

Republic of the Philippines
AUTONOMOUS REGION IN MUSLIM MINDANAO
Province of Lanao del Sur
Municipality of Wao

OFFICE OF THE SANGGUNIANG BAYAN

ORDINANCE NO. 432

**ENACTING THE CODE OF GENERAL ORDINANCES
OF THE MUNICIPALITY OF WAO, LANA DEL SUR**

BE IT ORDAINED by the Sangguniang Bayan of Wao, Lanao del Sur, in session assembled that:

CHAPTER I
GENERAL PROVISIONS

Article 1. Title and Scope

Section 1. Title. This Ordinance shall be known as the Code of General Ordinances of Wao, Lanao del Sur, herein referred to as the "Code".

Section 2. Scope. This Code covers all penal and regulatory ordinances enacted by the Sangguniang Bayan of this municipality.

Article 2. Rules of Construction and Interpretation

Section 3. Interpretation. Any ambiguity or doubt as to the meaning of a word or term used in this Code shall be given the interpretation adopted in the original source of the ordinance: ***Provided*** that the generally accepted Rules on Construction and Interpretation shall have the suppletory application herein.

Likewise, between the English text of this Code as herein approved and its translation into any dialect or language as may officially be approved, the English text shall prevail.

Section 4. Words and Phrases. Words and phrases embodied in this Code not herein specifically defined shall have the same meaning as found in legal dictionaries as well as in existing laws.

Section 5. Construction of Codal Provisions. In construing the provisions of this Code, the following rules of construction shall be observed

unless inconsistent with the manifest intent of the provisions or when applied they would lead to absurd or highly improbable results:

a) 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 and understood according to such technical, peculiar or appropriate meaning.

b) Gender and Number. Every word importing the masculine gender as well as the words “he/she”, “his/her” and “him/her” shall extend to both male and female. Every word importing the plural number shall extend and apply to several persons or things as well; and every word importing the singular number shall extend and apply also to one person or thing.

c) Computation of Time. The time within which an act is to be done as provided in this Code, or in any rule or regulation issued pursuant to the provisions thereof, 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.

d) Tenses. The use of any verb in the present tense shall include the future whenever applicable. The words “shall have been” shall include past and future cases. The use of the word “shall” in this Code means the act being required to be done is mandatory, whereas when the word “may” is used it means permissive.

e) References. All references to “Chapters”, “Articles”, or “Sections” are to chapters, articles or sections in this Code unless otherwise specified.

f) 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 matter and questions involved therein.

g) Conflicting Provisions of Sections. If the provisions of different sections in the same chapter conflict with each other, the provision of the section which is last in point of sequence shall prevail.

Section 6. Amendment and Integration of Additional Provisions. Any amendment on this Code may be introduced to the chapter, article or section concerned. All ordinances or provisions thereof enacted subsequent to the date of effectivity of this Code shall be compiled in such a way as to bear the corresponding chapter, article or section to which such ordinance or provision pertains. Such new provisions shall be integrated into the corresponding chapter, article or section whenever a new printing or reproduction of this Code is undertaken upon authorization of the Sanggunian.

Section 7. Existing Rights. No right accrued, action or proceeding commenced before the effectivity of this Code shall be adversely affected by any provisions hereof. Thereafter, all procedures or actions to be taken shall conform to the provisions of this Code whenever possible.

Section 8. Reference to Code. Whenever reference is made to any portion of this Code, such reference shall apply to all amendments and additions now or may hereafter be introduced.

Section 9. Effect of Headings. The Chapter, Article and Section headings do not in any manner affect the scope, meaning or intent of the provisions contained in this Code.

Section 10. Relation to Prior Ordinance. The provisions of this Code which are substantially the same as that of previous or existing ordinances particularly when dealing with the same subject matter shall be construed as new enactments.

Article 3. Definitions

Section 11. Meaning of Technical Terms. As used in this Code

- **Amusement** is a pleasurable diversion and entertainment. It is synonymous to recreation, relaxation, avocation, pastime or fun.
- **Amusement places** includes theaters, cinemas, concert halls, circuses and other places of amusement where one seeks admission to entertain himself by seeing or viewing the show or performance. It includes those places where one seeks admission to entertain himself by direct participation such as in Karaoke-TV or Videoke establishments.
- **Business** means commercial activity customarily engaged in as a means of livelihood and typically involving some independence of judgment and power of decision.
- **Calling** means one's regular business, trade, profession, vocation or employment which does not require the passing of an appropriate government board or bar examination, such as professional actors and actresses, masseurs, commercial stewards and stewardesses and the like.
- **Capital** signifies the actual estate, whether in money or property owned by an individual or corporation; it is a fund with which it transacts its business, which would be liable to its creditor, and which in case of insolvency passes on to a receiver.
- **Capital Investment** is the capital which a person puts in any undertaking, or which he/she contributes to the common stock of a partnership, corporation, or any other juridical entity or association.
- **Charges** refer to pecuniary liability, as rents or fees against property, persons or organizations.
- **Corporation** includes joint-stock company, partnership, association, insurance company, or any other juridical entity, no matter how created.
- **Excessive** means that which is characterized by whatever is notably greater than what is moderate, reasonable, proper, usual, necessary and just.

- **Fee** means a charge fixed by law or agency for the services of a public officer.
- **Levy** means an imposition or collection or an assessment, tax, tribute or fine.
- **License** or **Permit** is a right or permission granted in accordance with law by a competent authority to engage in some business or occupation or to engage in some transaction.
- **Market Premises** refers to any open space in the public market compound; part of the market lot consisting of bare ground not covered by market buildings, usually occupied by transient vendors specially during market days.
- **Market Stalls** refers to any allotted space or booth in the public market buildings where merchandise of any kind is sold or offered for sale.
- **Tax** means an enforced contribution, usually monetary in form, levied by the lawmaking body on persons and property subject to its jurisdiction for the precise purpose of supporting government needs.
- **Occupation** means one's regular business or employment, or an activity which principally takes up one's time, thought and energies. It includes any calling, business, trade, profession or vocation.
- **Operator** includes the owner, manager, administrator, or any other person who operates or is responsible for the operation of business establishments or undertakings.
- **Person** means every natural or juridical and legal being, susceptible of rights and obligations or of being the subject of legal relations.
- **Privilege** means a right or immunity granted to a person as a peculiar benefit, advantage or favor.
- **Profession** means a calling which requires the passing of an appropriate government board or bar examination, such as the practice of law, medicine, public accountancy, engineering and the like.
- **Residents** refer to natural persons who have their habitual residence in the province, city or municipality where they exercise their civil rights and fulfill their civil obligations and to juridical persons for whom the law or any other provisions creating or recognizing them fixes their residence in a particular province, city or municipality. In the absence of such law, juridical persons are residents of the province, city or municipality where their legal representation is established or where they exercise their principal functions.
- **Revenue** includes taxes, fees and charges that a state or its political subdivision collects and receives into the treasury for public purposes.
- **Services** mean the duties, work or functions performed or discharged by a government officer, or by a private person contracted by the government, as the case may be.
- **Night Club** or **Day Club** includes places frequented at night or daytime, as the case may be, where foods, wines and drinks are served and music is furnished by the operator and the patrons are allowed to dance with their own partners or with hostesses furnished by the management.

- **Cabaret** or **Dance Hall** includes any place or establishments where dancing is permitted to the public in consideration of any admission, entrance or any other fee paid on, before or after the dancing, and where professional hostesses or dancers are employed.
- **Bars** include beer gardens or any place where intoxicating and fermented liquors or malts are sold, disposed of, or given away for compensation, even without foods, where the services of hostesses and/or waitresses are employed and where customers are entertained by occasional dancing to music not rendered by a regular dance orchestra or musicians hired for the purpose, otherwise the place shall be considered and classified as a dance hall or night club. A cocktail lounge is considered a 'bar' even if there is no hostess or waitress to entertain customers.

CHAPTER II PUBLIC MORALITY

Article 4. Illegal Gambling

Section 12. Prohibited Acts. No person shall operate, maintain or conduct any game of chance including "swertres", "last 2", "tupada" (illegal cockfight),"mahjong", "horse fighting", "pauwak", "masiao", "cara y cruz", "spider wrestling", "drag racing", "bingo", "tong-its" or any forms of card games or games of chance, scheme or hazard wherein bets or wagers consisting of money, articles or representatives of value are made, or in the exploitation or use of any other mechanical devices or contrivances to determine by chance the loser or winner thereof.

Section 13. Rules and Regulations

1) No person shall allow any form of gambling mentioned and embraced in the preceding Section to be conducted or carried on in any real property that he/she owns or under his/her administration and control.

2) No person shall participate, directly or indirectly, in any gambling being prohibited in Section 12 hereof.

3) No person shall possess any ticket, paper or matter containing letters, figures, signs or symbols which pertain to or are connected with the game of "swertres", "last 2" or similar games prohibited herein; nor possess cards, chips, and other gambling paraphernalia which have been used, or about to be used, in any illegal gambling mentioned herein. Mere possession of those things before, during and immediately after the conduct of such illegal gambling shall be considered as a "prima facie" evidence for purposes of this Article.

Section 14. Exemptions. Conduct or holding of "bingo socials", "popularity contest" or "raffles" and similar fund-raising activities are exempted

from the provision of this Article; *Provided*, that a permit therefore has been secured from the Office of the Municipal Mayor.

Section 15. Applicability Clause. All other matters pertaining to illegal gambling not herein specified shall be governed by the provisions of existing laws, ordinances, rules and regulations.

Section 16. Administrative Provision. The PNP together with the Local Government Unit and concerned Barangay Officials shall implement the provisions of this article.

Section 17. Penalty Clause. Any person who violates any provision of this Article shall be liable with the following penalty:

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|-------------------------|---|
| 1 st Offense | - Five Hundred Pesos (PHP 500.00) |
| 2 nd Offense | - One Thousand Pesos (Php1,000.00) |
| 3 rd Offense | - Two Thousand Five Hundred Pesos (Php2,500.00)
or its equivalent imprisonment or both upon the discretion of the court. |

Article 5. Betting on Sports Contest

Section 18. Regulated Acts. No person shall bet or wage money or any object, article or representative of value upon the result of boxing contest, basketball game, volleyball game, lawn tennis or other kinds of sports competition.

Section 19. Administrative Provision. The PNP together with the Local Government Unit and concerned Barangay Officials shall implement the provisions of this article.

Section 20. Penalty Clause. Any person who violates the provision of this article shall be liable with the following penalty:

- | | |
|-------------------------|--|
| 1 st Offense | - Five Hundred Pesos (Php 500.00) |
| 2 nd Offense | - One Thousand Pesos (Php1,000.00) |
| 3 rd Offense | - Two Thousand Five Hundred Pesos (Php 2,500.00)
or its equivalent imprisonment or both upon the discretion of the court. |

Article 6. Loitering

Section 21. Regulated Acts. No person shall loiter in any public places in this municipality in such manner as to:

- 1) Create or cause danger or breach of peace;
- 2) Create or cause any disturbance or annoyance to the comfort and repose of any person;
- 3) Obstruct the free passage of pedestrian or vehicles;
- 4) Molest, or interfere with the lawful activity of any other person in such public place.

Section 22. Definitions. As used in this Article,

“Public Place” - means any place to which the public has access including streets, highways, parks, plazas, alley or sidewalk and such other places open to the public. It also includes parking lots or other vacant private property not owned by the individual found loitering therein.

“Loiter” - means to remain idle in essentially one location and spending the time idly, loafing or walking about aimlessly.

Section 23. Rules and Regulations. Any police officer may, in the exercise of reasonable judgment, decide that the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in Section 21 hereof and he/she may, if he/she deems it necessary for the preservation of the public peace and safety, order that person to leave that place. Any person who shall refuse to leave that public place after being ordered to do so by a police officer shall be prosecuted for violation of this Article.

