Composition for the Search Committee

Chairman	- SB Chairman Committee on Rules
Vice Chairman	- Municipal Health Officer
Members	- MLGOO
	- Secretary to the Sanggunian
	- MSWDO
	- Representative from DepEd
	- Representative from an NGO

Section 117. Gabay sa Mamamayan Aksyon Center (GMAC). – The barangay shall establish a GMAC whose primary objective is to ensure that the people thereon shall have access to local and national government programs and services through adequate and quality information.

Section 118. Botica sa Barangay. – The coastal and upland barangays shall establish a botica to have an easy access of affordable medicines.

Section 119. Expanded Committees – The Barangay shall organize two expanded committees to be chaired by the Punong Barangay:

1. Expanded Barangay Peace and Order Committee:
 - a. Brgy. Peace & Order Committee (BPOC)
 - b. Brgy. Anti-Drug Committee (BADAC)
 - c. Brgy. Intelligence Network (BIN)
 - d. Brgy. Against Narcotics Abusers and Traffickers (BANAT)
 - e. Brgy. Disaster Coordinating Council (BDCC)
 - f. Brgy. Human Rights Action Center (BHRAC)
 - g. Brgy. Based Volunteer Service Responder's Network (Patrol 117) Citizens Patrol Movement
2. Expanded Barangay Development Council
 - a. Brgy. Development Council (BDC)
 - a. Brgy. Health Worker (BHW)
 - b. Brgy. Ecological Solid Waste Management Committee (BESWMC)
 - c. Brgy. Council for Women (BCW)
 - d. Brgy. Council for the Protection of Children (BCPC)
 - e. Brgy. Nutrition Scholars (BNS)
 - f. Brgy. Physical Fitness and Sports Development Council (BPFSDC)
 - g. Gabay sa Mamamayan Action Center (GMAC)
 - h. Senior Citizen Council (SCC)
 - i. Person With Disability (PWD)

Article F. Cooperative and Livelihood

Section 120. Objectives and Purposes:

The objectives and purposes for which a Cooperative is formed are;

1. to encourage thrift and savings mobilization among the members is formed for capital formation;
2. to create funds in order to grant loans for productive and providential purposes to its members;
3. to provide goods and services and other requirements of the members;

4. to promote the cooperative as a way of life for improving the social and economic well-being of the people;
5. to do any related activity for the members self-government, improve social and/or economic well-being of the people;
6. to work with the cooperative movement, non-government and government organizations/entities in the promotion and development of cooperatives and in carrying out government policies;
7. to undertake other activities for the effective and efficient implementation of the provisions of the Cooperative Code.

Section 121. Cooperative Powers.

1. To draw, make, accept, endorse, guarantee, execute and issue promissory notes, mortgages, bills of exchange, drafts, warrants, certificates and all kinds of obligations and instruments in connection with and in furtherance of its business operations;
2. to issue bonds, debentures and other obligations of the cooperative to conduct indebtedness and to secure the same with a mortgage or deed of trust, or pledge on lieu on any or all of the real and personal properties of the cooperative;
3. to acquire facilities, either by or through construction, purchase, lease bequest or donation from local or foreign sources.

Section 122. Cooperative Development. The Municipality shall encourage the formation of cooperatives in accordance with the vision of the Provincial Cooperative Development Authority. It is recognized that cooperatives are one of the strong foundations of a viable economy so they should be extended with the necessary assistance and support.

Section 123. Municipal Cooperative Development Council. To assist existing cooperative and to oversee its operation.

a) Composition:

1. chairman and members of the committee on Cooperative of SB;
2. representative of different cooperatives;
3. representative from 3 accredited NGOs;
4. representative from financial institutions who are to assist cooperatives on financial matters;
5. representative from the Dept. of Agriculture

b) Functions

1. to assist the cooperative on matters of operation, development and organization of new cooperatives;
2. to conduct seminars to members of existing cooperatives especially on their responsibility to the coop;
3. to conduct pre-membership education seminar or PMES pre-requisite to the membership to new or to be organize cooperative;
4. to help facilitate application for loans and as an advisory body to cooperatives;
5. to assist the cooperatives in securing the possible assistance from NGOs and foreign government assistance;
6. help promote the expansion of the activity of the cooperative such as the investment in other form of business;
7. shall act as the accrediting agency of the LGU in the accreditation of NGOs and POs.

c) Meetings

The council shall at least have a meeting once a month or as soon as the need arises.

The chairman of the SB committee on cooperative shall be the chairman of the council.

The members shall elect a vice chairman who shall preside the meeting in the absence of the chairman.

The council members shall hold office for three years or as soon as a new council shall have been organized without the benefit of any honorarium during attendance of meeting.

d) Powers:

The council may recommend for the cancellation of their certificate of registration with the CDA for failure to comply with the rules and regulations laid down by the Cooperative Development Authority.

Section 124. Accreditation. An act of recognition of private organization giving the privilege to participate in the operation of the local government.

Section 125. Rules and Regulations –

1. For accreditation, the following documents shall be submitted: A copy of the constitution and by-laws, manifesto or any document to show the aims or purposes of the organization, the registration certificate from the Securities and Exchange Commission, reliability as evidenced by the preparation of its annual report, duly approved Board Resolution, list of officers, accomplishments and financial data of the organization.

Only registered socio-civic organizations in the office of the Mayor and duly accredited NGOs shall be given a Mayor's permit to hold benefits or any social affair for profits or otherwise.

Section 126. Penalty Clause. Any person who violates any provision of this Section shall be punished by a fine of not less than Two Hundred Pesos (P200.00) but not more than One Thousand Pesos (P1,000.00) or an imprisonment of not less than five (5) days but not more than ten (10) days, or both fine and imprisonment at the discretion of the court.

Section 127. Small and Medium Enterprise Development Council (SMEDC)

- a) **Creation.** Small and Medium Enterprise Development Council (SMEDC) hereinafter called the Council is hereby created.

- b) **Composition.** Small and Medium Enterprise Development Council shall be composed of the following:

Chairman - Municipal Mayor

Vice Chairman - Representative from the Local Chamber of Commerce or any accredited business association in the locality

- Members:
- Representative from each of the accredited business organizations/associations in the locality
 - Municipal Planning and Development Coordinator
 - Municipal Treasurer
 - Chairman SB Committee on Trade and Industry
 - Municipal Tourism Officer
 - Environmental Desk Officer
 - Municipal Agriculturist
 - MLGOO
 - Local Poverty Reduction Action Officer
 - Community Employment and Technology Coordinator
 - Public Employment Service Officer
 - Representative from the Local Banking Sector

c) **Term of Office** – The members of the Council shall serve for a term of three (3) years, subject to re-appointment or re-designation.

d) **Powers and Functions** – The Council shall perform the following duties and responsibilities:

1. Help establish the needed environment and opportunities conducive to the growth and development of enterprises in the locality;
2. Recommend to the Sanggunian all policy matters affecting business in the locality;
3. Formulate a Local Entrepreneurship Development Plan (LEDP) to be integrated into the Local Development Plan and facilitate implementation of the same;
4. Coordinate and integrate various government and private sector activities in the locality relating to enterprise development;
5. Formulate, disseminate and advocate policies, principles and implementing guidelines in the development and promotion of local enterprises; and
6. Develop and provide appropriate services beneficial to local enterprises and entrepreneurs.

Section 128. Designation of Community Training and Employment Coordinator (CTEC).

The CTEC personnel is the focal person trained by TESDA to plan, organize, manage and monitor community based training and enterprise development program applying the Community Based Training for Enterprise Developments (CBTED).

