



Republic of the Philippines
Province of Isabela
MUNICIPALITY OF PALANAN

OFFICE OF THE SANGGUNIANG BAYAN

Literal Copy of *Municipal Ordinance No. 2020-042* approved by the Sangguniang Bayan of Palanan, Isabela in its Regular Session on *March 30, 2020* held at the Legislative Session Hall, this Municipality.

MUNICIPAL ORDINANCE NO. 2020-042

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 2010-005, SERIES OF 2010, IMPOSING CURFEW HOURS FOR MINORS FROM 8:00 P.M. TO 5:00 A.M. FOR THE PROTECTION OF CHILDREN BELOW EIGHTEEN (18) YEARS OF AGE WITHIN THE TERRITORIAL JURISDICTION OF PALANAN, ISABELA.

Be it ordained by the Sangguniang Bayan of Palanan, Isabela in session assembled, that:

SECTION 1. SHORT TITLE. This ordinance shall be known as "CURFEW HOUR FOR MINORS" Ordinance.

SECTION 2. CURFEW HOURS. The period of time from *eight o'clock in the evening (8:00 P.M.) to five o'clock in the morning (5:00 A.M.)* are hereby declared as "curfew hour" for minors.

SECTION 3. REGULATED ACTS. No person below eighteen (18) years of age shall stay outside of his residential compound or premises and roam, wander, saunter around or loiter in any public roads, parks, plazas, or any public place in this municipality during the period of curfew hours mentioned in the preceding section, unless otherwise exempted under the provisions of this ordinance.

SECTION 4. DEFINITIONS. As used in this Ordinance, the term:

CURFEW HOUR - refers to the period of time between eight o'clock in the evening (8:00 P.M.) to four o'clock in the morning (4:00 A.M.) when certain individuals who are below eighteen (18) years of age are not allowed to stay outside of their residential compound or premises.

MINORS - for purposes of this Ordinance, the term "minors" refer to persons who are below eighteen (18) years of age.

PUBLIC ROADS - refer to national, provincial, municipal or barangay roads or street, including alleys or callejons.

PUBLIC PLACE - refers to a place to which the public has access including parking lots, vacant private property not owned by the minors parents or guardians, vacant property owned by the government; and such other places open to the public.

SECTION 5. EXEMPTIONS. This Ordinance shall not apply to the following circumstances:

- 1) When the minor is being accompanied by his parent, guardian or adult person in charge of his custody.
- 2) When the minor is engaged in a lawful pursuit of livelihood or providing assistance in any lawful activity.
- 3) When the minor is going to, or coming from, scholastic functions like attending evening classes, commencement exercises, convocations, educational programs and similar activities.
- 4) When the minor is on an errand to save life or property like calling for the services of a physician, midwife, priest, police officers, fireman and other similar circumstances.
- 5) When the minor is going to, or coming from, any religious, social, civic or sports programs and similar activities.
- 6) When the minor is responding to emergency situations during the occurrence of natural or man-made calamities.
- 7) When the minor can show proof, or explain to the satisfaction of the apprehending officer, that he has just arrived from travel and is on his way home and similar circumstances.
- 8) One (1) day before and after Christmas Day; New Year's Day; Election Day and other similar events of public interest.
- 9) Two (2) days before and after the day of the town "Fiesta or the "fiesta" of the barangay where the minor resides or celebration of the different schools and affairs of the LGU where the presence of children in public places during the time allowed or encouraged.
- 10) When the minor has a "curfew pass" issued by the authorities concerned.
- 11) On such other dates or occasions when the Sangguniang Bayan decided.

EARL JOHN ANGELO S. BERNARDO
SB MEMBER

MICHAEL JOHN D. BERNARDO
SB MEMBER

ROBERT B. NERI
SB MEMBER

PACITA MONA Q. ATANACIO
SB MEMBER

RONNIE A. ATIENZA
SB MEMBER

ANGELINA A. BERNARDO
LMS PRESIDENT

JUSTIN KERRY S. BERNARDO
SK FEDERATION PRESIDENT

GLORIA D. CAJULAN
SB MEMBER

CRISEIDA S. DELA PENA
SB MEMBER

THEO ANGELO A. GARCIA
SB MEMBER

EARL JOHN ANGELO S. BERNARDO
SB MEMBER

ANGELINA A. BERNARDO
LNB PRESIDENT

SECTION 6. RULES AND REGULATIONS.

- 1) Whenever a minor is apprehended for alleged violation of this Ordinance, he/she shall be placed under temporary protective custody of the police officer on duty at the Police Station but only for the remaining period of curfew hours and shall be released immediately thereafter or sooner thereof upon request of their parents, guardians, or any immediate members of their family.
- 2) No person, natural or juridical, who has been granted a Mayor's Permit to operate business or trade activity shall admit, or allow to stay, in his establishment any minor during the period of curfew except, when the minor is a member of the family of the operator, manager or person in-charge of such establishment.
- 3) Additional rules and regulations shall be issued by the Chief of Police in this municipality, for proper implementation of this Ordinance.
- 4) The Mayor or her authorized representative; the Chief of Police in this municipality or his authorized representative; and the Punong Barangay concerned are hereby authorized to issue the necessary "curfew pass". Provided, that in case of the Punong Barangay, the "curfew pass" issued shall be valid only within his/her barangay.

JUSTIN KERBY S. BERNARDO
SK FEDERATION PRESIDENT

MICHAEL JOHN D. BERNARDO
SB MEMBER

SECTION 7. PENALTY. This Ordinance, being intended only for " minors", carries no penalty clause. However, "minors" who are caught violating the "curfew hour" shall be apprehended and brought to the police station not for purposes of detention but only for protective custody until five o'clock in the morning (5:00 A.M.)

No fine or penalty of whatever kind shall be imposed against the apprehended minors.

SECTION 8. FUNDING. An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance shall be sourced out from the LCPC Fund of this Local Government Unit.

SECTION 9. ENFORCEMENT. The Philippine National Police Force, Punong Barangays with the assistance of Barangay Tanods are hereby ordered to implement the provisions of this Ordinance.

SECTION 10. REPEALING CLAUSE. All provisions of ordinances, resolutions and orders contrary or inconsistent herewith are hereby repealed or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. If any part, section or provisions of this ordinance shall be held invalid or unconstitutional, no other parts, section or provisions hereof, shall be affected thereby.

SECTION 12. EFFECTIVITY. This ordinance shall take effect upon its approval.

ENACTED AND APPROVED: March 30, 2020.

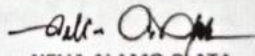
I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

GEORGINA D. CAULIAN
SB MEMBER

ROBERT B. NERI
SB MEMBER

PACITA MONA Q. ATANACIO
SB MEMBER


CRISLEDA S. DELA PENA
SB MEMBER

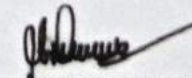

NELIZA ALAMO-PLATA
Secretary to the Sanggunian

THEO ANGELO A. GARCIA
SB MEMBER

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:

APPROVED:


JIMMY B. GONZALES
Municipal Vice Mayor/Presiding Officer


ELIZA BETH B. OCHOA
Municipal Mayor
Date: 03-31-20

RONNIEA ATIENZA
SB MEMBER