Section 24. Administrative Provision. The PNP together with the Local Government Unit and concerned Barangay Officials shall implement the provisions of this article.

Section 25. Penalty Clause. Any person who violates any provision of this Article shall be punished by a fine of Two Hundred Pesos (P200.00) and he/she shall be referred to the PNP and DSWD for proper disposition and counseling.

Article 7. Sale or Rental of Pornographic Video Materials to Minors

Section 26. Regulated Act. No person or business establishment shall sell or rent pornographic video materials to minors.

Section 27. Definition of Terms. The following terms shall be understood in the sense indicated hereunder:

- **Pornography** – depiction of sexual acts or behavior to stimulate erotic feelings.
- **Video Materials** – movies or films, whether in Digital Video Disc (DVD), Video Compact Disc (VCD), Betamax or VHS tape format. Universal Serial Bus (USB), external drive and any other form of video materials.
- **Pornographic Films** - films depicting sexual acts between people, male and female, or of the same sex, or between people and animals.
- **Minor** – a person under the age of 18 years old.

Section 28. Rules and Regulations

- a. Business establishments are prohibited from selling or renting pornographic video materials to minors.
- b. Business establishments engaged in the sale or rental of video materials are required to post notices in a conspicuous place in their establishments that films which are rated “For Adults Only” shall not be rented to or sold to a minor.
- c. Additional rules and regulations may be issued by the Office of the Mayor for proper implementation of this Article.

Section 29. Administrative Provision. The PNP in coordination with the Local Government Unit, Municipal Social Welfare and Development Office and other law enforcement agencies shall enforce this article.

Section 30. Penalty Clause. Any person who violates the provision of this article shall be liable with the following penalty:

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|-------------------------|---|
| 1 st Offense | - Five Hundred Pesos (Php 500.00) |
| 2 nd Offense | - One Thousand Pesos (Php1,000.00) |
| 3 rd Offense | - Two Thousand Five Hundred Pesos (Php 2,500.00) and revocation of business permit or its equivalent imprisonment or both upon the discretion of the court. |

Article 8. Anti-pornography

Section 31. Prohibition. It shall be unlawful for any operator of audio-video establishment within the Municipality of Wao, Lanao del Sur to show pornographic films for public viewing.

Section 32. Definition of Terms. The following terms shall be understood in the sense indicated hereunder:

- **Pornography** – depiction of sexual acts or behavior to stimulate erotic feelings.

Section 33. Administrative Provision. The PNP together with the Municipal Treasurer’s Office and concerned Barangay Officials shall implement the provisions of this article.

Section 34. Penalty Clause. Violators of the provisions of this article shall be liable to the following fines and penalties:

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|-------------------------|--|
| 1 st Offense | - Five Hundred Pesos (PHP 500.00) |
| 2 nd Offense | - One Thousand Pesos (Php1,000.00) |
| 3 rd Offense | - Two Thousand Five Hundred Pesos (Php 2,500.00) and/or revocation of business permit or its equivalent imprisonment or both upon the discretion of the court. |

Article 9. Regulating the Sale and Use of Wine and Other Alcoholic Beverages to minors

Section 35. Regulation. It shall be unlawful to owner of business establishments to sell wine and other alcoholic beverages to minors.

Section 36. Definition of Terms. The following terms shall be understood in the sense indicated hereunder:

- **Minor** - a person under the age of 18 years old.
- **Wine** - a beverage made of the fermented juice of any various kinds of grapes, usually containing from 10 to 15 percent alcohol by volume.
- **Alcoholic beverage** – a liquor or brew containing alcohol as the active ingredient.

Section 37. Administrative Provision. The Municipal Treasurer’s Office, the Local PNP in coordination with the Municipal Social Welfare and Development Office and other law enforcement agencies shall enforce this article.

Section 38. Penalty Clause. Violators of the provisions of this article shall be liable to the following fines and penalties:

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|-------------------------|---|
| 1 st Offense | - Five Hundred Pesos (Php 500.00) |
| 2 nd Offense | - One Thousand Pesos (Php1,000.00) |
| 3 rd Offense | - Two Thousand five Hundred Pesos (Php 2,500.00) and revocation of Business Permit or its equivalent imprisonment or both upon the discretion of the court. |

Article 10. Gambling Prohibition to Minors

Section 39. Prohibition. Minors are prohibited from participating in any gambling activities within the municipality.

Section 40. Definition of Terms. The following terms shall be understood in the sense indicated hereunder:

- **Minor** - a person under the age of 18 years old.
- **Gambling** – the activity of playing game for stakes or betting on an uncertain outcome.

Section 41. Administrative Provision. The Local PNP in coordination with the Local Government Unit, Municipal Social Welfare and Development Office and barangay officials shall implement the provisions of this article.

Section 42. Penalty Clause. Violators of the provision of this article shall be liable to the following penalties:

- 1st Offense - Warning to minors and counseling with their parents with the enforcement agency
- 2nd Offense - Two (2) hours community service for parents and for the offenders, subject to the recommendation of the DSWD.
- 3rd Offense - 4 hours community service for parents and offenders and a fine of Five Hundred Pesos (Php500.00) or its equivalent imprisonment or both upon the discretion of the court.

Article 11. Anti-prostitution

Section 43. Declaration of Policy. It shall be the policy of the municipality to consider prostitution as a social menace that destroys the moral integrity of a person and which causes irreparable damage to the image of both the municipality and the Filipino nation and therefore must be stopped at all cost.

Section 44. Prohibited Acts. Pursuant to the above declared policy, it shall be unlawful for any person:

- To have sexual relations with a prostitute for some consideration, including payment but not limited to sums of money;
- To solicit, procure, pimp or pander;
- To act as a middle person or go-between for a third person and a prostitute in any place in the Municipality of Wao for the purpose of prostitution.

Section 45. Definition of Terms. As used in this article, the following terms shall mean:

Prostitute - refers to a person who habitually engages in sexual relations with another person for profit, gain or fee.

Prostitution - refers to the act of habitually engages in sexual relations with persons for certain considerations including payment but not limited to sum of money.

Solicitor, Procurer, Pander or Pimp - refers to a person who secures or engages the services of a prostitute for sexual relations or who otherwise acts a middle person or go-between for a third person and a prostitute for purposes of facilitating prostitution whether or not sexual relations is actually performed or consummated.

Sexual relation - refers to any act committed for sexual gratification to include sexual intercourse, touching, manipulation, acts of lasciviousness and other similar conduct.

Section 46. Administrative Provision. The PNP in coordination with the Municipal Social Welfare and Development Office, Local Government Unit and other law enforcement agencies shall enforce this article.

Section 47. Penalty Clause. Violators of any provisions of this article shall be liable to the following penalty:

1st Offense - Five Hundred Pesos (Php500.00) and counseling with the DSWD
2nd and succeeding Offenses - Two Thousand Five Hundred Pesos (Php2,500.00), or its equivalent imprisonment or both upon the discretion of the court. Provided that:

- a. If the violator is a foreigner, he/she shall, in addition to penalties prescribed herein, be subject to deportation as may be determined by proper authorities;
- b. In case the violator is between the ages of 10 and 17 years old, he/she shall be turned over to the DSWD for counseling and proper disposition.

CHAPTER III TRAFFIC AND TRANSPORTATION

Article 12. Motorela and Tricycle

Section 48. Requirement. All operators of tricycles and motorelas operating within the municipality shall print the prescribed size, color and lettering of the issued control number and identification marking in their respective units for identification purposes.

Section 49. Control Numbers. The control numbers issued to the owners shall be painted inside and outside of the vehicle. For the inside marking, it shall be placed in front of the passenger's seat. For the outside marking, it shall be on the left and right side of the motorela and unconventional motorized vehicles (*hulbot*) and on the right side for tricycles.

Section 50. Measurement. The control number shall be printed using red paint inside the white-colored rectangle measuring 8"x6" or vice versa.

Section 51. Issuance of Control Number. The Office of the Municipal Treasurer shall issue the control numbers to the operators.

Section 52. Payment. Payment for the issuance of control number shall be Two Hundred Pesos (Php 200.00) per unit. All income that may be obtained under this article shall accrue to the general fund of the municipal government.

Section 53. Identification Markings. Identification markings shall be established on the left and right side for motorelas and one side for tricycles. The size of the identification marking shall be 4"x24" painted with white color with red lettering or vice versa. The word "OPERATOR" shall be printed under the name of the owner.

Section 54. Definition of Terms. As used in this article, the following terms shall mean:

Operator - refers to the owner who operates or is responsible for the operation of vehicle.

Tricycle - refers to any three-wheeled vehicle propelled by any power other than muscular power using public roads, including unconventional powered motorized vehicle (*hulbot*) as this vehicle is identified or referred to by the public.

Motorela - refers to any four-wheeled vehicle propelled by any power other than muscular power using the public roads, unconventional powered motorized vehicle (*hulbot*) as this vehicle is identified or referred to by the public.

Control number - refers to the designated number issued to the unit by the municipal government for identification purposes.

Identification marking - refers to the name of the operator of the vehicle.

Section 55. Administrative Provision. The Local PNP and the traffic enforcers shall be responsible for enforcement of this article.

Section 56. Penalty Clause. Failure to comply with the provision of this article for two (2) consecutive written warnings shall oblige the municipal government to revoke or cancel the business permit to operate within the municipality.

Article 13. Public Utility Bus/Jeepney/Van

Section 57. Regulation. There is hereby designated routes for PUB/PUJ/PUV stops, loading and unloading zones within the Municipality of Wao, Lanao del Sur.

Section 58. Definition of Terms. As used under this article, the following terms shall mean:

Public Utility *Bus* (PUB) - means any public utility carrying commuting passengers of at least more than twenty five (25) persons in seating capacity.

Public Utility Jeepney - means any public utility carrying commuting passengers of not more than twenty two (22) persons in seating capacity.

Public Utility Van (PUV) - any public utility carrying commuting passengers of not more than (18) persons in seating capacity.

Stops - is/are the identified/designated areas or zones where the public utility passenger vehicles could engage a stop or do the loading and unloading time.

Loading/Unloading - means the accommodation of the commuting passengers to ride in a public utility vehicle. This includes a minor luggage or belongings owned by a riding passenger.

Shoulder - an area in the road designated for walk-in pedestrians and stopping vehicles.

Section 59. Designated Routes. The following shall be the designated routes of the PUB/PUJ/PUV coming in and going out of the municipality of Wao, Lanao del Sur:

A. PUB/PUJ/PUV Entrance Route:

1. Entering Wao from Kalilangan via Kilikili through the national highway passing Magsaysay Park, then left turn to Jose Carumba St., then right turn to J. P. Laurel St., proceeding to the Wao Integrated Transport Terminal.

2. Entering Wao from Banisilan, North Cotabato traversing along the national highway passing by Aquino Park, then right turn to Jose Carumba St., then right turn to J.P. Laurel St., proceeding to Wao Integrated Transport Terminal.

3. C.M. Recto St. is designated as one-way route entering J. Carumba St.

4. From junction J. Carumba St. going to Magsaysay Avenue is designated as one-way route.

B. PUB/PUJ/PUV Exit Route:

1. Exiting going to Kilikili. From Wao Integrated Transport Terminal turn right to the national highway passing by Aquino Park and Magsaysay Park through the national highway via Kilikili.
2. Exiting going to Banisilan. From Wao Integrated Transport Terminal turn left to the national highway onward.