Section 129. Municipal Technical Education and Skills Development Committee. There shall be created a Municipal Technical Education and Skills Development Committee composed of the ff:

a) **Composition:**

- | | |
|-------------------------------|--------------------------|
| Municipal Mayor | - Chairman |
| Employer Sector | - Vice Chairman |
| Government Sector | - Alternate to the Mayor |
| Chair, Committee on Education | - Member |
| ABC President | - Member |
| NGO Sector | - Member |
| Municipal CTEC | - Member |
| Municipal PESO | - Member |

MAO	- Member
SWO III	- Member
Cooperative President	- Member
Private School Representative	- Member
Youth Sector (President)	- Member
TESDA Administrator	- Member

b) Functions of Municipal Technical Education and Skills Development Committee:

1. Recommend project site, qualified instructors effective ways and strategies to promote and disseminate information on training programs, venue in the conduct of training
2. Provide advise on technical, market and financial opportunities identified through surveys.
3. Provide data/information needed for the preparation of feasibility studies.

d) **Meetings.** The Committee shall hold meetings every quarter.

Article G. Agricultural Development

Section 130. Agricultural Development. The organization of farmers and irrigators and farm-families should be encouraged, strengthened in forms of technical assistance and moral support. On the municipal government, the programs for the development of agriculture should be in accord with the comprehensive agrarian reform law, countryside development and livelihood promotions.

Section 131. Agri-Demo Farm. The Municipal Agriculture Office (MAO) in coordination with government agencies and farmers organizations shall establish agri-demo farm and maintain farm practices for higher productivity.

Section 132. Organization of BALA (Barangay Livestock Aide). There shall be in every barangay a BALA member to assist the farmers in preventing and controlling of livestock and poultry diseases to be federated at the Municipal Level. The officers of the federation shall compose the following: President, V-President, Secretary, Treasurer, PROs and Sgt. at Arms.

The Municipal Government and other government agencies should extend financial and moral support to sustain and improve their services.

Section 133. Cutting of Coco Trees. No person shall cut coconut trees less than fifty (50) yrs. old. Coconut trees maybe cut down for lumber or building materials only for house construction purposes; provided that the same are 50 yrs. Old and above. Owners of coconut trees shall plant another coconut tree as replacement.

Section 134. Use of Organic Fertilizer. Farmers should be encouraged to use organic fertilizer in their farming activities.

Section 135. Use of Chemical to Plant. The use of chemicals in the spraying of vegetables and fruit bearing trees should be regulated.

Section 136. Coastal Resource Management (*see separate CRM Code*) M.O. No. 20-06-2005

Section 137. Establishment of Marine Sanctuaries (*see Fishery Code*) M.O. No. 6-09-2001

Section 138. Bantay Dagat Task Force (*see Jagna Bantay Dagat Task force Ordinance*) M.O. No. 15-05-2005

Article G. Trade, Industry, and Occupation

Section 139. Policy Directions/Strategies. Encourage the promotion and sustain the momentum in requiring compliance with the Generic Act, the rational use of drugs and national health policy implementation;

Section 140. Municipal Council for Trade and Industry. There is hereby created a Municipal Council for the Trade and Industry.

The Council shall be composed of the following:

- | | |
|---------------|--|
| Chairman | - Municipal Mayor |
| Co-Chairman | - Vice Mayor |
| Vice Chairman | - The Chairman of the SB Committee on Trade and Industry |
| Members | - Government Sector – |
| | - representative each from the committee on Agriculture, Education and Health; |
| | - Consumer Sector |
| | - Two (2) representatives from consumer organizations of municipal-wide base |
| | - Business and Industry Sector |
| | - Two (2) representatives |

Section 141. Price Monitoring Committee. Municipal Price Monitoring Committee is hereby created.

a) **Composition** – The Municipal Mayor is hereby authorized to appoint three (3) members for membership the said committee from among the officials, employees and NGO's of the municipality to serve without additional compensation.

b) **Powers and Functions** -

1. Coordinate and rationalize the programs to stabilize prices and supply of member agencies and the respective municipalities
2. Recommend to the National Price Coordinating Council or to the implementing agencies suggested retail prices (SRP) and/or the prices ceilings for basic necessities and/or prime commodities in their respective areas
3. To conduct in-depth analysis on causes for price fluctuations
4. To recommend actions steps to recommend unwarranted price increases and supply shortages.

Section 142. Centralizing the weighing of live hogs.

a) **Regulatory requirements**

1. The weighing of live hogs is strictly required to pass through the digital weighing machine located at the new Jagna Public Market for the purpose of arriving accurate weight before the animal will be subjected for butchering at the Jagna Slaughter House for commercial consumption which serves as the absolute basis of computing the exact amount charge for the live hog.
2. Live hog buyer using other than the digital weighing machine of LGU-Jagna is strictly prohibited. In case the digital weighing machine is not normally functioning due to mechanical problem, the LGU shall provide other kind of weighing scale that serves the same purpose of the digital weighing machine.

3. Strictly no butchering of live hogs in the slaughter house if Section 1.1 is not being accomplished.
- b) **Rationale.** Individual sellers of live hogs through medium scale and backyard form of hog raising from different barangays of Jagna, Bohol are experienced problems with buyers whose having a weighing scale that are already maliciously manipulated as under weight, with greed intention to gain more profit. In order to prevent the act of shenanigan, there is an absolute need to legislate a measure to protect the welfare of the seller.
- c) **Weighing Fee.** Using the digital weighing machine for determining an accurate weight of any products shall pay an amount of Two pesos (P2.00) per weighing as maintenance fee.
- d) **Penalty.** This measure shall be penalized through the following fine and penalty.

First Offense	- PhP1,000.00
Second Offense	-PhP2, 500.00 fine or revocation of business permit and lease of contract as stall owner of Jagna Public Market

Section 143. Boarding and Lodging Houses Regulations.

a) Definition of Terms-

1. **Boarding Houses** – means a dwelling, apartment, tenement or habitation where lodging and meals are serve for a fee.
2. **Lodging house or rooming house** – means a room or rooms rented in a private home. A house where lodgings are provided for rent.

b) Mandatory requirements.

1. No person shall establish a boarding and lodging house without first securing the necessary permits.
2. Imposition of fee for the permits required shall be subject to the provisions of the Municipal Revenue Code.

c) Regulated Acts.

1. Every boarding or lodging house shall admit only one boarder for every three (3) square meters of floor space available for quarters. The owner or lessee shall provide one toilet and one bathroom for every twelve (12) occupants;
2. The members of the family operating the boarding and lodging house who live therein shall be included in the counting of the number of occupants;
3. The owner or lessee shall strictly observe the rules of hygiene and sanitation relative to drainage, sewers and cleanliness of surroundings within the immediate vicinity of the boarding house, prescribed and promulgated by the Municipal Health Officer;
4. Every house owner, boarding or lodging house owner shall maintain a registry book of all his lodgers and/or visitors;

5. The PNP shall inspect the registry of the lodgers and visitors that shall contain the data about the registrant and shall at any moment be readily available;
- d) **Penalty.** Any person who violates any provision of this Section shall be punished by a fine of Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P1,000.00) or at the discretion of the court.

Section 144. Regulation on Hotel, Motel and Pension Houses.

