



**Republic of the Philippines
City of Bago
Office of the Sangguniang Panlungsod**

ORDINANCE NO. 11-08

AN ORDINANCE PROHIBITING THE ACTS OF VANDALISM, IMPOSING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, vandalism is now rampant in the City of Bago;

WHEREAS, many public and private establishments in the City of Bago become victims of vandalism where their doors, walls and passageways are filled with drawings and markings;

WHEREAS, there are reported cases that even streets, historical landmarks, statues of known persons and even vehicles are vandalized;

WHEREAS, tourism being one of the main thrusts of the government, in order to attract more tourists to our City, we must present a beautiful and neat place sans vandalized surrounding.

NOW, THEREFORE , on motion of SP Member Allan C. Galunan, duly seconded by SP Member Bernadette M. Somcio, the Sanggunian

BE IT ORDAINED by the Sanggunian Panlungsod, that:

Section 1. Title. This ordinance shall be known as "Anti-Vandalism Ordinance of 2011."

Section 2. Definition of Terms. For the purpose of this ordinance, the following terms are defined:

1. Act of vandalism – the willful act that damage or deface property belonging to another person or to the public. Examples of this act are writing, drawing, painting, marking or inscribing on any public or private property, any word, slogan, caricature, drawing, mark, symbol; affixing, posting up or displaying on any public or private property any advertisement, bill or notice, without the consent of the owner of the property.
2. Community Service – refers to any act that is performed for the benefit of the community at large, as punishment for an offense or violation of the law. Cleaning up trash, removing graffiti, planting trees, or building community playground equipment while under the supervision of enforcement officers or personnel, are common tasks performed under this type of arrangement.
3. Private property – property of private ownership, besides the patrimonial property of the State, provinces, cities and municipalities, consists all property belonging to private persons such as houses, walls, buildings, gate, concrete columns and fence, either individually or collectively.
4. Public property – those intended for public use, such as roads, ports, buildings and bridges, and others of similar character, constructed by the State or those which belong to the State, for public service or for the development of the national wealth.
5. Vandalism – the malicious and deliberate defacement of somebody else's property.

Section 3. Prohibited Acts. The following acts are prohibited:

- a. Writing, drawing, painting, marking or inscribing on any public or private property any word, slogan, caricature, drawing, mark, symbol or other acts without the consent of the owner; or
- b. Affixing, posting up or displaying on any public or private property any advertisement, bill or notice without the consent of the owner.

Section 4. Deputization of the Bago City Philippine National Police and Issuance of Identification Cards by the Local Chief Executive.

The Local Chief Executive hereby deputizes the Bago City Philippine National Police, the Office of City Social Welfare and Development and the Barangay Officials, in enforcing this ordinance. Identification Cards shall be issued subsequently on them.

Section 5. Penal Provision. Any person who shall commit any of the aforementioned acts of vandalism shall be imposed the following penalties:

- a. For the First Offense, administrative fine of One Thousand Pesos (P1,000.00), plus community service of five (5) days or 40 hours, and restoration of the property in question to its original state;
- b. For the Second Offense, administrative fine of Three Thousand Pesos (P3,000.00), plus community service of ten (10) days or 80 hours, and restoration of the property in question to its original state;
- c. For the Third Offense, administrative fine of Five Thousand Pesos (P5,000.00), or an imprisonment thirty (30) days but not more than six (6) months, depending on the gravity of the infraction, or both at the discretion of the court. In determining the gravity of the infraction, the court shall consider the extent and the amount of the damage caused to the property in question.

If the violator is below 15 years old, civil liability shall be shouldered by his/her parents. If the violator is above 15 but below 18 years old, he/she will restore the damaged property to its original state plus he/she will render community service to the school, if enrolled or to the Barangay where the act of vandalism took place, if not enrolled.

Section 6. Schools are encouraged to include in their Values Education or Edukasyong Pagpapahalaga classes, lessons regarding Vandalism.

Section 7. Education and Information Dissemination. The City, the Barangay, and the Office of the City Social Welfare and Development, the Public Information Office (PIO) and the City Tourism Office shall conduct an information and dissemination drive in all schools and barangays regarding the anti-vandalism drive of the City.

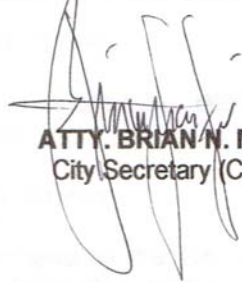
Section 8. Separability Clause. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 9. Repealing Clause. All ordinances inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

Section 10. This Ordinance shall take effect after thirty (30) days from the date of its approval.

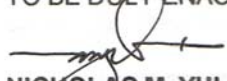
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I HEREBY CERTIFY to the correctness of the foregoing Ordinance No. 11-08 which was duly enacted by the Sangguniang Panlungsod during its regular session held at the Sanggunian Session Hall on October 5, 2011.




ATTY. BRIAN N. MARTIR
City Secretary (CGDH-I)

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:



NICHOLAS M. YULO
City Vice Mayor and
Presiding Officer

APPROVED this 4th day of October, 2011.



RAMON D. TORRES
City Mayor