C. ONE-WAY Route:

1. C.M. Recto St. entering J. Carumba St.
2. From junction J. Carumba St. going to Magsaysay Avenue.

Section 60. Designated PUB/PUJ/PUV Stops, Loading/Unloading and No Parking Zones. The following shall be the designated PUB/PUJ/PUV stops, loading and unloading zones:

- a.) First Loading and Unloading Zone. An area of 20 linear meters provided for in both sides of the national highway shoulder road nearby Saint Jude Street.
- b.) Second Loading and Unloading Zone. An area of 20 linear meters provided for in both sides of the national highway shoulder road nearby F. Marcos Street.
- c.) J. P. Laurel St. is designated as no parking zone.
- d.) J. Carumba St. is designated as one side parking.
- e.) Magsaysay Avenue is designated as no parking zone from corner Busran Kalaw St. up to corner J. Carumba St.
- f.) National highway is designated as no parking zone from Kapigis Mosque up to corner Busran Kalaw St.

Section 61. Time limit. A maximum of ten (10) minutes is allowed for a PUB/PUJ/PUV to engage in a stop, load and unload passengers and its luggage or belongings.

Section 62. Development of Designated PUB/PUJ/PUV Stops, Loading and Unloading Zones. The areas designated for PUB/PUJ/PUV stops, loading and unloading zones shall be developed for the convenience of the commuters or riding public. All hazardous articles and accident prone materials shall be removed. Appropriate traffic signs shall be installed in the designated PUB/PUJ/PUV stop areas.

The Office of the Municipal Planning and Development Coordinator, Municipal Disaster Risk Reduction and Management Officer and the Office of the

Municipal Engineer shall be in charge on the development of the areas designated for **PUB/PUJ/PUV** stops.

Section 63. Administrative Provision. The PNP and Municipal Traffic Enforcers shall at all times post themselves nearby the designated PUB/PUJ/PUV stops, loading and unloading zones to maintain peace and order and apprehend traffic violators.

All drivers of PUB/PUJ/PUV shall observe traffic rules and signs during and while engaging a stop, loading and unloading time in the designated areas for PUB/PUJ/PUV stops, loading and unloading zones.

Section 64. Penalty Clause. Violators of any provisions of this article shall be penalized as follows:

- 1st Offense - Reprimand
- 2nd Offense - Issuance of a Traffic Citation Ticket (TCT) and a fine of Five Hundred Pesos (Php500.00)
- 3rd and succeeding Offenses - Issuance of Traffic Citation Ticker (TCT) and a fine of One Thousand Five Hundred Pesos (P1,500.00) or its equivalent imprisonment or both upon the discretion of the court.

Section 65. Accrual of Collections. All collections made under this article shall accrue and be remitted to the Municipal Treasurer and shall form part of the general fund.

Article 14. Speed Limit

Section 66. Speed limit. All operators of motorized vehicles shall observe a speed limit of not more than 30 kilometers per hour (30kph) within the poblacion of the municipality and in all other designated areas within the different barangays which are considered as school zones and community centers.

Section 67. Definition of Terms. As used in this article:

school zones - are considered as the circumferential road along the school compounds.

community centers - are areas where people converge.

Section 68. Administrative Provision. The PNP, Traffic Enforcers are hereby authorized to apprehend violators of the provisions of this article.

Section 69. Penalty Clause. Violators of the provisions of this article shall be liable to the following fines and penalties:

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|-------------------------|--|
| 1 st Offense | - Reprimand |
| 2 nd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine of Five Hundred Pesos (Php500.00) |
| 3 rd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine and Five Hundred Pesos (Php1,500.00) or its equivalent imprisonment or both upon the discretion of the court. |

Article 15. PUB/PUJ/PUV Overloading

Section 70. Prohibition. It shall be unlawful for any operator of public utility bus/public utility jeepney/public utility van to overload his vehicle with passengers, cargoes and baggage within the municipality.

Section 71. Definition of Terms. As used in this article, the following terms shall mean:

Overloading – excessive load or number of passengers beyond the allowable sitting capacity.

Public Utility *Bus* (PUB) - means any public utility carrying commuting passengers of at least more than twenty five (25) persons in seating capacity.

Public Utility Jeepney - means any public utility carrying commuting passengers of not more than twenty two (22) persons in seating capacity.

Public Utility Van (PUV) - any public utility carrying commuting passengers of not more than eighteen (18) persons in seating capacity.

Section 72. Administrative Provision. The PNP, Traffic Enforcers are hereby authorized to apprehend violators of the provision of this article.

Section 73. Penalty Clause. Violators of the provisions of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|--|
| 1 st Offense | - Reprimand |
| 2 nd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine of Five Hundred Pesos (Php500.00) |
| 3 rd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine of One Thousand Five Hundred Pesos (Php1,500.00) or its equivalent imprisonment or both upon the discretion of the court. |

Article 16. Garbage Receptacle within Public Utility Vehicles and Motorela

Section 74. Regulation. All drivers of Public Utility Jeepney (PUJ), Public Utility Van (PUV) and motorelas operating within the municipality shall provide garbage receptacles inside their respective vehicles.

Section 75. Definition of Terms. As used in this article, the following terms shall mean:

Garbage receptacles –are containers like plastics pails, empty cans, wood boxes where waste materials are to be placed inside. there shall be 2 containers (1biodegradable and 1 non-biodegradable).

Motorela - shall include any three or four-wheeled vehicle driven by a motorcycle.

Public Utility Jeepney - means any public utility carrying commuting passengers of not more than twenty two (22) persons in seating capacity.

Public Utility Van (PUV) - any public utility carrying commuting passengers of not more than eighteen (18) persons in seating capacity.

Section 76. Administrative Provision. The PNP and Municipal Traffic Enforcers shall be responsible in the implementation of the provisions of this article.

Section 77. Penalty Clause. Violators of the provisions of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|--|
| 1 st Offense | - Reprimand |
| 2 nd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine of Five Hundred Pesos (Php500.00) |
| 3 rd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine of One Thousand Five Hundred Pesos (Php1,500.00) or its equivalent imprisonment or both upon the discretion of the court. |

Article 17. Defective/Modified/Improvised Mufflers

Section 78. Prohibition. No person shall use, drive or operate any motorcycles and motorized vehicles with defective, modified or improvised mufflers thereby emitting excessive noise either for private use and/or public conveyance within public roads and thoroughfares of the municipality.

Section 79. Definition of Terms. As used in this article, the following terms shall mean:

Motorcycles and motorized vehicles - refers to all private and public motor vehicles, single and/or attached to sidecars or passenger cabs used for personal and/or public conveyance.

Use and operate - refers to the act of driving and plying of vehicles in public roads and thoroughfares.

Defective mufflers - dilapidated and/or broken exhaust systems of motorcycles and motor vehicles causing excessive noise while on use and operations.

Modified and improvised Mufflers - refers to pre-fabricated exhaust system, attachments and replaced of standards or stock motorcycle mufflers specified for particular brands and models. This also includes changes made on original standard motorcycle exhaust systems for purposes of high performance but emitting excessive noise while on operation.

Excessive noise - sound of exhaust system excessive in volume and causing undue disturbances to normal public business proceedings and disruption of private rest and sleeping periods.

Section 80. Administrative Provisions

1. Should the owner of the vehicle/motorcycle apprehended for violation of this provision refuse to pay the prescribed fees imposed hereon, his unit shall be impounded at the PNP municipal station provided that an impoundment receipt shall be issued to the owner by the Apprehending Officer. Impounded units shall only be released to the owner or his representatives upon showing of an Official Receipt issued by the Municipal Treasurer's Office as proof of payment of the violation.
2. If any apprehended owner refuses to surrender his unit for impoundment, he shall be issued with a Citation Ticket by the Apprehending Officer, wherein he/she must settle within seventy two (72) hours from issuance of the same at the Municipal Treasurer's Office. Failure thereof, he/she will be charged in court for violation of the provision of this article.
3. The PNP and LGU Traffic Enforcement Section shall oversee the effective and efficient implementation of this article.
4. The Municipal Treasurer shall cause the generation of impoundment receipt.

Section 81. Penalty Clause. Violators of the provision of this article shall be liable to the following fines and penalties:

1st apprehension - Confiscation of improvised muffler

- | | |
|------------------------------|--|
| 2 nd apprehension | - One Thousand Pesos (Php1,000.00) and
Confiscation of improvised muffler |
| 3 rd apprehension | - Two Thousand Five Hundred Pesos
(Php2,500.00) and confiscation of improvised
muffler or its equivalent imprisonment or both
upon the discretion of the court. |

Article 18. No Parking Policy

Section 82. Regulation. No operator and/or owner of any motorized vehicles shall park their respective vehicles inside the public plaza and along the no loading and unloading zones.

Section 83. Administrative Provision. The PNP and the Municipal Traffic Enforcers shall be responsible in the implementation of the provisions of this article.

Section 84. Penalty Clause. Violators of the provisions of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|---|
| 1 st Offense | - Reprimand |
| 2 nd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine
of Five Hundred Pesos (Php500.00) |
| 3 rd Offense | - Issuance of a Traffic Citation Ticket (TCT) and a fine
of One Thousand Five Hundred Pesos (Php1,500.00)
or its equivalent imprisonment or both upon the
discretion of the court. |

Article 19. PUB/PUJ/PUV Designated Parking Area

Section 85. Regulation. Aquino Park is designated as parking area of all motorized vehicles.

Only vehicles scheduled for departure are allowed to park their vehicles at the designated parking bay at the Wao Integrated Transport Terminal.

Section 86. Administrative Provision. The PNP and the Municipal Traffic Enforcers shall be responsible in the implementation of the provisions of this article.

Section 87. Penalty Clause. Violators of the provisions of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|-------------|
| 1 st Offense | - Reprimand |
|-------------------------|-------------|

- 2nd Offense - Issuance of a Traffic Citation Ticket (TCT) and a fine of Five Hundred Pesos (Php500.00)
- 3rd Offense & succeeding offenses - Issuance of a Traffic Citation Ticket (TCT) and a fine of One Thousand Five Hundred Pesos (Php1,500.00) or its equivalent imprisonment or both upon the discretion of the court.

CHAPTER IV BUSINESS ESTABLISHMENT

Article 20. Business Plate

Section 88. Requirement. All applicants for mayor's permit shall secure business permit plate starting January 1, 2013.

All applicants for renewal of mayor's permit starting January 1, 2013 are also required to secure business permit plate.

Section 89. Definition of Terms. As used in this article, the following terms and phrases shall mean:

Business permit plate - shall mean an embossed plate made of tin/plastic materials inscribed with the following: Seal of the Municipality of Wao, name and signature of the Mayor, Control Number, and Municipal Landmark.

Validation sticker - refers to sticker that will be put at the lower right corner of the business registration plate indicating the year of issue and validity whether new or renewed business permits.

Business permit/Mayor's permit - a document that must be secured from the Municipal Treasurer's Office for the business to legally operate in the locality.

- **Counterfeit** - to copy or imitate without authority, with the intent to deceive or to defraud by passing the imitation from the genuine.
- **Altering/Tampering** - to change any part or parts of the business plate.
- **Defacing** - writing, drawing and/or printing anything on the business plate.
- **Deforming** - twisting and/or folding of business plate.

Section 90. Fees. The business permit plate shall cost Five Hundred Pesos (Php500.00) and shall be valid for a period of three (3) years from the year of its issuance.

Validation stickers - free upon issuance of business permit plate. Fifty Pesos (Php50.00) upon renewal.

Section 91. Administrative Provision. The designated personnel of the Municipal Treasurer's Office shall be responsible for the implementation of this article.

Section 92. Penalty Clause.

- a. Alteration, defacing, deforming and tampering of business permit plate - Five Hundred Pesos (Php500.00) per offense
- b. Failure to display business permit plate - Five Hundred Pesos (Php500.00)
- c. Display and/or possession of counterfeit plate -Two Thousand Five Hundred Pesos (P2,500.00) and cancellation of business permit or its equivalent imprisonment or both upon the discretion of the court.