- a) **Regulated Acts.** – No person shall operate or maintain hotel, motel and pension houses without first securing a Mayor's Permit and paying the corresponding fee imposed under the Municipal Revenue Code.
- b) **Rules and Regulations.** – The owner, operator and/or manager of any hotel, motel and pension houses must maintain in his establishment a registry wherein shall be recorded the following:
- 1) Full name of the tenant;
 - 2) The date and time checked in and checked out;
 - 3) Permanent residence;
 - 4) Residence certificate numbers, indicating the date and place of issue;
- c) **Penalty.** – Any person who violates any provision of this Section shall be punished by a fine of not less than One Thousand Pesos (P1,000.00) but not less than Five Thousand Pesos (P5,000.00) or an imprisonment of not less than ten (10) days but not more than twenty (20) days or both fine and imprisonment at the discretion of the court.

Section 145. Production and Selling of Calamay

a) **Administrative Provisions.**

1. Calamay producers or makers of Jagna, Bohol shall be accredited by the Bureau of Foods and Drugs or BFAD;
2. Calamay maker shall be a member of the duly accredited JAGNA CALAMAY VENDORS ASSOCIATION;
3. The production of Calamay shall pass in accordance with the quality standard of the JAGNA CALAMAY VENDORS ASSOCIATION;
4. The date of production and the name of the producer as well as the expiry date must be stamped in every calamay;
5. The official seal of Jagna, Bohol and a warning seal "DO NOT BUY IF SEAL IS BROKEN" must also be stamped in every calamay for purposes of product quality control and product identity;
6. Selling of deteriorated calamay, which is beyond human consumption, is strictly prohibited;
7. Selling of calamay using the name of Jagna, Bohol particularly by those not residing in Jagna, Bohol is also strictly prohibited;
8. In case of uncontrollable circumstances such as in the case of producing unintentional defective calamay, the seller shall refund the buyer the amount paid for such defective product or replace a new one if the buyer so desires;

9. The LGU-Jagna shall warn the public through posted notices in the public places and also through radio public service to buy original calamay only, those with official seal of Jagna, Bohol;
 10. Selling of "half-filled" calamay shall also be deemed in violation hereof;
 11. The date of manufacture and its expiry date must be stamped in every product or calamay offered for sale separate from that of the manufacturer's name;
 12. There shall be stamped also in every product the official seal of the municipality for purposes of product control and identity aside from the warning seal "DO NOT BUY IF SEAL IS BROKEN";
 13. Selling of deteriorated calamay or those already beyond its consumable period is punishable under this Ordinance;
 14. Illegitimate selling of calamay using the name of the municipality of Jagna including those of vendors not residing in Jagna shall be deemed in violation hereof;
 15. In case of uncontrollable circumstances such as the unintentional use of undetectable "LUTO" glutinous rice, the seller shall refund the buyer ONE-HALF of the amount paid for such defective product;
 16. The municipality shall endeavor to post notices or warning to the public to buy original JAGNA CALAMAY only- those with official seal of the town;
- b) **Penalty.** Violation to any of the foregoing provisions shall be fined in the following manner:
- | | |
|-------------------------------|---|
| First Offense | - PhP200.00 |
| Second Offense | - PhP300.00 |
| Third and Succeeding Offenses | - PhP500.00 plus one-month suspension from producing and selling calamay. |

Penal provisions of the JACAMAVEA By-Laws such as but not limited to the selling of "half-filled" calamay shall also apply and shall form part of this ordinance.

Section 146. Registration of all Antique Buyers.

a) **Definition of Terms -**

1. **Antique** – any article of value considered a relic of the past
2. **Relic** – object esteemed and venerated because it is associated with a saint or martyr.

b) **Rules and Regulations** - All antique buyers who practice their trade within the Municipality of Jagna shall first register and secure a Mayor's Permit before purchasing any piece of relic;

c) **Penalty** – Any violation of the provision of this ordinance shall be fined PhP2,500.00 or six (6) months imprisonment or both of at the discretion of the court.

Section 147. Regulating the Buy and Sell Operation of Scrap Materials.

a) **Rationale.** – The increasing growth of scrap operation and the increased numbers of junk shops in Jagna, Bohol encourages a lot of people engaging in collection and gathering of scrap items as their new means of livelihood. Likewise, parents are also encouraging their children, mostly minors to gather any scrap products to be sold for their means of living. However, minors in most cases are entering private residence collecting scrap items without knowing that such act is already an act of stealing.

b) Definition of Terms

1. **Scrap items/ materials** are fragments of discarded or rejected stocks;
2. **Scrap Collector or Gatherer** is a person regardless of age engaging in collection and gathering of scrap materials and sell it to a scrap buyer;
3. **Scrap buyer** is either a commercial establishment or a peddler engaging in buying of scrap products;
4. **Junk shop** is a place where scrap materials are being sold and stored;
5. **Direct seller** is a scrap owner selling scrap products directly to scrap buyer

c) Regulatory Provisions – Buyers and sellers of scrap materials shall follow provisions:

1. For Scrap Collector:

- a. All scrap collectors or scavengers shall register at the office of the Mayor for accreditation and shall secure Barangay Clearance at their respective barangay and Mayor's Permit. Scrap collectors or scavengers without Mayor's Permit are strictly prohibited to engage in scrap collection.
- b. Scrap scavenger/collector shall wear I.D. to be furnished by the Office of the Mayor;
- c. Minors are strictly prohibited to engage in gathering and selling of scrap materials and likewise, prohibited to be at the Municipal dumpsite engaging in scavenging.
- d. Accredited scrap scavenger/collector shall wear mask while doing collection activity at the Municipal dumpsite.

2. For Scrap Buyer:

- a. All scrap buyers shall apply for accreditation and secure business permit at the Mayor's Office.
- b. Buyers shall have a logbook recording all transactions including the date, name of the seller (direct or scrap collector), types of scrap, origin and location of the scrap being collected or gathered. Such pertinent data or informations shall be submitted to the Office of the Mayor in monthly basis for information purposes.
- c. Scrap buyer without accreditation and business permit is strictly prohibited to engage in buy and sell of scrap materials
- d. The buyer shall not purchase any scrap items suspected to be stolen products.

d) Penalty -

a. For scrap Collector or Seller

1. First Offense - P 300.00 fine
2. Second Offense - Cancellation of Mayor's Permit and ban to engage collection and selling of scrap items

- b. For Scrap Buyer/Junk Shop
 - 1. First Offense - P 2,500.00 fine
 - 2. Second Offense - Cancellation of Business Permit and ban to operate business in scrap operation.

CHAPTER V

INVESTMENT PROMOTION (see Investment Incentive Code) M.O. No. 6-08-2002

CHAPTER VI

Article A. Eco-Tourism

Section 148. Creation of the Municipal Tourism Council (MTC) – The Municipal Tourism Council (MTC) hereinafter called the council is hereby created.

- a) **Composition** – The Municipal Tourism Council (MTC) shall be composed of the following members:
- 1) The Municipal Mayor - Chairman
 - 2) The Municipal Vice Mayor - Co-Chairman
 - 3) The Chairman of the SB Committee on Tourism - Vice Chairman
 - 4) Representative from Resort & Business Sector - Member
 - 5) Representative from Private Sector - Member
 - 6) Representative from DepEd - Member
 - 7) Three (3) Committees vital to the tourism program
 - a) Planning and Product Development - SB Member
 - b) Sites, Services and Standards - SB Member
 - c) Marketing and Promotion - SB Member

They shall hold office for a term of three (3) years, unless sooner removed by the Municipal Mayor for any cause provided, in case of SB Member, their representation shall continue to exist for the purpose for which they were chosen during their term. The Municipal Mayor shall appoint another, in the event any member fails to complete said term, but only for the unexpired term of his predecessor.

