

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

Item No.: 01
Date: 21 FEB 2023

SANGGUNIANG PANKALANGALAN
FEB 08 2023 3:59 pm
dy 2-03-23
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd Indorsement
January 26, 2023

Province of Leyte
Legal Office
Released: [Signature]
Time: [Signature]
Date: 2-3-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 01, S. 2022 of the SB of Alangalang, Leyte, recommending for the declaration of validity pursuant to its power under Section 56 (c) of R.A. 7160, the same being, to the opinion of the Provincial Legal Office (PLO), an exercise of the power essential to the promotion of "Safety, Maintain Peace and Order, and Preserve the Comfort and Convenience of their Inhabitant", authorized under Section 16 of the Code.

ATTY. JOSE RAYMUND A. ACUL.
Asst. Provincial Legal Officer [Signature]

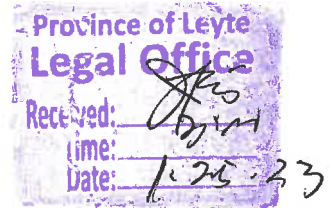
Republic of the Philippines

PROVINC OF LEYTE

Palo, Leyte

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN



2nd INDORSEMENT

25 January 2023

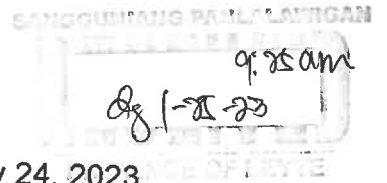
The Provincial Legal Office is requested to review and submit recommendations on the herein enclosed MUNICIPAL ORDINANCE NO. 2022-01 of the MUNICIPALITY OF ALANGALANG, LEYTE, entitled: AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Alangalang
-000-

OFFICE OF THE SB SECRETARY

January 24, 2023



MS. FLORINDA JILL S. UYVICO
SP Secretary
Provincial Capitol, Tacloban City

Maam:

Respectfully forwarded herewith copies of Municipal Ordinance No. 2022-01 "**AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.**" for peruse and favorable action.

Kindly acknowledge receipt hereof.

Thank you and More Power!

Very Truly Yours,


DANI R. DE VEYRA
Board Secretary V

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Alangalang
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ESTABLISHED BY PANG. LANTIGAN
9:15am
1-25-23
PROVINCE OF LEYTE

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ALANGALANG, LEYTE HELD AT THE LEGISLATIVE BUILDING SESSION HALL ON FEBRUARY 14, 2022.

PRESENT:

Vice Mayor Edwin B. Jomadio - Presiding Officer
SB Member Kenneth Spice M. de Veyra
SB Member Elmer D. Matobato
SB Member Epifania B. Salazar
SB Member Vernon I. Jolbitado
SB Member Ricardo Neil O. Eusores
SB Member Anthony Mervin P. Varona
SB Member Rodolfo R. Cabalona, Jr.
SB Member Shirlene T. Borja
Brgy. Chairman Milagros E. Salazar - LIGA President
SK Chairman Jan Reian Niño C. Saavedra - PPSK President

ABSENT: None

MUNICIPAL ORDINANCE NO. 01
Series of 2022

“AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES”.

SPONSOR: HON. ELMER D. MATOBATO
Chairman Committee on Agriculture & Cooperatives
Chairman Committee on Human Rights and Protection & Police Matters

CO-SPONSORS:
Hon. Kenneth Spice M. de Veyra
Hon. Vernon I. Jolbitado
Hon. Ricardo Neil O. Eusores

WHEREAS, Remotely Piloted Aircraft System (RPAS) or drones, by their nature can be used as a tool for gathering information via recording or photographs and there is a growing use of drones today its areas of applications have expanded overtime;

WHEREAS, drones could be used in transporting illegal drugs, deadly weapons, and other contraband, as well in the surveillance of jail facilities and premises, which could very well compromise the safety and security of the jail facilities;

WHEREAS, Under Philippine Civil Aviation Rules 11 and civil Aviation Authority of the Philippines (CAAP) 21-14, no person may operate small UAV or RPA in a populous area. Pursuant to this rule, jails are considered populous and congested areas.

(Handwritten signatures and initials)

WHEREAS, The Bureau of Jail Management and Penology (BJMP), pursuant to regulations issued by the Civil Aviation Authority of the Philippines (CAAP), prescribes a Standard Operating Procedure on the detection, prevention and handling of Remotely Piloted Aircraft System (RPAS) or Unmanned Aerial Vehicles (UAV), aimed at maintaining the safety and security of jail facilities of this municipality.

WHEREAS, the enactment of this ordinance will promote peace and order, enhance the physical security of the jail facilities and guarantee the safety and security of this municipality and the constituents;

NOW THEREFORE, in view of the foregoing premises upon motion of SB Member Elmer D. Matobato seconded by SB Member Kenneth Spice M. de Veyra, be it –

SECTION 1. TITLE. This Ordinance shall be known as “**AN ORDINANCE PROHIBITING DRONE OPERATIONS WITHIN 100 METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES**”.

SECTION 2. PURPOSE. This Ordinance is enacted to ensure and promote public health, safety and security by prohibiting the operation of drones within one hundred meters (100m) from jail facilities within the territorial jurisdiction of the Alangalang Municipal Jail.