Article 21. Fire Code Fees and Other Charges

Section 93. Payment of Fire Code Fees and Other Charges. The municipal government, through the Municipal Treasurer's Office shall require payment of fire code fees and other charges as a requisite for the issuance of business permits and other licenses and the payment of fire safety inspection fee prior to the issuance of fire safety inspection certificate as well as building use and occupancy permit.

Section 94. Basis of Collection of Payment. The following shall be the basis in the collection of fire code fees and charges:

- a. One tenths of one percentum (0.1%) of the verified total value of buildings or structures to be erected, from the owner thereof, but not to exceed Fifty Thousand Pesos (Php 50,000.00); one half to be paid prior to the issuance of building permit, and the balance, after final inspection and prior to the issuance of use and occupancy permit.
- b. One hundredth of one percentum (0.01%) of the assessed value of buildings or structures annually payable upon payment of the real property tax, except of structures used as single family dwellings.
- c. Fire safety inspection fee equivalent to ten percent (10%) of all fees charged by the Building Official, or by the local government unit or by other government agencies concerned in the granting of pertinent permits or licenses (Sec. 1.206 of the IRR of PD1185).

Section 95. Fees or Charges in the Sale or Services relative to Fire Safety. The municipal government shall likewise collect fees or charges on companies, persons or agents engaged in the sale or services relative to fire safety and protection business within the territorial jurisdiction of the municipally on the basis of the following:

- a. Two percentum (2%) of gross sales of companies, persons, or agents selling fire-fighting equipments, appliances or devises, including hazard detection and warning systems;
- b. Two percentum (2%) of all premiums, excluding re-insurance premiums for the sale of fire, earthquake and explosion-hazard insurance collected by companies, persons or agents licensed to sell such insurances in the Philippines;
- c. Two percentum (2%) of service fees received from fire, earthquake and explosion-hazard pre-insurance surveys and post loss service of insurance adjustments companies;
- d. Two percentum (2%) of the gross sales of all fire protective alarm and warning device or systems;
- e. Two percentum (2%) of premiums paid for fire coverage;
- f. Ten percentum (10%) of all fees paid locally for business permits and licenses.

Section 96. Collection. Fire code fees will be collected by the Bureau of Fire Protection and other charges shall be collected by the Municipal Treasurer's Office.

Section 97. Remittance. Remittances of collections made by the Municipal Treasurer shall be done in a manner as may be arranged between the Office of the Municipal Treasurer and the National Treasury.

Section 98. Administrative Provision. The Municipal Treasurer's Office and Office of the Municipal Engineer in coordination with the Bureau of Fire Protection shall be responsible for the implementation and enforcement of this article.

Article 22. Weighing Scales

Section 99. Prohibition. It shall be unlawful for any person operating business within the Municipality of Wao, Lanao del Sur to use unregistered and/or defective weighing scale.

All weighing scales shall be registered at the Office of the Municipal Treasurer for calibration and sealing.

Section 100. Administrative Provision. The Municipal Economic Enterprise Development Office, Municipal Treasurers Office, DTI, PNP, and deputized Law Enforcers of the LGU shall be responsible for the implementation of this article.

Section 101. Penalty Clause. Violators of the provision of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|--|
| 1 st offense | - Five Hundred Pesos (Php 500.00) |
| 2 nd offense | - One Thousand Pesos (Php1,000.00) and confiscation of unregistered and/or defective weighing scale |
| 3 rd Offense | - Two Thousand Five Hundred Thousand Pesos (P2,500.00) and confiscation of unregistered and/or defective weighing scale or its equivalent imprisonment or both upon the discretion of the court. |

Article 23. Sword-type Weighing Scales

Section 102. Prohibition. It shall be unlawful for any business operators within the municipality of Wao, Lanao del Sur to use *Espada* or sword type weighing scales.

Section 103. Administrative Provision. The Municipal Economic Enterprise Development Office, Municipal Treasurers Office, DTI, PNP, and deputized Law Enforcers shall be responsible for the implementation of this article.

Section 104. Penalty Clause. Violators of the provision of this article shall be liable to a fine of Five Hundred Pesos (Php500.00) and confiscation of the weighing scale or its equivalent imprisonment or both upon the discretion of the court.

Article 24. Petroleum Products

Section 105. Prohibition. It shall be unlawful for any inhabitant within the Municipality of Wao, Lanao del Sur to sell petroleum products (diesel, gasoline and kerosene) without business license.

Section 106. Penalty Clause. Violators of the provision of this article shall be liable to the following fine:

- | | |
|-------------------------|--|
| 1 st Offense | - Five Hundred Pesos (Php500.00) and seizure of petroleum products being sold |
| 2 nd Offense | - One Thousand Pesos (Php1,000.00) and seizure of petroleum products being sold |
| 3 rd Offense | - Two Thousand Five Hundred Pesos (Php 2,500.00) and seizure of petroleum products being sold or its equivalent imprisonment or both upon the discretion of the court. |

Section 107. Administrative Provision. The Municipal Treasurer's Office, DTI, PNP, and deputized Law Enforcers shall be responsible for the implementation of this article.

Article 25. Transportation of Cattle

Section 108. Cattle Business. All inhabitants of Wao, Lanao del Sur who are engaged in cattle business shall pass through the national highway in transporting their live or butchered cattle.

Section 109. Registration. All cattle traders must secure a certification from the concerned barangay and a clearance from the Department of Agriculture by showing a credential and pay the shipping permit in the amount of Fifty Pesos (P50.00) to the Office of the Municipal Treasurer before they can transport the cattle.

Section 110. Administrative Provision.

- a.) The Municipal Treasurer's Office, Municipal Agriculture Office and the Philippine National Police (PNP) shall be responsible in the implementation of this article.
- b.) The PNP shall ensure that the Certificate of Ownership and other credentials are in order before transporting the cattle out of the municipality.

Section 111. Penalty Clause. Violators of the provision of this article shall be liable to a fine of One Thousand Pesos (Php1,000.00) per cattle for non-compliance of Section 108, 109 and 110 (b) or its equivalent imprisonment or both upon the discretion of the court.

Article 26. Welding Machine Regulation

Section 112. Welding Regulation. It shall be unlawful for any operator of welding shops/welding machine owners who do not have transformers to operate beyond 5:00 o'clock p.m.

Section 113. Administrative Provision. The Philippine National Police and other deputized Law Enforcers shall be responsible for the implementation of this article.

Section 114. Penalty Clause. Violators of the provision of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|---|
| 1 st offense | - Five Hundred Pesos (Php500.00) |
| 2 nd offense | - One Thousand Pesos (Php1,000.00) |
| 3 rd offense | - One Thousand Five Hundred Pesos (Php1,500.00)
or cancellation of business permit or its equivalent
imprisonment or both upon the discretion of the court. |

Article 27. Sale of Fish

Section 115. Regulation. Retailers/wholesalers of fresh fish are only allowed to sell fresh fish at the Wao Public Market fish section and at the designated Barangay Market.

Section 116. Prohibition. Fish cars are not allowed to sell and/or retail fresh fish anywhere in the poblacion of Wao, Lanao del Sur.

Section 117. Administrative Provision. The Municipal Economic Enterprise Development Office, Municipal Treasurer's Office, concerned Barangay Officials, and deputized Law Enforcers shall be responsible for the implementation of this article.

Section 118. Penalty Clause. Violators of the provision of this article shall be liable to a fine of Five Hundred Pesos (Php500.00) or its equivalent imprisonment or both upon the discretion of the court.

CHAPTER V HEALTH AND SANITATION

Article 28. Butchering of Animals

Section 119. Prohibition. It shall be unlawful for any inhabitant within the poblacion of Wao, Lanao del Sur to butcher large cattle, goats, swines and other animals of the same kind outside the slaughterhouse.

Section 120. Administrative Provision. The Municipal Economic Enterprise and Development Office (MEEDO) shall be responsible in the implementation of the provisions of this article

Section 121. Penalty Clause. Violators of the provision of this article shall be liable to a fine of Five Hundred Pesos (Php500.00) or its equivalent imprisonment or both upon the discretion of the court.

Article 29. The New Comprehensive Anti-Smoking Ordinance of Wao, Lanao del Sur

Section 122. No Smoking Prohibition. It shall be unlawful for any person to smoke inside government buildings, public places and school compounds within the Municipality of Wao, Lanao del Sur.

Section 123. DEFINITION OF TERMS. The words and phrases used in these rules and regulations shall mean as follows:

ESTABLISHMENTS - a collective term used to describe any building, edifice, and/or structure, including its premises.

ACCOMMODATION AND ENTERTAINMENT ESTABLISHMENTS - refer to establishments that provide food, accommodation, drinks, merchandise, entertainment or other professional services including, but not limited to, restaurants, fast foods, eateries, hotels, motels, lodges, inns, boarding houses, videoke bars, resto bars, movie houses, or any other place with pleasant environment atmosphere conducive to comfort, health relaxation and rest, offering food and/or drinks, sleeping accommodation to the public for a fee.

CERTIFICATE OF COMPLIANCE - a certification in writing issued by the Municipal Mayor or his duly authorized representative, that the establishment has complied with the general and specific requirements of a designated smoking area, after the required inspection, evaluation and recommendation conducted by the concerned regulatory offices.

DESIGNATED SMOKING AREA - refers to an outdoor space where a person is allowed to smoke without violating the Ordinance that meets the following requirements, at the minimum:

- i. It shall be located in an open-space with no permanent or temporary roof or walls in an outdoor area;

- ii. It shall not be located within 10 meters of entrances, exits or any place where people pass or where people congregate;
- iii. It shall not have an area larger than 5 square meters;
- iv. It shall have one designated smoking area in every establishment and/or compound;
- v. No food or drinks shall be served in the designated smoking area;
- vi. Every smoking area shall have highly visible and prominently displayed.
 - “**SMOKING AREA**” sign and a graphic depiction and corresponding explanation of the ill effects of smoking to the smoker’s health or exposure to secondhand smoke. Under no circumstances shall any mark, device, or word or image associated with any tobacco company or product be included in any of these signs and materials.

In the absence of a duly designated smoking area as certified by the Anti-Smoking Task Force, all prohibited places mentioned hereof shall be understood as a totally non-smoking area.

All designated smoking areas shall be covered by a Certificate of Compliance from the Office of the Municipal Mayor thru the Anti-Smoking Task Force.

- a. **ELECTRONIC DEVICE SYSTEMS** – refer to any device such as electronic nicotine device systems, electronic cigarette and similar devices, whether or not it is used to deliver nicotine to the user, that resembles the outward appearance of real smoking products.
- b. **ENCLOSED OR PARTIALLY ENCLOSED PUBLIC PLACE** – refers to all places which are enclosed by one or more walls or sides whether covered by a roof or not, or even if open on all sides but is covered by a roof, regardless of whether the structure is permanent or temporary in nature, that are accessible or open to the public, whether or not by invitation or by payment, or all places for collective use, regardless of ownership or right to access including, but not limited to gasoline stations, banks, terminals, schools, places of worship/churches, hospitals, cinema houses, gymnasium/covered courts, funeral parlors, barber shops, cockpits, gaming areas, waiting sheds, sidewalks and other places where people usually congregate.
- c. **ORDINANCE** – shall refer to “**The New Comprehensive Anti-Smoking Ordinance of Wao, Lanao del Sur**”.