Section 149. Function. – The council serves as a policy-making advisory and recommendatory body for all tourism –related activities. The Jagna Municipal Tourism Council hopes to attain the vision of the municipality as a progressive, ecologically balanced, and peaceful agro-industrial town with an empowered people who are proved of their cultural heritage and well-balanced resources.

Section 150. Meetings. The council shall meet quarterly or conduct a special meeting whenever necessary. Each member shall designate permanent representative who, in case of their absence, will represent them during meetings. The presence of six (6) members or their official representation shall constitute a quorum.

Section 151. Executive Director and Secretary. The Council shall have an Executive Director who shall be designated as such by the mayor to be taken from the organic personnel of the Municipal Government who shall monitor and oversee the implementation of this ordinance as well as perform other functions as may be required by the Council.

The Council shall have a Secretary who shall be designated as such by the Municipal Mayor to be taken from the organic personnel of the Municipal Government with the following functions and duties.

1. Prepare the agenda of the meetings of the council and record the minutes of the same;
2. Shall keep all the records of the council
3. Submit all the records to the council
4. Perform such other functions as may be assigned by the council

Section 152. Tourist Spots – The tourists destinations of Jagna which include historical spots, beaches, caves, hotels and other natural resources, are as follows:

- | | |
|--------------------------------------|---|
| 1. Kinahugan Falls | - sitio Karap-agan, Cabunga-an. Trigonometrical in nature and are equidistant to each other. Noted for its bridal veil beauty; |
| 2. Can-uba Beach | - ideal for picnic, scuba diving; |
| 3. Eva Cave | - (Odiong) Several caves with underground rivers are also found in Odiong. It has the longest cave in the country ever discovered by Slovenian Spelunkers in early 1999; |
| 4. Cantuyoc Cave | - two known caves as second deepest in the Philippines discovered by Slovenian Spelunkers in 1995. It has underground rivers also; |
| 5. Luinab Rice Terraces | - Located at Boctol covering an area of 50 hectares; |
| 6. Lonoy | - Site of the bloody encounter between Filipino revolutionists and American invaders during World War I. With cold spring and swimming pool; |
| 7. Mayana | - The highest peak of Bohol. Noted for its cold climate-the coolest in the province. Site of telecommunication towers. Also the site of the second biggest Centennial Tree (NARRA) 3.2. meters in diameter, 30 meters high and believed to be 230 years old. Has a man-made forest; |
| 8. Balili | - Has a crystal lagoon at sitio Ceiling and caves with underground rivers. Has a cool climate suited for summer resort; |
| 9. Birhen sa Barangay Shrine | - Hundreds of devotees regularly come every Friday to adore the original painting of the Blessed Virgen sa Barangay said to be miraculous; |
| 10. Century Old St. Michael Church | - Noted for its antiquarian painting/ceiling |
| 11. Delilah's Rock Garden and Resort | - Thematic view overlooking Mindanao sea |

Article B. Social Services

Section 153. Office of the Senior Citizens Affair (OSCA) – There shall be established an Office for Senior Citizens Affairs

Section 154. Head of OSCA. – A Senior Citizen shall be appointed by the Municipal Mayor as head of OSCA with the following qualifications:

- a) A registered voter of the concerned municipality;
- b) Able to read and write;
- c) Must be physically and mentally fit;
- d) A bonafide member of a duly accredited senior citizens organization with a track record of at least three years;

Section 155. Grant of Discount Privilege for Senior Citizens. Every restaurant, drugstores, establishment offering medical services, transportation facilities including ships, tricycle, buses, habal-habal, hotels, lodging establishments and recreation centers shall display signboards that recognizes the granting of a 20% discount to Senior Citizens.

Section 156. Municipal Council for HIV/AIDS, Women and Children (MCHAWC)

- a) **Policy Statement.** – It is the policy of the Municipality of Jagna to ensure the safety and sound health of its inhabitants. In line with the policy, the municipality shall ensure the control and prevention of HIV/AIDS as well as the promotion of the status of Women and Children.
- b) **Creation, Powers and Function.** – The Municipal HIV/AIDS Women and Children Council (MHAWACC) is hereby created which shall be the central advisory planning and policy making body of the municipality on matters related to HIV/AIDS Control and Prevention and for the protection of women and children against abuses and discrimination.
- c) **Membership and Composition of Officers.** – The council shall be composed of the following officials and members:

OFFICIALS:

Chairperson

Co-Chairperson

Members

Action Officer

- Mayor
- The Chairperson, SB Committee on Health, Social Welfare, Women and Family Relation
- Municipal Health Officer
- Municipal ABC President
- Municipal SK Federated President
- Municipal Social Welfare Officer
- DECS Representative
- Two (2) representatives from NGO's working on concerns of Women, children and HIV/AIDS prevention
- One (1) representative from all government hospitals within the Municipality of Jagna
- Such other members as the council may determine
- Any member to be appointed by the chairperson in consultation with the general membership of the council

d) The council shall perform the following functions:

1. To ensure recommendations, plans, programs and strategies of the different concerned agencies of the government on how to operationalize and implement the specific provisions of R.A. 8504 (Prevention and Control of HIV/AIDS), R.A. 7610 (Law on Child Abuse), R.A. 7192 (Women in Development and National Building Act.) R.A. 8353 (New Anti-Rape Law), R.A. 7877 (Anti-Sexual Harassment Act) and other related laws, ordinances or regulations;
- 2) To review and integrate the municipal/barangay programs and projects for women, children and prevention and control of HIV/AIDS which need assistance from the government;
- 3) To develop a sustainable, comprehensive long term programs for the prevention and control of HIV/AIDS and for protection of women and children and monitor their implementation;
- 4) To coordinate and cooperate with other local councils, national, foreign, and international organizations regarding data collection, research, treatment modalities concerning HIV/AIDS and other diseases of Women and Children;
- 5) To institute a comprehensive information and education program on prioritized issues and concerns of women, children and HIV/AIDS prevention and control and formulate programs to respond to these issues and concerns; and
- 6) To perform such other functions as may be designated by law or agreed by the council.

e) Powers, Responsibilities and Functions of the Officers. – In addition to the powers and responsibilities inherent and connected thereto, the officers of the Municipal HIV/AIDS, women and Children Council (MHAWACC) shall perform the following duties;

1. The Chairperson and Co-Chairperson: The Chairperson and the Co-Chairperson of the Council shall jointly:

- a. See to it that the Council functions efficiently and properly in accordance with its purpose and policy;
- b. The chairperson shall preside the meeting if the council unless such power is delegated to the co-chairperson;
- c. Shall call a meeting on a date and time agreed by the Council or upon their discretion, or upon the request of the Action Officer;
- d. Initiate the sourcing of funds for the activities of the Council;
- e. Represent the Council in any contract, agreement or transactions with the authority of the council; and
- f. Perform such other matters necessary and connected or implied in the office or as the Council assign.