SECTION 3. DEFINITION AND TERMS. As used in this Ordinance the following terms shall be construed to mean as follows:

- a.) Unmanned Aerial Vehicle (UAV) commonly known as drone – is an aircraft without a human pilot aboard, UAVs are a component of an unmanned aircraft system (UAS); which includes an UAV, a ground-based controller, and a system of communications between the two. The flight of UAV's may operate with various degree of autonomy; either under remote control by human operator or autonomous by onboard computers.
- b.) Jail facilities – a place for the confinement of people accused or convicted of a crime.

SECTION 4. SCOPE. This Ordinance shall apply to all persons, who shall willfully operate drone within 100 meters radius of the jail facility of Alangalang Municipal Jail.

SECTION 5. EXEMPTION. This Ordinance shall not cover law enforcement agencies, emergency management offices and those duly authorized by the LGU with coordination to the Jail Management.

SECTION 6. PENALTIES. Violation of the Ordinance shall be meted the penalty of:

- a.) First Offense – A fine of One Thousand Pesos (P1,000.00)
- b.) Second Offense – A fine of One Thousand Five Hundred Pesos (P1,500.00)
- c.) Third Offense – A fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment for a period of more than three (3) months but not exceeding six (6) months or both such fine and imprisonment at the discretion of the court.

De

for

and

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SECTION 7. IMPLEMENTING AGENCY. The Philippine National Police (PNP) and Public Order and Security Team (POST), as well as the responsible officer in the barangay which has territorial jurisdiction over the jail facilities, together with the BJMP personnel, shall ensure the strict and faithful enforcement or implementation of the Ordinance.

The jail Management shall cause the posting of the sign "DRONE NO FLYZONE WITHIN 100 METERS FROM JAIL FACILITY" conspicuously outside of the jail facility.

SECTION 8. IMPLEMENTING RULES AND REGULATIONS (IRR). The Philippine National Police (PNP) and Public Order and Security Team (POST), the concerned barangay which has territorial jurisdiction over the jail facilities in the municipality, as well as the BJMP shall formulate the necessary Implementing Rules and Regulations (IRR) of this ordinance within thirty (30) days from the approval of this ordinance and the same immediately be transmitted to the Mayor for approval.

8.1 Guidelines in Securing Permit for the Operation of Drone within Jail Facility

8.1.1 Any person or group of persons who want/s to use or operate drone within or near the jail facility should first secure permit in the LGU.

8.1.2 Once the permit has been obtained it will be shown to BJMP personnel

SECTION 9. SEPARABILITY CLAUSE. If for any person, any section of provisions of this Ordinance is declared illegal or unconstitutional, the other provisions which are not affected thereby shall continue to be fully force and effect.

SECTION 10. REPEALING CLAUSE. All Ordinances or any Section or Provision or a part thereof which are contrary to or inconsistent with the provisions of the Ordinance are hereby repealed or amended accordingly.

SECTION 11. EFFECTIVITY. This ordinance shall take effect upon approval and compliance with the applicable statutory provisions.


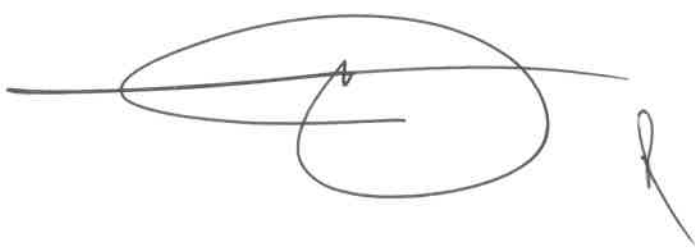
ENACTED, by the Sangguniang Bayan on February 14, 2022.

APPROVED, by the Mayor Feb. 22, 2022.

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance No. 2022-01.


DANI R. DE VEYRA
Board Secretary V




**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**



EDWIN B. JOMADIAO
Municipal Vice Mayor
Presiding Officer



KENNETH SPICE M. DE VEYRA
SB Member




EPIFANIA B. SALAZAR
SB Member



RICARDO NEIL O. EUSORES
SB Member

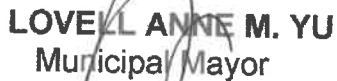


RODOLFO R. CABALONA, JR.
SB Member

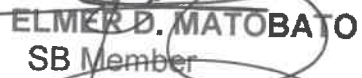


MILAGROS E. SALAZAR
SB Member
LIGA President

APPROVED:



LOVELL ANNE M. YU
Municipal Mayor



ELMER D. MATOBATO
SB Member



VERNON T. JOLBITADO
SB Member



ANTHONY MERVIN P. VARONA
SB Member



SHIRLENE T. BORJA
SB Member



JAN REIAN NIÑO C. SAAVEDRA
SB Member
PPSK President

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Alangalang
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OFFICE OF THE SANGGUNIANG BAYAN


CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

This is to certify that Municipal Ordinance No. 2022-01 has been posted for three weeks in three public conspicuous places within the municipality and will remain posted for the information of the general public.


DANI R. DE VEYRA
Board Secretary V

ATTESTED:


MARIO V. BAGUE
Municipal Vice Mayor
Presiding Officer