- d. **PUBLIC CONVEYANCES** - refer to any vehicle, whether mobile or stationary, used in the transport of passengers or available to the public as a mode of transport, such as but not limited to jeepneys, buses, vans, tricycles, motorcycles, and other public utility vehicles.
- e. **PUBLIC BUILDING** – refers to any of the following:
 - i.1. A building or structure owned by the government or owned by a private person but used, rented or occupied by the government or any of its instrumentalities.
 - i.2. Any building or structure used, or controlled exclusively for public purposes by any department or branch of government, local government unit or barangay without reference to the ownership of the building.
- j. **PUBLIC OUTDOOR SPACES** – refer to outdoor spaces that are open to the public or places where facilities are available for public or where a crowd of people gather or congregate regardless of ownership or right to access such as but not limited to parks, playgrounds, sports grounds or centers, gaming areas, cockfighting areas, church grounds, healthcare/hospital compounds, cemeteries, gardens, resorts, pools, markets, streets, sidewalks, parking areas, walkways, entrance ways, waiting areas, stairwells, and the like.
- k. **SHISHA** – also known or referred to as waterpipe, Sheesha, Hookah, Nargeela, Argeel, Nargile, or any other name that refers to a device or instrument which may have a single or multi-stemmed pipe for smoking whether or not it delivers nicotine to the user, in which the smoke is passed through a water basin before inhalation;
- l. **SMOKING** – refers to lighting and/or puffing of cigarette, cigar, tobacco product of any kind, form or type, electronic device systems, Shisha and the like. Possession of any lighted cigarette, cigar, or any tobacco product, or an actually operated electronic device system, Shisha and the like within the prohibited areas for smoking shall constitute a prima facie evidence as an act of smoking prohibited under the Ordinance.
- m. **TOBACCO PRODUCT** – any product that consists of loose tobacco that contains nicotine and is intended for use in a cigarette, including any product containing tobacco and intended smoking or oral nasal use.
- n. **WORKPLACES** – an area, permanent or temporary, in which a person performs duties of employment or work, regardless of whether the work is done for compensation or on a voluntary basis, and include private offices, common area and any other area which

generally is used or frequented during the course of employment or work. Company-owned vehicles used for transporting employees and guests or any vehicle used in the course of work are considered workplaces.

Section 124. PROHIBITED ACTS.

The following acts shall be prohibited:

- a. Smoking any tobacco product or using Electronic Device System, Shisha and the like in any of the places enumerated in Section 126, except in duly approved designated smoking areas.
- b. Knowingly allowing, abetting, or tolerating smoking any tobacco or using Electronic Device Systems, Shisha and the like in any of the places enumerated in Section 126, except when smoking is done within the duly approved designated smoking areas.
- c. Failure to comply with the mandatory duties and obligations of these rules and regulations as well as any other provisions of the Ordinance.

Section 125. MANDATORY DUTIES AND OBLIGATIONS.

The person-in-charge, which refers to the President or Manager in cases of a company, Corporation, or Association, or Partnership or the Owner/Proprietor or Operator in case of Single Proprietorship, of accommodation and entertainment establishments, whether tourism-accredited or not, Workplaces, Public Buildings, Enclosed or Partially Enclosed Public Places, Public Outdoor Spaces shall:

- a. Post and Display of Signages:
 - a.1. Post and display an 8x16 inches “ **This is a Non-Smoking Establishment** “ sign at all entrances.
 - a.2. Prominently display “ **No Smoking** “ signs in the most visible locations in the area where smoking is prohibited (main accommodation area, function rooms, bars, cashiers, comfort rooms), in order to ensure that the public can easily view such signs and be notified.
 - a.3. At the very least, a “**No Smoking**” sign for new establishments shall be at least 8x18 inches in size and the International No Smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a

red bar across it) shall occupy not less than 50% of said signage. The remaining lower 50% of the signage shall show the following warning prominently:



Ordinance No. 382

Maximum Penalty of Php 2,500.00

Report Violations to OFFICE OF THE MUNICIPAL MAYOR

- b. Remove all ashtrays and/or refuse dispensing any cigarette receptacles on Accommodation and Entertainment Establishments, Workplaces, Enclosed or Partially Enclosed Public Places, Public Buildings and other Public Outdoor Spaces;
- c. Ensure that all employees in the establishment are aware of the Ordinance and to provide a procedure informing customers or clients of the provisions of the Ordinance;
- d. Undertake all reasonable steps to ensure strict implementation of the Ordinance and to inform and to refrain people smoking any tobacco product or using Electronic Device Systems, Shisha and the like within their establishments except in duly approved designated smoking areas. The person-in-charge or his/her duly authorized representative including the employees concerned shall immediately inform the Anti-Smoking Task Force or its duly deputized enforcers, or any law enforcer or the nearest police station of the violation and the violator/s thereof.
- e. Selling of cigarettes or any tobacco product shall not be allowed inside the accommodation and entertainment establishments, and public buildings.

Owners, operators and drivers of Public Conveyances, government-owned and company-owned vehicles used to transport employees and guests

are mandated to prominently display “**NO SMOKING**” sign in their units, as follows:

- a. For **Jeepneys**, the “**NO SMOKING**” sign of at least 3.5 sq. inches shall be placed at the back of the windshield and another sign at least 10 sq. inches shall be placed at the back of the front row seats;
- b. For **vans, multi-cabs or other similar vehicles**, the “**NO SMOKING**” sign of at least 3.5 sq. inches shall be placed on the glove compartment at the front right of the van windshield and another sign of at least 10 sq. inches shall be placed at the back of the driver’s seat;
- c. For **buses**, the “**NO SMOKING**” sign of at least 3.5 sq. inches shall be placed at the back of the windshield, and another sign of at least 14 sq. inches shall be placed at the back of the driver’s seat facing the passengers or a similarly prominent area of the bus;
- d. For **other types of vehicles**, the “**NO SMOKING**” sign of at least 3.5 sq. inch shall be placed at the back of the windshield, and another sign at least 10 sq. inch shall be placed at a prominent location facing the passengers or a similarly prominent area of the vehicle;

Section 126. PERSONS LIABLE.

The following persons are liable under the Ordinance:

- a. Any person smoking any tobacco product or using Electronic Device Systems, Shisha and the like within any of the prohibited places enumerated under Section 3 , except in duly designated smoking areas;
- b. The President or Manager in case of a company, Corporation or Association or Partnership or the Owner/Proprietor in case of a Single Proprietorship of Accommodation and Entertainment establishments, Enclosed or Partially Enclosed Public Places, Public Buildings, Public Outdoor Spaces or Workplaces;
 - b.1. Who knowingly allows, abets or tolerates and/or fails to report violators of the Ordinance to any member of the Anti-Smoking Task Force or its duly deputized enforcers or any law enforcer or the nearest police station immediately upon commission of the violation or;

b.2. Who otherwise fail fulfill the mandatory obligations of these rules and regulations;

- c. The operator, driver, conductor or inspector of Public Conveyances, government-owned or company-owned vehicles who knowingly allows, abets or tolerates and/or fails to warn, advise or report violators of the Ordinance to any member of the Anti-Smoking Task Force or its duly deputized enforcers, or any law enforcer or the nearest police station immediately upon commission of the violation or who otherwise fails to fulfill the mandatory duties and obligations of these rules and regulations;

Section 127. Administrative Provision. The Local PNP, Anti - Smoking Task Force in coordination with Barangay Officials shall be responsible for the enforcement of this Article and in the apprehension of violators.

It shall be the responsibility of the person-in-charge, which refers to to the President, Manager or Owner of the establishment to put a sign that would inform the public that the particular place has been designated as “No Smoking Area”, or “Smoking Area”.

Section 128. PENALTIES. The following penalties shall be imposed on violators of the Ordinance, and/or these rules and regulations:

- | | | |
|-------------------------------|---|---|
| First Offense | - | Five Hundred Pesos (Php 500.00) or one (1) month imprisonment or both at the discretion of the court; |
| Second Offense | - | One Thousand Five Hundred Pesos (Php 1,500.00) or two (2) months imprisonment or both at the discretion of the court; |
| Third and subsequent Offenses | - | Two Thousand Five Hundred Pesos (Php2,500.00) or four (4) months imprisonment or both at the discretion of the court; |

The 3rd and subsequent violations of the Ordinance shall be ground for cancellation of the establishment’s business permit.

All cases involving a minor violating any of the provisions of the Ordinance shall be referred by the apprehending officer, after the issuance of the citation ticket, to the office of the **Department of Social Welfare and Development (DSWD)** and the latter shall ensure that the minor and his/her parents or guardians be referred to the **Rural Health Unit (RHU)** for proper smoking cessation counseling. Thereafter, the minor shall be referred to the Barangay Council for the **Protection of Women and their Children** of the barangay, to which the minor is a resident, for the appropriate diversion and rehabilitation program.

For this purpose, the DSWD, in coordination with the Barangay Council and RHU, is enjoined to formulate its appropriate diversion and rehabilitation programs.

Article 30. Food Handling

Section 129. Regulation.

- a) All food handlers, processors and street vendors operating business within the municipality shall undergo trainings/seminars with the Rural Health Unit - Wao, Department of Health, on food processing, handling and vending.
- b) All food handlers, processors and street vendors operating business within the municipality shall secure health certificate/card.

Section 130. Definition of Terms. As used in this article, the following terms shall mean:

Food handlers - refers to persons who serve, pack or stored food in food establishments like bakeries, carenderias, restaurants, snack houses and groceries.

Food processors - refers to persons who cook, bake and manufacture foods.

Manufacture - to make food from raw materials by hand or by machinery.

Street vendors - refers to persons who sell/vend food items like biscuits, breads, ice creams, candies, fruits, banana/camote cue, "bibingka", "suman" or "ibos", "lugaw", and other homemade food items.

Section 131. Administrative Provision. The Rural Health Unit of Wao together with the Local Government Unit shall be responsible for the implementation of this article.

Section 132. Penalty Clause. Violators of the provision of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|--|
| 1 st offense | - Reprimand |
| 2 nd offense | - Three Hundred Pesos (Php300.00) |
| 3 rd offense | - Five Hundred Pesos (Php500.00) and closure of business establishments to those with fixed vending places; for ambulant vendors, prohibition to sell/vend food items within the municipality or its equivalent imprisonment or both upon the discretion of the court. |

Article 31. Urinating and Defecating in Public Places

Section 133. Prohibition. No person shall urinate or defecate in all public places within the municipality.

Section 134. Definition of Term.

Public places – refers to outdoor places that are open to the public or places where facilities are available for public or where a crowd or people gather or congregate such as, but not limited to, parks, playgrounds, sports grounds or centers, gaming areas, cemeteries, gardens, resorts, pools, market, streets, sidewalks, parking areas, school grounds, waiting shed/area and the like.

Section 135. Administrative Provision. The Philippine National Police, Barangay Police, and Municipal Enforcer shall be responsible in the implementation of the provision of this article.

Section 136. Penalty Clause. Violators of the provision of this article shall be liable to the following fines and penalties:

- 1st offense - Five Hundred Pesos (Php500.00)
 - 2nd offense - One Thousand Pesos (Php1,000.00)
 - 3rd offense - Two Thousand Five Hundred Pesos (Php2, 500.00)
- or its equivalent imprisonment or both upon the discretion of the court.

Article 32. Stray Animals

Section 137. General Provision. Stray animals wandering within the municipality of Wao is prohibited.

Section 138. Definition of Terms - As used in this article, the following terms shall mean:

Stray animals - domestic animals that are wandering at large or lost.

Section 139. Administrative Provision- The Barangay Officials and any concerned individuals shall be responsible for the implementation of this article.

Section 140. Penalty Clause. For any stray animal caught, the owner shall be liable the following penalty:

- 1st Offense - Two Hundred Pesos (P200.00) per animal with impounding fee of Fifty Pesos (Php50.00) per day.
- 2nd Offense and succeeding Offenses - Five Hundred Pesos (Php500.00) per animal with impounding fee of Fifty Pesos (Php50.00) per day or its equivalent imprisonment or both upon the discretion of the court.