2. Action Officer

- a. Assist the chairperson or co-chairperson in exercising his functions;
- b. Perform the duties and functions of the chairperson or co-chairperson in case of the absence of said officers;
- c. Upon the advice of the Council or in case of extreme urgency, to call special meetings of the council upon approval of the chairperson. Provided, however, that the said Action Officer shall report to and update the chairperson or co-chairperson of the meetings within ten (10) days;
- d. Oversee the operation of the Council;
- e. Act as the point man of the chairperson of the Council; and
- f. Perform such other matters necessary and connected or implied in this office and or as the Council may assign;

- f) **Meeting.** – The Council shall have its regular meeting once in every quarter. Special meetings may be called as the need arises upon the discretion of the chairperson or recommendation by the Action Officer and approved by the Chairperson.
- g) **Reports.** – The Council shall submit to the Municipal Mayor and the Sangguniang Bayan an annual report on the activities and accomplishment of the Council.
- g) **Authority to Collaborate and Coordinate, Receive Funds and Donations and Enter Contracts and Holding of Fund Raising Activities.** - The council chairperson or any officer especially authorized by the Council in session duly held, is hereby expressly authorized to enter, agreements, joint projects, collaborate and coordinate with any office, institution, establishment, agency, foundation or entity, private or public, for activities and programs related to HIV/AIDS prevention and control and promotion and protection of women and children and to accept donation from any source or conduct fund raising activities for the same purpose. Provided, however, that all funds generated or received shall be held as a trust fund for the purpose to which the same is intended.
- i) **Appropriation.** – There shall be appropriated amount of not less than Ten Thousand Pesos (P10,000.00) from the General Fund yearly for the activities of the Council. Provided, however, that officials and members of the Council shall not receive emoluments, honoraria and other benefit whatsoever. Provided Finally, that his appropriation shall be solely used for the operation and activities of the Council.

Section 157. Jagna Council for the Protection of Children. (For the Code of Children –please see separate Code) M.O. No. 3-01-2006

- a) **Composition.** The Council shall be composed of the following:

Municipal Mayor	Chairman
Municipal Vice Mayor	Vice Chairman
MLGOO – DILG	Member
MSWDO – DSWD	Member
SB MEMBER, Chairman Comm. on Social Services and Community Development	Member
Principal – DepEd	Member
SK Chairman – Jagna SK Federation	Member
ABC PRESIDENT	Member
Municipal Health Officer	Member
MPDO – MPDC	Member
Municipal Engineer	Member
Parish Priest – Jagna Parish Church	Member
MAO – DA	Member
HRMO	Member

- b) **Functions.**

1. The Council shall provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination and other condition prejudicial to their development;
2. The Council shall also provide sanction for their commission and carry out program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination;
3. The Council shall intervene on behalf of the child when the parents, guardian, teacher, or person having care or custody of the child fails or unable to protect the child against abuse, exploitation and discrimination or when such acts against the child are committed by the said parent, guardian, teacher or person having care and custody of the same;

4. It shall be the responsibility of the Council to protect and rehabilitate children gravely threatened or endangered by circumstances which affect their survival and normal development and over which they have no control;
5. The best interest of children shall be the paramount consideration of the council and every effort shall be exerted to promote the welfare of children and enhance their opportunity for a useful and happy life.

c) **Meetings.** The council shall hold its regular meeting once a month.

Section 158. Day Care Service.

- a) **Declaration of Policy.** The Day Care Service is the provision of supplementary parental care to 3 to 4 year old children of parents who find it difficult to fully take care of their children because of their work or factors such as too many children in the family, lack of intellectual and psychological preparation for parenthood and inadequate facilities for early childhood enrichment.

The Day Care Service is an integral component of the child's basic rights to survival, protection, participation and development as mandated by Republic Act No. 6972 or the "Barangay Level Total Development and Protection of Children Act.

Thus, every year the Sangguniang Bayan shall appropriate funds to counterpart barangay funds in the implementation of the Day Care Service.

Section 159. An Ordinance Implementing the Early Childhood Care and Development. (ECCD) Mun. Ord. No. 5-05-2006.

Section 160. Women's Desk.

- a) **Declaration of Policy.** Republic Act No. 7877 provides that the state shall value the dignity of every individual, enhance the development of women and all forms of sexual harassment in employment pursue education and training.

Women have its significant role in society for the nation's development as partner in progress, through its various activities.

- b) **Establishment of Women's Desk.** There shall be established a Women's Desk in the PNP Station to protect women's rights and promote their full potential for social, economic, cultural and political development.

Section 161. Anti-Trafficking in persons.

- a) **Rationale.** Basically, this government's effort is in compliance to the policy of the State, which is to promote human dignity, protect the people especially women and children from any threat of violence and exploitation, eliminate trafficking in persons, and mitigate pressures for involuntary migration and servitude of persons. In order to institutionalize local enactment of an ordinance is deemed necessary specially those complying section 16, 17 and 33 of the Local Government Code.

b) Regulatory Provisions.

1. Acts of Trafficking in Persons. It shall be unlawful for any person, natural or juridical to commit any of the following acts:

- a. To recruit, transport, transfer, harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship for the purpose of prostitution, pornography, social exploitation, forced labor, slavery, involuntary servitude or debt bondage;
- b. To introduce or match for money, profit, or material, economic or other consideration, any person or, as provided for under R.A. 6955, any foreigner national, for marriage, for the purpose of acquiring, buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
- c. To contract or offer marriage, real or simulated, for the purpose of acquiring, buying, offering, selling or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage;
- d. To undertake or organize tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons or minors (male/female) to engage in prostitution or pornography;
- e. To maintain or hire person or children (male /female) to engage in prostitution or pornography;
- f. To recruit, hire, adopt, transport or abduct a person, by means of threat or use of force, fraud, deceit, violence, coercion or intimidation for the purpose of removal or sale of organs of said person;
- g. To recruit, transport or adopt a child to engage in armed activities in the Philippines or abroad.

2. Acts that Promote Trafficking in Persons. The following acts which promote or facilitate trafficking in persons, shall be unlawful:

- a. To knowingly lease or sublease, use or allow to be used by house building or establishment for the purpose of promoting trafficking in persons;
- b. To produce, print or distribute unissued tampered or fake counseling certificates, registration stickers and certificates of any government agency which issues these certificates and stickers as proof of compliance with government regulatory and pre-departure requirements for the purpose of promoting trafficking in persons;
- c. To advertise, publish, print, broadcast, or distribute, or cause the advertisement, publication, printing, broadcasting or distribution by any means, including the use of information technology and the internet, or any brochure, flyer, or any propaganda material that promotes trafficking in persons;

- d. To assist in the conduct of misrepresentation or fraud for purposes of facilitation the acquisition of clearances and necessary exit document from government agencies that are mandated to provide pre-departure registration and services for departing persons for the purpose of promoting trafficking in persons;
- e. To facilitate, assist, or help in the exit or entry of persons from/to the country at international and local airports, territorial boundaries, and seaports who are in position of unissued, tampered, or fraudulent travel documents for the purpose of trafficking in persons;
- f. To confiscate, conceal, or destroy the passport, travel documents, or person documents or belongings of trafficked persons in furtherance of trafficking or to prevent them from leaving the country or seeking redress from the government or appropriate agencies;
- g. To knowingly benefit from financial or otherwise, or make use of, the labor or services of a person held to a condition of involuntary servitude, forced labor, or slavery;

c) Definition of Term.

- 1. **Trafficking in persons** - refers to the recruitment, transportation, transfer or harboring or receipt with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or position, taking advantage of the vulnerability of the person or the giving or receiving payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

d) Qualified Trafficking in Persons. The following are considered as qualified trafficking.

- 1. When the trafficking person is a child/women;
- 2. When the adoption is effected through Republic Act No. 8043, otherwise known as the "Inter-Country Adoption Act of 1995" and said adoption is for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
- 3. When the crime is committed by a syndicate, or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed committed in large scale if committed against three (3) or more persons, individually or as a group;
- 4. When the offender is an ascendant, parent, sibling, guardian or a person who exercises authority over the trafficked person or when the offense is committed by a public officer or employee;
- 5. When the trafficked person is recruited to engage in prostitution with any member of the military or law enforcement agencies/public office act;
- 6. When the offender is a member of the military or law enforcement agencies; and

7. When by reason or on occasion of the act of trafficking in persons, the offended party dies, becomes insane, suffers mutilation or is afflicted with Human Immunodeficiency Virus (HIV) or the Acquired Immune Deficiency Syndrome (AIDS).
- e) **Measures in preventing Human Trafficking.** To ensure a unified and synchronized effort in preventing , eliminating and controlling human trafficking, LGUs are enjoined to implement the following measures at the local level:
1. **Information and Education Campaign.** The LGU –Jagna through LGU-Barangay, DSWD and Jagna PNP are enjoined to implement the following measures at the local level:
 2. **Establishment of Jagna Anti-Trafficking in Persons Committee.** To sustain the campaign against human trafficking, LGU-Jagna shall establish a local committee in coordination with DSWD, DILG, NGOs and the other concerned agencies;
 - a. **Jagna Anti-Trafficking in Persons Committee.** The Committee shall compose of the following:

Chairman	- Local Chief Executive
Vice Chairman	- Municipal Vice Mayor
Member	- SB Member, Chairman on Committee on Social Services
	- SB Member, Chairman on Peace & Order Committee
	- Jagna PNP
	- Municipal social Welfare
	- MLGOO
	- Jagna Council for the Protection of Children
	- Jagna Council of women
	- Representative from DepEd
	- Parish Priest
	- NGLs/POs
 - b. **Functions and Responsibilities of Jagna Anti-Trafficking in Persons Committee.**
 1. To provide temporary shelter and other support services to victims/survivors of trafficking and their families;
 2. To extend psycho-social counseling to victims/survivors of trafficking;
 3. To provide skills training and livelihood services to victims/survivors of trafficking;
 4. To apprehend and arrest of traffickers and their cohorts ;
 5. To formulate and implement preventive measures to stop sex tourism packages;
 6. To conduct information/education campaign on R.A. 9208;
 7. To advocate against trafficking of children/Women;
 8. To provide health services, legal counseling, shelter, livelihood facilitation and repatriation of trafficking victims.

- f) **Barangay Support System.** The Gabay Mamamayan Aksyon Center shall serve the focal point for reporting to authorities of suspected person involve in human trafficking.
- g) **Penalty.** Violators of this ordinance shall be penalized of Six Months imprisonment and a fine of Two Thousand Five Hundred Pesos (PhP2,500.00)

Section 162. Domestic Violence Offender/Protection Measures to the victim.

a) Mandatory Provision.

- 1. Any person committing the act of domestic violence shall be arrested immediately;
- 2. If the arrest is made by a civilian or not an authorized officer, the offender shall be turnover to the authorities for investigation and detention;
- 2. If the offender is granted bail, the offender is prohibited to contact or communicate the victim unless a waiver for protection is being made by the offended party;
- 4. If detention center is not available, the offender may be taken in the custody with the barangay officials.

b) Rules in Filing Complaints.

- 1. Any person who has the full knowledge of an act of domestic violence with or without the consent of the victim can file a case against the offender;
- 2. Domestic violence complaint shall be filed in the courts in accordance with the proceedings provided by law. It shall also state the application for the issuance of protection order and claims of damages;
- 3. The filing of domestic violence complaint shall be in the courts of appropriate jurisdiction.

- c) **Safeguard for Intervention.** Any person who in good faith, intervenes the incidence of domestic violence without using violence of restraint, necessary to ensure the safety of the victim not be liable for any criminal and civil liability resulting therefrom.

- d) **Provision Involving Protection Order.** It shall include any order issued for the purpose of preventing the act of abuse such as:

- 1. An order prohibiting the offender to directly or indirectly communicate or contact the victim
- 2. An order granting custody of the minor children to the parent of the petitioner or any person or government agency to the best interest of the minor children
- 3. An order for offender to leave immediately the domicile of the victim or petitioner
- 4. An order granting other legal remedies deemed necessary by the court for the victim's protection and other persons who may be in need for protection

e) Person qualified to apply for Protection Orders.

- 1. The offended party
- 2. The family members of the offended party
- 3. Social worker
- 4. A law enforcement officer who has full knowledge of the abuse
- 5. DSWD and accredited NGO and PO

- f) **Application for Protection Order.** It shall be done in writing stating the circumstances of the abuse and the application shall be under oath by the petitioner.

1. Barangay Protection Orders.

- a. Application for barangay protection orders shall follow the rules and venue per section 109 of the local government code of 1999 and its implementing rules and regulations.
 - b. The BPO shall be issued by the Barangay Captain
 - c. The Brgy. Captain shall issue P.O. to the applicant on the date of the filing after determining substantial basis of the application
 - d. The BPO shall only cover the provision mentioned in the preceding section
 - e. After the issuance of BPO, the Barangay Captain or representative shall serve immediately a copy to the respondent
- g) **Penalty.** Violation of this measure shall be punished by a penalty of both imprisonment of six months and a fine of P 2,500.00.

Section 163. The Municipal Population Committee. There shall be a Municipal Population Committee composed of the following:

Chairman: Municipal Mayor
Vice Chairman: Chairman – Committee on Health, Sangguniang Bayan
Members: Municipal Health Officer
Municipal Agriculture Officer
Representative of the Department of Education, Culture and Sports
Local Government Operations Officer
Sangguniang Kabataan Federation President
Liga ng Barangay Chairman
Municipal Budget Officer
Municipal Treasurer
Non-Government Organization

- a) **Functions of the Municipal Population Committee:** The function of the Municipal Population Committee are as follows:

1. Deliver basic services regarding health and population
2. Conduct program planning for the population program
3. Team field visit
4. Formulate population programs and projects
5. Conduct pre-marriage counseling
6. Motivate and recruit family planning acceptors
7. Provide advice to Family Planning and Non-Family Planning clients
8. Keep and maintain demographic surveillance data.

Section 164. Women & Children Committee. (MWCC). There shall be created a Municipal Women & Children Committee that is responsible on matters, issues, and concerns of Women and Children such as recognition and promotion of the rights and privileges, family planning, marriage, adoption, guardianship, eradication of juvenile delinquency and responsible parenthood. It is likewise responsible for the relief of the needy individuals and families, the disabled and handicapped.

- a) **Composition** – The composition of the Municipal Women and Children Committee are as follows:

Chairman	- Municipal Mayor
Vice Chairman	- Municipal Vice Mayor

Members

- Chairman on SB Committee on Women and Children
- Chairman of Municipal Council for the Protection of Children
- MLGOO
- Representative from MHO
- SK Federated President
- Representative from MTO
- Representative from MPDO
- Representative from NGOs and POs
- Representative from DSWD
- Representative from MAO
- Sectoral Representative
 - a. From Education (Private & Public)
 - b. From Barangay Lady Legislator League
 - c. From Business
 - d. From Public Market

Section 165. Functions

a. **Powers, Functions and Responsibilities.** These officials are tasked with the following:

1. Coordinate, provides directions to monitor and serve as technical adviser for programs/projects on women/gender development concern with the town;
2. Review the mandated tasks of the LGU as per RA 7192 and other Presidential Directives on the course of action to be taken;
3. Conduct a Gender Responsive Planning Program;
4. Make a comprehensive and integrated plan and programs for women in the municipality and ensure in the implementation thereof;
5. Establish data bank unit;
6. Facilitate a trainor in training or GAD;
7. Ensure that GAD activities of the LGU are replicated in the barangay level;
8. Assesses their performance and learn from the experience of others attending annual Focal Point Assemblies and establish linkages with the National Commission on the Role of Filipino Women;
9. Require the LGU personnel unit to look into the situation of women and children within the unit and to review the policies and practices in relation to the hiring, training, promotion and retirement to eliminate gender biases therein.