Section 141. General Provision. Any animal caught and turned over to the concerned barangay which shall remain unclaimed for seven (7) days beginning from the period it was turned over shall be sold in public auction.

Section 142. Accrual of Collections. Collections derived from fines imposed herein shall accrue to the barangay government where the animal is turned over. The amount of One Hundred Pesos (Php100.00) shall be given as incentive to the person who caught the pastured animal and turned over the same to the concerned barangay.

Article 33. An Ordinance Regulating the Ownership, Care, and Upkeep of Dogs

Section 143. Definition of Terms- As used in this ordinance, the following words and phrases shall mean and be construed as indicated:

STRAY DOG - dog wandering outside the owner's enclosed premises and beyond immediate control of the owner.

VACCINATION AGAINST RABIES - infusion or inoculation of rabies vaccine to a dog which shall be performed by a Licensed Veterinarian or the duly authorized personnel of the Office of the Municipal Agriculturist. Rabies Vaccine must be licensed by the Department of Agriculture or Department of Health.

ENCLOSED PREMISES - the dog owner's house or fenced yard, where other people have no reason to enter, except to conduct business or visit with the household members.

RESTRAINED - caged, chained or any other method intended to prevent the dog from going anywhere.

Section 144. Administrative Provisions- To effectively carry out the provision of this Ordinance, the following provisions are hereby stipulated:

- The office of the Municipal Agriculturist shall be the primary agency to implement this Ordinance.
- The Municipal Agriculturist shall designate highly qualified personnel of the said office who shall train and supervise the member of the Barangay Police in the performance of their functions stipulated herein.
- Barangay Police are hereby deputized and authorized to seize unregistered dogs and to impound stray dogs within their respective Barangays.

Section 145. Registration and Vaccination of Dogs- All dogs three (3) months old or over, raised within this Municipality shall be registered at the Office

of the Municipal Agriculturist or at the office of the Barangay Chairman which shall keep a Registry Book of all registered dogs describing the breed, color, age and markings, if any. The name, address, cellphone number of the owner and the number of the Dog Registration shall also be entered in the Registry Book. The Registration Tag shall be provided by the Office of the Municipal Agriculturist, but a leather or metal collar to which the metal tag will be attached shall be provided by the owner of the dog.

- **REGISTRATION CERTIFICATES** – A registration certificate of Dog Tag shall be issued for every dog registered. However, no dog shall be registered and be issued with Registration Certificate and Dog Tag unless it has already been vaccinated against rabies by the competent personnel from the Office of the Municipal Agriculturist or any government or private Veterinary practitioner. If vaccination was made by the said practitioner, a certification to the effect shall be required to the issuance of the registration certificate and dog tag.
- **REGISTRATION FEES** - The following amount shall be paid by the owner of the dog at the Office of the Barangay Treasurer upon registration of dogs.

1. Registration Tag - Twenty Pesos (P20.00)

2. Vaccination Fee - Twenty Pesos (P20.00) per owner of the dog

- **RENEWAL OF REGISTRATION** – Registration of dogs shall be renewed on or before the anniversary of its registration date, subject to the same registration procedures stipulated in this Ordinance, except for the issuance of certificate of registration which shall be given only upon its first registration and payment of registration tag which shall be paid only upon its first registration.

Section 146. Seizure and Impounding of Unregistered Dogs – The Barangay Council shall notify all owners of unregistered dogs compelling them to register their dogs pursuant to the requirements of this Ordinance. However, if after due notification the said owner of unregistered dogs still refused to submit his dog for registration, the members of the Barangay Police of the concerned Barangay shall enter the premises of the dog owner and seize the dog and impound the same to the Barangay Impounding Center, or in the absence thereof, at the Municipal Impounding Center. Any member of the Impounding Team, if accidentally bitten, the vaccine should be free.

Section 147. Castration of Male Dog – If the owners want their dogs to be castrated, the member of the Barangay Police who underwent the appropriate

training shall perform the castration. He may ask the voluntary castration fee of not exceeding Thirty Pesos (P 30.00) per dog for the services he rendered.

Section 148. Reporting of Dog Biting Incident- Any incident of dog biting shall be reported immediate by the bitten person or owner of the dog to any Barangay Officials or Barangay Health Workers who shall report immediately to concern Health Officers for appropriate action.

Section 149. Responsibilities of the Owner of the Dog - It shall be the responsibility of any dog owner to shoulder all expenses for the treatment of any person that has been bitten by his dog, and any other expenses related to the biting incident. However, if the dog is registered, restrained and/or the biting incident occurred within the enclosed premises of the dog owner, the burden of paying the above mentioned expenditures shall be determined by special arrangement of both parties.

Section 150. Impounding of Stray Dogs - Dog owners or keepers are hereby required to restrain their dogs or confine in an enclosed premise. All stray dogs, registered or unregistered, shall be impounded by the Barangay Police who has the jurisdiction of the Barangay where the dogs were found stray, and shall be brought to the Municipal Impounding Center.

Section 151. Redemption of Impounded Dogs - Owners of impounded dogs are given three (3) days to redeem their dogs. However, no impounded dogs shall be redeemed without complying the requirements in Section 4 and Section 12 of this Ordinance. After three (3) days the Barangay shall turn over the unclaimed dogs to Municipal Impounding Center.

Section 152. Impounding and Sustenance Fees - An impounding fee of Fifty Pesos (P50.00) plus sustenance fee of twenty pesos (P20.00) daily shall be paid at the office of the Barangay Treasurer by the owner upon redemption of the impounded dog. If the dog was already turned over at the Municipal Impounding Center, the owner will pay the penalty in the Municipal Treasurer's Office.

Section 153. Application of the Amount Received - The following shall apply to the amount received by the duly authorized persons in accordance with this ordinance:

- a. Vaccination Fees- shall be used solely for the mobilization of the team.
- b. Registration Fees, Impounding and Sustenance Fees- shall go to the General Fund of the Barangay which impounded the stray dogs.
- c. Castration Fee – Any amount collected by the Barangay Police or who performed the castration of male dogs pursuant to this

Ordinance shall get Thirty Pesos (P30.00) for the service he performed.

Section 154. Disposal of Unclaimed Dogs – If the owners of the dogs failed to claim their pets, all impounded dogs shall be humanly eliminated and disposed in a duly designated burial place.

Section 155. Penalties – Any violation of this Ordinance shall pay to the Municipal Treasurer's Office.

- 1st offense – Two Hundred Pesos (P200.00)
- 2nd offense – Five Hundred Pesos (P500.00)
- 3rd offense – Two Thousand Five Hundred Pesos (P2,500.00) or its equivalent imprisonment or both upon the discretion of the court.

CHAPTER VI GAMES AND AMUSEMENT

Article 34. Internet café, Video Houses, Recreation and Amusement Places

Section 156. Regulation. No owner, operator or manager of any Internet Café, peso net station, billiard hall, place where billiard table pools are played, Audio-Video Houses, swimming pool, recreation and amusement places shall admit minors during class hours and after 8:30 in the evening unless accompanied by a parent or guardian.

No operator or owner of internet café/peso net shall allow access of minors to websites containing obscene or pornographic materials that are offensive to decency and public morals.

Section 157. Definition of terms. As used in this article, the following terms shall mean:

Computer gaming station – refers to an establishment that maintains and operates computers for gaming purposes and internet cafes for fees irrespectively of the number of units.

Minor students - refers to any student, whose age is below 18 years old, presently enrolled in private or public elementary schools and secondary schools.

Audio-video houses - refers to Internet cafes, computer games centers, videoke or karaoke bars.

Recreation and amusement places - this refers to billiard pools, cockpit arena and swimming pools.

Business Operators - refers to owner, manager, administrator or any person who operates or is responsible for the operation of a business establishment or undertaking.

Class hours - refers to the regular number of hours prescribed by the Department of Education for elementary and secondary schools from 7:00 AM-12:00 noon and from 1:00 PM to 5:00 PM.

Section 158. Exemptions. The following shall be exempted from the coverage of this article:

- Students who can secure a permit from school authorities to render a research work or educational tour.
- Students who can secure a permit from school authorities attesting that they have no class during that day.
- Students who are attending social functions of their immediate families.

Section 159. Administrative Provision. The Local PNP, Municipal Treasurer's Office, All Educational Institutions and Business Operators shall be responsible for the effective implementation of the provisions of this article.

Section 160. Penalty Clause. Violators of the provision of this article shall be liable to the following fines and penalties:

- | | |
|-------------------------|--|
| 1 st offense | - Warning to operator |
| 2 nd offense | - Fine of one thousand pesos (P1,000.00) to the Operator |
| 3 rd offense | - Fine of two thousand five hundred pesos (P2,500.00) or its equivalent imprisonment or both upon the discretion of the court. |

Minors who violate this Ordinance shall be turned over to their parents or guardians. A report of the violation shall be furnished to the school principal of the erring student for proper disciplinary action.

Article 35. Holding of Cockfights and Cockpit Regulations

Section 161. Regulation. No person shall operate a cockpit in the Municipality of Wao without complying to all the requirements imposed by the Municipal Government.

Section 162. Definitions of Terms. As used in this Article, the following terms shall mean:

- **Cockfighting “Sabong”** – shall embrace and mean the commonly known game or term “cockfighting derby”, “Pintakasi”, “Tupada”, or its equivalent terms in different Philippine localities.
- **Cockpit “Sabongan”** – The properly enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exits and licensed in accordance herewith for the holding of cockfighting derby, pintakasi, tupada or its equivalent terms in different Philippine localities.
- **Cockfight “Sultada”** – the actual fight or physical combat of two (2) pitted or evenly-matched gamecocks, whose bet on either side are laid.
- **Derby** – means cockfight and promotion with participants from neighboring communities.
- **Regular Cockfights** – cockfight held once a week during special holiday/occasion.
- **Special Cockfights** – cockfights held on days nearing, and during Araw ng Wao/Araw ng Barangay and Patronal Fiesta Celebrations.
- **Special Permit** – a permit secured from the Municipal Mayor for special cockfights.
- **Pit Manager** – a person who professionally, regularly and habitually manages a cockpit and cockfights therein. He may or may not be the owner of the cockpit himself.
- **Referee “Sentenciador”** – a person who watches and oversees the progress of the cockfight and decides its result by announcing the winner or declaring draw or no contest game.
- **Bet Manager “Kasada”** – a person who calls and takes care of bets from owners of both gamecocks and those of other bettors before he orders commencement of the cockfight and thereafter distributes winning bets to the winners after deducting a certain commission.
- **Bet Taker “Maciador”** – a person who participates in cockfights and with the use of money or other things of value, bets with other bettors or through other bet takers and wins or loses his bets depending upon the result of the cockfight as announced by the referee or sentenciador.
- **Gaffer “Mananari”** – a person knowledgeable in the technique of arming fighting cocks with gaff or gaffs on either or both legs.
- **Handler “Soltador”** – a person who personally takes physical custody and control inside the arena of a pitted gamecock and who actually releases the same for actual fight and combat in a cockpit.
- **Promoter** – a person licensed as such, who is engaged in the convening, meeting, holding and the celebration of a specially programmed and arranged cockfighting like local and international derbies or competitions, special or encounters, pintakasi, and ordinary fights or hack fights.
- **Gamecock** – refers to domesticated fowls whether imported or locally bred, as well as the native fighting cocks indigenous to the country, specially bred, trained and conditioned for actual cockfighting or for propagation and breeding purposes for eventual use in cockfighting.

- **Cocker “Aficionado”** – a person who participates and bets in cockfighting as a sport, amusement, recreation or form of relaxation.

Section 163. Rules and Regulations.