Section 166. Meeting and Quorum

The Municipal Women/Children Committee shall meet at least once every three months or as often as maybe necessary.

Section 167. Local Council of Women.

- a) **Composition,** The Council is composed of women NGOs or NGOs with women/gender-related programs belonging to that locality.

The chairperson shall be appointed by the Municipal Mayor

b) **Functions.** The Local Council of Women shall:

1. define women's advocacy agenda that incorporates local priorities and aligned with national and international instruments such as the convention on the elimination of all Forms of Discrimination Against Women (CEDAW);
2. pursue the passage of local legislations addressing gender issues and women's concerns at he local levels;
3. pursue women's participation in local governance by advocating for passage of bill on Women Sectoral Representation to the Local Sanggunian and ensuring the representation of women in local special bodies;
4. undertake activities and projects such as livelihood, micro-enterprise, social services, training and skills development within the framework of GAD;
5. establish linkage with the business sector, GO and NGO institutions to enable women's access to resources, information and technology, in order to pursue the projects more effectively;
6. monitor the implementation and impact of local policies and programs on women and provide the local machineries on women, the Local Chief Executive and other relevant agencies with copies and findings and ensure corresponding action.
7. establish linkage with the NCRFW in the pursuit of GAD mainstreaming and women empowerment at the local levels
8. build the entrepreneurial; capability of marginalized women locally, nationally and internationally; and
9. initiate and contribute to awareness-raising, consciousness-broadening and public debate on GAD related issues and concerns

c) **Membership.** Members of LCWs shall be composed of women organizations that have shown capability and commitment to implement women's agenda at the local level. These organizations should be in continuous operations for at least two (2) years. At the minimum they should have:

1. Establish organizations with operational structures;
2. Active human resources or members;
3. Advocacy work; and
4. Projects geared towards poverty alleviation, social justice and women's empowerment

Women NGOs duly established within their locality and who meet the criteria/guidelines for membership may join the LCWs through their respective Local Membership/Organizing Committee (LMOC)

Section. 168. Women's Month. The Municipality shall celebrate Women's Month every March of the year and shall appropriate funds for this purpose.

Section. 169. Jagna Gender and Development Code. (See GAD Code) M.O. No. 6-06-2006

Article C. Education

Section 170. Creation and Composition of Municipal School Board. There shall be created a Municipal School Board composed of the following:

- | | | |
|-------------|---|--|
| Chairman | - | Municipal Mayor |
| Co-Chairman | - | District Supervisor of the Public School |

MUNICIPAL ORDINANCE NO. G.O.7-06-2006

5th Sangguniang Bayan
Jagna, Bohol

June 26, 2006
Regular Session

Members: SB Chairman of Education Committee
Mun. Treasurer
Representative from the Sangguniang Kabataan Federation
President of the Mun. Federation PTA
Duly elected representatives of Teacher's Organization
Duly elected representative of the non-academic personnel of the public schools in the district

Section 171. Functions

1. The performance of the duties and responsibilities of the above-mentioned officials in their respective local school board shall not be delegated;
2. Functions of the Municipal School Board shall:
 - a. Determine, in accordance with the criteria set by the Department of Education the annual supplementary budgetary needs for the operation and maintenance of public schools within the municipality as the case may be, and the supplementary local cost of meeting such needs, which shall be reflected in the form of an annual school board budget corresponding to its share of the proceeds of the special levy on real property constituting the Special Education Fund and such other sources of revenue as this code and other laws or ordinance may provide;
 - b. Authorize the municipal treasurer as the case maybe, to disburse funds from the Special Education Funds pursuant to the budget prepared and in accordance with existing rules and regulations;
 - c. Serve as an advisory committee to the sanggunian concern on education matters such as; but not limited to the necessity for and uses of local appropriations for education purpose and;
 - d. Recommend changes in the names of public schools within the territorial jurisdiction of local government unit for enactment by the sanggunian concerned.
 - e. The Department of Education shall consult the local school based on the appointment district supervisor, provincial and other school officials.

Section 172. Meetings and Quorum.

1. The Municipal School Board shall meet at least once a month or as often as may be necessary;
2. Any of the co-chairmen may call a meeting. A majority of all of its members shall constitute a quorum. However, when co-chairmen are present in a meeting, the local chief executive concerned, as a matter of protocol, shall be given preference to preside over the meeting. The district supervisor as the case maybe, shall prepare the budget of this school board concerned. Such budget shall be supported by programs, projects, and activities of the school board ensuing fiscal year. The majority of all the members shall be necessary to approve the budget.
3. The annual school board budget shall give priority to the following:
 - a) Construction, repair and maintenance of school buildings and other facilities of public elementary and secondary schools;
 - b) Establishment and maintenance of extension classes where necessary and;
 - c) Sports activities district, municipal and barangay levels.

Article D. Youth and Sports Development

Section 173. The Role of the Youth and Statement of Policy. The Filipino youth, constitute as one of the leading forces of the engine of development for the realization of our socio-economic and political recovery both by the government and private sector. We should take note that more than sixty percent of our people belong to the youth sector. To this sector belongs the best and the brightest in our society by virtue of their education and training not only in the best universities but also in other capitals of the world. It is perhaps imperative for the youth of today to complement initial efforts of their elders by actively confronting the issues and crisis that grip the nation.

The youth must take the vanguard position as well as the center stage in the moral recovery of our society. They should see to it that their role is not limited to people in government both officials as well as the employees but should be a major undertaking by the masses of our people belonging to the different sectors, adopting their sectoral interests to the requirements of the crusade to restore morality and ethics into our governmental service.

The youth therefore in this municipality being a part and product of this society and an unfortunate heir to its weaknesses and shortcomings, must build its capability and must be empowered to engage in a thorough and wide-ranging cleansing process to bring forth the progenitors of a new generation that is free from the corruption of the old generations.

Section 174. Boy/Girl Officials Week. -Pursuant to the Presidential Proclamation No. 99 Series of 1992, regarding the celebration of “Linggo ng Kabataan” every second week of December, there shall be a Boy/Girl Officials Week to be observed in the municipality wherein youth, ages 13 to 17 shall hold office as boy/girl officials and shall perform the duties and responsibilities of the position they hold.

- a) **Objectives-** The objectives of the Boy/Girl officials shall be:
 - 1) To provide the youth insights on local governance and what they can do for their government
 - 2) To provide them opportunity to project their roles in the community where they live.
 - 3) To develop their potentials as future leaders and enlightened citizens.
- b) **Participants** – the participants shall be in school and out of school youth ages 13 to 17
- c) **Plan of Action** – During the second week of December, elected Boy/Girl Officials and head of Office in the municipalities
- d) **Registration Procedure-** The registration of youth ages 13 to 17 shall be held on the third week of November at a duly designated area to be conducted by the Barangay Captain as Chairman, the Sangguniang Kabataan Chairman and the Sangguniang Kabataan Secretary as members. The date, time and place shall be determined and announced by the chairman.
- e) **Mode of Selection** –
 - Boy/Girl Municipal Officials – For the Boy/Girl Municipal Officials, all elected Barangay representatives shall be convened to an assembly the day after the election of Barangay Boy/Girl Official, time and place to be called by the Sangguniang Kabataan Municipal Federation President in coordination with the Municipal Officials and District Supervisors to elect the following:
 - Two Municipal representatives to the Province
 - Boy/girl Mayor
 - Boy/Girl Councilors
 - Boy/Girl ABC President

Boy/Girl SK President

One Boy/Girl representing the Department Offices of the Municipal Level.