- a) Ownership, Operation and Management of Cockpits. Only Filipino citizens not otherwise prohibited by existing laws shall be allowed to own, manage and operate cockpits. Cooperative capitalization is encouraged.
- b) Establishment of Cockpits. Only one cockpit shall be allowed in this municipality.
- c) Cockpits Site and Construction. The cockpit shall be constructed and operated within the appropriate area as prescribed in the Zoning Ordinance and shall conform with the National Building Code [NBC] of the Philippines.
- d) Holding of Cockfights. Cockfighting shall be allowed only in the licensed cockpit during Sundays, legal holidays, Patronal Fiesta, Araw ng Wao for not more than three (3) days.
- e) In the case of special permit during Araw ng Barangay, cockfight should be held in designated Barangay Cockpit. However, barangays who do not have Araw ng Barangay are allowed to hold cockfight during Patronal Fiesta provided that cockfighting shall not be held within the nine (9) days novena period.
- f) No cockfighting shall be held on the following days:
 - Holy Thursday
 - Good Friday
 - Election Day and on days prohibited by the Commission on Election (Comelec)
 - Any other days declared by the national government
- g) No other forms of gambling shall be permitted on the premises of the cockpit. The owner, manager or lessee of such cockpit and the violators of this prohibition shall be held liable under this Article.

Section 164. Licensing of Cockpits. No person shall operate or maintain any cockpit in this municipality without first securing a license from the Wao Municipal Government under the terms and conditions set forth in this Article.

Section 165. Fees and Charges. Any barangay requesting for a special permit for cockfighting shall pay the amount of Five Hundred Pesos (Php500.00) as special permit for cockfighting, Fifty Pesos (Php50.00) as Mayor’s Permit fee and Twenty Pesos (Php20.00) per head for winning cocks.

Section 166. Barangay Cockfighting. The following shall govern the holding of cockfights in the barangays:

- a) Cockfighting in barangays within the municipality of Wao, Lanao del Sur is authorized only during the celebration of Araw ng Barangays with the duration of three (3) days. Authorized period shall be two (2) days before the celebration and the 3rd day may be on the Araw ng Barangay festivity. However, barangays who do not have Araw ng Barangay are allowed to hold cockfight during Patronal Fiesta provided that cockfighting shall not be held within the nine (9) days novena period.
- b) Only the barangay governments shall be allowed to promote cockfighting activities in their respective barangays.
- c) The concerned barangay governments shall be responsible for the maintenance of peace and order and the safety of the public during the holding of the above-mentioned activities in their barangay.

Section 167. Administrative Provision. The Operator, Manager or Licensee shall be responsible for the strict compliance of this Article.

Section 168. Penal Provisions.

- 1st Offense - Fine of One Thousand Pesos (P1,000.00) plus confiscation of the fighting cocks and cockfighting paraphernalia
- 2nd Offense -Fine of One Thousand Five Hundred Pesos (P1,500.00) plus confiscation of the fighting cocks and paraphernalia
- 3rd Offense - Two Thousand Five Hundred Pesos (P2,500.00) plus confiscation of the fighting cocks and cockfighting paraphernalia or its equivalent imprisonment or both at the discretion of the court.

Article 36. Fireworks and Firecrackers

Section 169. Regulation. Any person who stores, displays, manufactures or processes firework materials and firecrackers of any kind or form shall conform to the requirements under RA 7183, as amended, and RA 9514, also known as the Fire Code of the Philippines.

Sale and Display of firecrackers are authorized on the inclusive dates from December 22 until midnight of December 31 every year.

Section 170. Transient Vendors. Any person not included in the preceding section shall be considered transient vendors and shall be allowed to sell their goods at the designated place located inside the Wao Public Plaza

(Magsaysay Park) only and provide themselves with one (1) pail of water as precautionary measure.

Section 171. Fireworks exhibition. No person shall conduct exhibition without first securing a clearance from the Municipal Fire Marshall, and giving notice to the PNP station.

Section 172. Definition of terms: As used in this article, the following terms shall mean:

- **Firecrackers** - refers to a paper tube containing an explosive and a fuse and discharged to make a noise.
- **Fireworks** - mean a device designed to be lighted and produce a display of light, noise and smoke.
- **Sale** - refers to transfer of ownership of property from one person to another in return for money, selling goods at bargain price.
- **Use** - refers to a way of using or the privilege or benefit of using something.
- **Vendors/sellers** - one who sells fireworks and firecrackers.
- **Festival** - a time of celebration marked by special observances, especially an occasion marked with religious ceremonies.
- **Minors** - refers to children below 18 years of age.

Section 173. Prohibited Acts at Display Area. The following acts are hereby prohibited within the display area of firecrackers and fireworks:

1. *Smoking*
2. *Use of stoves, exposed flames and portable electric heaters*
3. *Testing of firecrackers and fireworks.*

Section 174. Prohibition for Minors. Minors under eighteen (18) years of age are prohibited from selling fireworks and firecrackers.

Section 175. Administrative provisions. The Office of the Municipal Mayor shall call the attention of the Philippine National Police local station, the Bureau of Fire Protection, the Rural Health Unit, Wao District Hospital, the barangay officials concerned and deputized personnel from the MDRRM Office for proper implementation of this article.

Any goods confiscated shall be turned over to the local PNP station for proper disposition.

All fines collected from violation of the provisions of this article shall accrue to the general fund of the Wao Municipal Government.

Section 176. Penalty Clause. Any person violating this Article shall be penalized in accordance with the following penalty:

Any person violating Section 170 hereof shall be liable to the following penalties:

- 1st offense - they shall be warned to transfer to the designated area or to provide themselves the required one (1) pail of water.
- 2nd offense - confiscation of their goods and warning that if they will violate the regulated acts, they shall be banned from engaging such business or its equivalent imprisonment or both at the discretion of the court.

Any person violating Section 171 hereof shall be liable to the following penalties:

- 1st offense - Warning
- 2nd offense - Five Hundred Pesos (Php500.00) and confiscation of the firework/firecrackers or its equivalent imprisonment or both at the discretion of the court.

Any person violating Section 173 shall be liable to the following fines and penalties:

- 1st offense -Five Hundred Pesos (Php500.00)
- 2nd offense -One Thousand Pesos (Php1,000.00)
- 3rd offense -Two Thousand Five Hundred Pesos (Php2,500.00) or its equivalent imprisonment or both at the discretion of the court.

Any confiscated stoves or portable electric heaters shall be turned over to the Wao Police Station.

Any person violating Section 174 shall be penalized as follows:

- 1st offense - confiscation of goods they are selling and warning to their parents or guardians;
- 2nd offense - confiscation of goods they are selling and a fine of Five Hundred Pesos (P500) for their parents and guardians.
- 3rd offense - confiscation of the goods they are selling and turn-over of the minor to the Office of the Department of Social Welfare and Development for proper disposition.

CHAPTER VII PUBLIC SAFETY, PEACE AND ORDER

Article 37. Deadly Weapon

Section 177. Prohibition. It shall be unlawful for any unauthorized person to possess deadly or bladed weapons within the municipality, particularly in such public places as public market, public terminal, public plaza, school compounds, churches and mosques, government facilities and any business establishments.

Section 178. Definition of terms. As used in this article, the following terms and phrases shall mean:

- **Deadly or bladed weapons** - means any tools or instrument which can cause or capable of causing harm or death.
- **Business establishments** - an area defined under Municipal Zoning Ordinance but not limited to those located in the poblacion but also those business establishments located within the barangays.
- **Government Facilities** - refers to property owned or substantially controlled by the government.

Section 179. Exemptions.

The following are exempted from prohibition of Section 177 due to nature of their work:

- a. Farmhands
- b. Butchers
- c. Barbers
- d. Carpenters
- e. Gaffers
- f. Beauticians

Section 180. Administrative Provision. The PNP together with the concerned Barangay Officials shall implement the provisions of this article.

Section 181. Penalty Clause. Any unauthorized person found to have violated the provision of this article shall be liable to the following fines:

- | | |
|-------------------------|--|
| 1 st Offense | - One Thousand Pesos (P1,000.00) and confiscation of the deadly or bladed weapon or its equivalent imprisonment or both at the discretion of the court. |
| 2 nd Offense | - One Thousand Five Hundred Pesos (P1,500.00) and confiscation of the deadly or bladed weapon or its equivalent imprisonment or both at the discretion of the court. |
| 3 rd Offense | - Two Thousand Five Hundred Pesos (P2,500.00) and confiscation of the deadly or bladed weapon or its equivalent imprisonment or both at the discretion of the court. |

Article 38. Provoking Fighting and Petty Quarrel

Section 182. Prohibition. It shall be unlawful for any person to provoke fighting and petty quarrel thereby creating public scandal.

Section 183. Definition of Terms - As used in this article, the following terms shall mean:

Petty quarrel - problems or arguments which are not important or relating to unimportant things.

Public scandal - a publicized incident that brings about disgrace or offends the moral sensibility of society.

Section 184. Administrative Provision. The Local PNP together with the concerned Barangay Officials shall implement the provisions of this article.

Section 185. Penalty Clause. Any person found to have violated the provision of this Article shall be liable to the following fines:

- | | |
|-------------------------|---|
| 1 st Offense | – Five Hundred Pesos (Php500.00) and counseling at the concerned barangay |
| 2 nd Offense | – One Thousand Pesos (Php1,000.00) and counseling at the concerned barangay |
| 3 rd Offense | – One thousand Five Hundred Pesos (Php1,500.00) and counseling at the concerned barangay or its equivalent imprisonment or both at the discretion of the court. |

Article 39. Person Under the Influence of Liquor

Section 186. Prohibition. It shall be unlawful for any person who is under the influence of liquor to provoke quarrel thereby creating public scandal that creates disturbance to the peace and order of the community.

Section 187. Definition of Terms - As used in this article, the following terms shall mean:

Liquor - an alcoholic beverage.

Public scandal - a publicized incident that brings about disgrace or offends the moral sensibility of society.

Disturbance - violence or noisy behavior especially in public

Section 188. Administrative Provision. The Local PNP together with the concerned Barangay Officials shall implement the provisions of this article.

Section 189. Penalty Clause. Violators of the provision of this article shall be liable to the following fines:

- | | |
|-------------------------|---|
| 1 st Offense | – One Thousand Pesos (P1,000.00). |
| 2 nd Offense | – One Thousand Five Hundred Pesos (P1,500.00) |
| 3 rd Offense | – Two Thousand Five Hundred (P2,500.00) or its
equivalent imprisonment or both at the discretion of the court. |

Article 40. Illegal Structures

Section 190. Prohibition. It shall be unlawful for any person to construct or erect any building structures or stall over and above any public water ways.

Section 191. Definition of terms. As used in this article, this following terms and/or phrases shall mean:

Waterways - refers to a way or channel for water.

Structures - refers to anything built or constructed regardless of materials used.

Section 192. Administrative Provision. The Municipal Engineering's Office in coordination with the Local PNP shall be responsible for the implementation of this article.

Section 193. Penalty clause. The illegal structure/s shall be demolished after serving due notice of illegal construction to the responsible thereof.

Article 41. Structures Beyond Property Limit

Section 194. Prohibition. It shall be unlawful for any person/s to construct permanent or temporary structures beyond his/their property line.

Section 195. Definition of terms. As used in this article, this following terms and/or phrases shall mean:

- **Property line**—refers to the boundary line between properties.
- **Structures**—refers to anything built or constructed regardless of materials used.
- **Administrative Provision.** The Local PNP and the concerned Barangay Officials shall be responsible for the implementation of this article.

Section 196. Penalty clause. The illegal structure/s shall be demolished after serving due notice of illegal construction to the responsible thereof.

Article 42. Herding and Pasturing of animals in Public Places

Section 197. Prohibition. It shall be unlawful for any person to herd or pasture their animals in public places, parks, highways, municipal/barangay streets, public school compounds and public cemetery.