- f) **Secretariat** – The SK Municipal Federation shall act as Secretariat, in charge of coordination with proper agencies regarding the implementation of Boy/Girl official project.

Section 175. Municipal Sports and Physical Fitness Program. There shall be a continuing program for any sports activities that involve all sectors for the physical fitness activity in this municipality believing the principle that healthy life is a treasure forever.

Section 176. Creation of Municipal Physical Fitness and Sports Dev'l. Council. - There shall be created Municipal Sports Development Council, which shall be a municipal organizational network to assist the Mun. Mayor in planning, information dissemination and central implementation and monitoring of all sports policies and programs of the municipality.

Section 177. Composition of the MPFSDC.

Chairman - Local Chief Executive of the town of Jagna
Vice Chairman- President of the Sangguniang Kabataan
Members - District Supervisor of the Dept. of Education (DepEd)
- Heads of private colleges and school
- Presidents of Sports Ass. or organization in the town of Jagna
- Co-Chairman of the Comm. on Youth and Sports
- President of the Liga ng mga Barangay

The Council shall hold its meetings once every quarter.

The Council shall be provided with an adequate office and shall be assisted by personnel detailed from the office of the Mayor or the Vice-Mayor.

The MPFSDC shall perform the following functions and responsibilities:

- a) They shall meet once every quarter to plan and formulate concrete, short and long development programs of sports including a year-round calendar of sports activities and competition culminating in a "Palarong Pambayan" to be held during vacation;
- b) They shall conduct local sports consultation to identify and prioritize sports programs and activities;
- c) They shall oversee and ensure that implementation of sports programs and policies in all areas concerned;
- d) They shall disseminate proper information on the principal policies and programs to the barangay pertaining to sports;
- e) They shall coordinate with the Department of Education in identifying, recruiting and training of gifted and talented athletes from their areas for out of town competitions;
- f) They shall submit a semestral report of accomplishment to the Municipal Mayor;
- g) They shall perform other functions deemed necessary to promote and implement sports in the municipality;
- h) They shall give recognition/remind to those who give honor to the Municipality in terms of sports;

- i) They shall establish and maintain linkages with Provincial, Regional, National and International Sports Associations or Organizations and Non-Governmental Organization whose main objective in sports promotion and development;
- j) They shall conduct basic and applied research on sports development;
- k) They shall conduct promotion and fund-raising campaign in accordance with existing laws to achieve the purposes of the council;
- l) They shall exercise supervisory and visitorial powers over sports association in connection with their sports promotion and development programs with respect to which the council extends financial assistance;
- m) They shall accept donations, gifts, bequests and grants for purpose of the activities of the council;
- n) They shall perform such other powers, and functions, which may be assigned, to the council by the town Mayor or the Sangguniang Bayan.

Section 178. Creation of Jagna Youth Development Council. (See Separate Ordinance)

CHAPTER VII

CULTURE AND THE ARTS

Article A. Policy Direction

It shall be the policy of the Municipality of Jagna, Bohol to preserve, enrich and promote the development of the culture of its people.

Article B. Creation

There shall be created the Jagna Council of Culture and the Arts.

Section 179. Composition. The JCAC shall compose of the following:

- | | |
|---------------|---|
| Chairman | - The Municipal Mayor |
| Vice Chairman | - Municipal Vice Mayor |
| Members: | - Chairman, SB Comm. on Culture and the Arts |
| | Vice-Chair., SB Comm. on Culture and the Arts |
| | ABC President |
| | Parish Priest |
| | A representative from the Academe |
| | DILG Officer |
| | DepEd representative designated by the Mayor |
| | MPIO |
| | Chairman, SB Comm. on Tourism |
| | Chairman, SB Comm. on Educ. |

a) Function of the JCAC

1. Formulate policies and plans for the enrichment and development of Jagna's unique heritage;
2. Create necessary committees for the annual celebration Jagna Foundation Day;

3. Shall serve as the vehicle in the cultivation of the talents and skills of Jagna-anons especially the youth;
4. Conduct regular meetings in order to ensure success of every relevant activity;
5. Submit regular report on the status of every related activity;

b) **Meeting.** The Council shall hold meetings every month.

Section 180. The council shall create sub-committees which are as follows:

1. Committee on Music
2. Committee on Dance and Drama
3. Committee on Painting and sculptor
4. Committee on Literary Arts

Each committee is allowed a minimum of 3 and a maximum of 5 members, which will be selected by the officers of the JCAC.

Section 181. Secretariat

The Municipal Public Information Officer shall act as the secretariat of the JCAC.

Section 182. Cultural Heritage. The Municipality hereby declares the following as Cultural Treasures:

1. St. Michael the Archangel Church
2. SINOOG every September 29th
3. Centennial Tree "Narra" in Mayana (Declared by the National Historical Commission as the 2nd oldest tree in the country)
4. Lonoy Heroes Marker (site of the bloody encounter between the Filipino Revolutionist and the American Invaders during the WW I)
5. Calamay production (started 18th Century as written in Libro de Cosas Notables of Jagna by Fr. Iturriaga)
6. MAZURKA de JAGNA and LA JOTA JAGNELIÑA
7. Padagan sa KOMITA every Christmas

Section 183. Funds. The Municipality shall appropriate funds for the preservation of the Cultural Treasures of Jagna, Bohol.

CHAPTER VIII

FINAL PROVISIONS

Article A. General Penal Provision

Section 184. Penalty. Any violation to any provisions of this Code not herein covered by a specific penalty shall be fined in the amount of Php2,500.00 or imprisonment of not exceeding six months, or both fine and imprisonment at the discretion of the court.

If the violation is committed by any juridical entity, the President, General Manager, or the person entrusted with the administration thereof at the time of the commission of the violation, shall be held responsible or liable thereof.

Article B. Separability, Applicability, Repealing and Effectivity Clauses.

Section 185. Separability Clause. If, for any reason, any provision, section or part of this Code is declared invalid by a Court of competent jurisdiction, or suspended or revoked by concerned authorities, such declaration shall not affect or impair the other provisions, section or parts which shall continue to be in force and in effect.

Section 186. Repealing Clause. All ordinances, rules and regulations, or part thereof which are in conflict with, or inconsistent with any provisions of this Code are hereby repealed and modified accordingly.

Section 187. Effectivity. This Code shall take effect upon approval.

Enacted: June 26, 2006

DO NOT COPY

AFFIRMATIVE:

SGD. BONIFACIO GO VIRTUDES, SR.
Municipal Councilor

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. ALFONSO R. GALES, SR.
Municipal Councilor

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

NEGATIVE: N O N E

ON LEAVE: SENEN C. LLOREN
DEXTER LITO N. RANIS

Municipal Councilor
Municipal Councilor (SKMF Pres.)

CERTIFIED CORRECT:

SGD. RENATO R. ACERA
MGDHI/SB Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

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

APPROVED: July 10, 2006
Date Signed

SGD. HON. EXUPERIO C. LLOREN
Municipal Mayor