Section 198. Administrative Provision. Barangay officials, barangay police or any concern citizen are authorized to enforce this ordinance.

Section 199. Penalty Clause. Violators of the provision of this article shall be liable to a fine of:

- | | | |
|---|---|--|
| 1 st Offense | - | Two Hundred Pesos (P200.00) per animal with an impounding fee of Fifty Pesos (Php50.00) per day. |
| 2 nd Offense and succeeding Offenses | - | Five Hundred Pesos (Php500.00) per animal with an impounding fee of Fifty Pesos (Php50.00) per day |

Section 200. General Provision. Any animal caught and turned over to the concerned barangay which shall remain unclaimed for seven (7) days beginning from the period it was turned over shall be sold in public auction.

Section 201. Accrual of Collections. Collections derived from fines imposed herein shall accrue to the barangay government where the animal is turned over. The amount of One Hundred Pesos (Php100.00) shall be given as incentive to the person who caught the pastured animal and turned over the same to the concerned barangay.

Article 42. Washing of Vehicles

Section 202. Prohibition. It shall be unlawful for any operator of motorized vehicles to wash their vehicles at public places and along the national and municipal roads.

Section 203. Penalty clause. Any individual found to have violated the provision of this article shall be liable to the following penalties:

- | | | |
|---|---|---|
| 1 st Offense | - | Two Hundred Pesos (Php200.00) |
| 2 nd offense | - | Five Hundred Pesos (Php500.00) |
| 3 rd and succeeding Offenses | - | One Thousand Pesos (Php1,000.00) or its equivalent imprisonment or both at the discretion of the court. |

Section 204. Administrative Provision. The Local PNP and the concerned Barangay Officials shall be responsible for the implementation of this article.

Article 43. Vandalism

Section 205. Vandalism. No person shall deface, or cause to be defaced, or commit any form of vandalism by painting, writing, scribbling, scrawling, drawing, smearing, coloring, stamping or inscribing, posting of handbills and posters on walls, sidings, partitions, fences, gates, doors or windowpanes on buildings, edifices, houses or structures, whether public or private, or lamp posts, street signs, sidewalks or other public property.

Section 206. Administrative Provision.

a.) The lead agency in enforcing this Ordinance is the Philippine National Police (PNP) and any other duly deputized authorities by this ordinance.

- a. Barangay Officials
- b. Purok Leaders
- c. Civilian Volunteers Organizations(CVOs)
- d. Municipal Enforcers

b.) Violators of this ordinance shall shoulder the cost of repair or restoration of the defaced/damaged property to its original state.

c.) The determination of the gravity of damages incurred is to be considered and shall be determined by proper authorities.

d.) If the violator/s is/are below 18 years of age, the penalty plus the damages incurred shall be paid by the parents/guardians at the expense of the violator

Section 207. Penalty Clause.

1 st Offense	One Thousand Pesos (Php1,000.00) plus damages incurred
2 nd Offense	One Thousand Five Hundred Pesos (Php1,500.00) plus damages incurred
3 rd Offense	Two Thousand Five Hundred Pesos (Php2,500.00) plus damages incurred or its equivalent imprisonment or both at the discretion of the court.

Article 44. Curfew Hours

Section 208. Prohibitions. No minor shall roam, wander around, stand-by, or loiter in and around market places, restaurants, cafes, bars, nightclubs, cocktail lounges, massage clinics, beer houses, discotheque joints or saloons, cabarets or liquor stores or stands, gambling places, plazas, parks, recreation halls, billiard halls, parlors, bowling alleys, theater lobbies, sidewalks, hotels, and

all other similar establishments, after ten o'clock (10:00) post meridian, and before four o'clock (4:00) ante meridian, except however, in hospital compound and on the eve of the town fiesta, Charter Day and other local holidays for the municipality, Christmas, New Year, All Souls Day, All Saints Day, Good Friday, Holy Thursday up to the Resurrection day immediately following, or those who have just attended in and are going home from school classes, civic or religious gatherings or social occasions or traveling.

Section 209. Definition of terms as used in this Article

Minors – not having reached the full legal age of eighteen (18) years.

Curfew - is a law enacted by a local or national government that restricts certain people from being in public places at specified times of the day.

Roam – to walk or travel with no particular goal.

Deputized Authorities – delegated person/s by higher authorities to act in their place.

Commercial/Entertainment Establishments – refer to establishments that provide food, drinks, merchandise, entertainment including but not limited to, restaurants, eateries, videoke bars, resto bars, internet cafes, or any other place with pleasant environment atmosphere conducive to comfort.

Public Places - refer to outdoor places that are open to the public or areas, places where facilities are available for public or where a crowd or people gather or congregate as such as, but not limited to, parks, playgrounds, sports grounds or centers, gaming areas, cemeteries, gardens, resorts, pools, market, streets, sidewalks, parking areas, school grounds, waiting shed/area and the like.

- **Juvenile Delinquency** – the habitual committing of criminal acts or offenses by a young person, specially one below the age at which ordinary criminal prosecution is possible.
- **Warning** – a statement that tells a person that a bad or wrong behavior will be punished if it happens again.
- **Community Service** – work that is done without pay to help people in the community.

Section 210. Suspension. Any activity involving night affairs such as:

- a.) Patronal Town Fiesta
- b.) Barangay Fiesta
- c.) Araw ng Wao
- d.) Araw ng Barangay
- e.) Any other activities declared by the government authorities

Section 211. Exemptions

- a.) Those accompanied by their parents, family members of legal age or guardian upon proper verification.
- b.) Those running emergency errands.
- c.) Church members who are involved in church or in other religious activities, provided that they can show valid certification/verification from the head or leader of the religious organizations.

Section 212. Administrative Provision. The Local PNP and the concerned Barangay Officials shall be responsible for the implementation of this article.

Section 213. Penalty Clause. Any minor who shall be found violating this Ordinance shall be liable to the following penalties:

1 st Offense	- Warning to minors and counseling with parents
2 nd Offense	- Two (2) hours Community Service for parents
3 rd Offense	- Four (4) hours Community Service for parents and Php 500.00 fine

Article 45. Gleaning at the Cornfields/Cassava Plantation

Section 214. Prohibition. No person shall glean corn in the cornfields/ Cassava plantation until the harvest is not yet over, provided it is with the consent of the owner.

Section 215. Definition of Terms. As used in this ordinance,

- **Glean** – to gather grain or other material that is left after the main crop has been gathered.

Section 216. Administrative Provision. The concerned Barangay Officials shall be responsible for the implementation of this article.

Section 217. Penalty Clause. Violators of the provision of this article shall be liable to pay a fine of Two Hundred Pesos (P200.00) and confiscation of the gleaned products.

Article 46. Animals Causing Damage to Farm Crops

Section 218. Regulation. Owners of animals that cause damage on farm crops, vegetables, pineapple, fruit trees and other high-valued crops/trees shall be liable to pay the fines imposed under this article.

Section 219. Administrative Provision- The Barangay Officials and any concerned individuals shall be responsible for the implementation of this article.

Section 220. Penalty Clause.

For farm crops, vegetables, fruit trees, including rubber trees damaged by the animals, the owner/s of the animal/s shall be liable to the following fines and penalties:

Farm crops:

Corn	-	Five Pesos (Php5.00)/hill
Palay	-	Fifty Pesos (P50.00)/square meter
Vegetables	-	Fifty Pesos (P50.00)/hill for vegetative stage
Pineapple	-	Eighty Pesos (Php80.00)/hill plant crop
Sugarcane	-	Twelve Pesos (Php12.00)/hill
Cassava	-	Ten Pesos (Php10.00)/hill

Fruit trees, including rubber trees:

One (1) Year below	-	Php500.00/tree
Two (2)- Three (3) years old trees	-	Php1,000.00/tree
four (4)- Five (5) Years old and above	-	Php1,500.00/tree

For forest trees, such as Mahogany, Gmelina, Acasia Mangium, Cadam and other trees of the same kind, the owner/s of the animal/s shall be liable to the following fines and penalties:

1-2 years old forest trees	-	One Hundred Pesos (Php100.00)/tree
3-4 years old forest trees	-	Two Hundred Pesos (Php200.00)/tree
5 years and above	-	Three Hundred Pesos (Php300.00)/tree

**CHAPTER VIII
FINAL PROVISIONS**

Article 47. General Provisions

Section 221. If the violation is committed by any juridical entity, the President, General Manager, or any person entrusted with the administration thereof at the time of the commission of the violation shall be held responsible or liable therefor.

Article 48. General Accrual of Collection

- a.) Provided that the barangay concern adopted the provision of the code the payment derived from the violations shall accrue to the barangay funds.
- b.) In the event, local government unit enforcement is involved, payment shall accrue to the general fund of the municipality.

Article 49. Voluntary Community Service Program

Section 222. Voluntary Community Service Program. Before the appropriate proceedings are filed in court and within seventy-two hours (72) from the time of his/her apprehension, the apprehended party may opt to volunteer and participate in the Voluntary Community Service Program (VCSP) of this municipality. The Office of the Mayor shall conceptualize and package the said program for adoption by the Sangguniang Bayan and manage and supervise its implementation.

The VCSP shall be guided by the following basic policies and principles:

- 1. It shall respect human rights and the activities therein shall be designed to teach values such as responsibility towards the community, among others.
- 2. The activities of the program shall not be demeaning to volunteers and they shall not be made to wear anything that would mark them as an offender.
- 3. The program shall take into consideration the expertise of volunteers and assign them to activities that best suit their expertise, if practical and workable.
- 4. The areas of activities where the volunteers may participate could be in social services, value formation, environmental management, gender and development, peace and order, engineering, health services, agriculture and such other priorities of the local government where the volunteer’s expertise could be put to good use.
- 5. The program shall devise a scheme for determining the number of hours of community service, to wit:

In Terms of Fines:

- a) For a fine of P200.00 or less - 2 hours community service
- b) For a fine of P201.00 to P500.00 - 3 hours community service
- c) For each succeeding P1,000.00 fine or a fraction thereof thereafter - 5 hours community service

In Terms of Imprisonment as determined by a competent court:

- a) For 15 days or less of imprisonment - 56 hours accumulative community service
- b) For more than 15 days of imprisonment – 120 hours accumulative community service

6. After a volunteer has rendered in full his/her community service, he/she shall be entitled to a certificate of completion for the services rendered to this municipality and its constituents.

7. The program may also accept all other volunteers who just wish to serve their community in one way or the other.

8. The program shall make provisions for minors who may be required or may also volunteer to render community service.

9. The VCSP shall not be applicable to the payment of taxes, fees and charges imposed under the Revenue Code and other ordinances of this municipality.

**Article 50. Separability, Applicability, Repealing
and Effectivity Clauses**

Section 223. Separability Clause. If for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

Section 224. Applicability Clause. All other matters relating to the impositions in this Ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

Section 225. Repealing Clause. All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

Section 226. Effectivity. This Ordinance shall take effect immediately upon its approval.

Record of voting:

In favor:

Councilor Emelita J. Balicao
Councilor Dennis L. Angeles
Councilor Elmer A. Mendoza
Councilor Jocelyn P. Monton
Councilor Elsie C. Caralde
Councilor Nasrodin P. Macadato
Councilor Flaviano D. Wagas
Councilor Roger B. Baldeviso
ABC President Jun G. Rivas

Against:

None

Abstain:

None

Absent during votation: None

ADOPTED this 19th day of June, 2017 in Wao, Lanao del Sur.

I HEREBY CERTIFY to the correctness of the foregoing ordinance

CERTIFIED CORRECT:

ATTESTED:

APPROVED:

EVELYN M. FERRER
Secretary to SB

ELMER A. MENDOZA
Presiding Officer

BOBBY B. BALICAO
Municipal Mayor