



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF OTON
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS from the Minutes of the Sangguniang Bayan of Oton, Iloilo during its Regular Session held at the Municipal Session Hall of Oton, Iloilo last August 2, 2006 at 2:30 in the afternoon.

<p>PRESENT:</p> <p>Hon. Jafet P. Salinas Hon. Jose Neil P. Olivares Hon. Felimon Gregorio M. Calvo Hon. Virginia F. Olivares Hon. Francisca C. Expeleta Hon. Pablo S. Guevara, Jr. Hon. Simplicio R. Carreon, Jr. Hon. Edgar N. Javellana Hon. Lee C. Alison</p> <p>ON OFFICIAL BUSINESS: Hon. Vicente B. Flores, Jr. ABSENT: Hon. Eusebio G. Villavicencio, Jr.</p>	<p>SB Member (Temporary Presiding Officer) SB Member (Asst. Floor Leader) SB Member (Floor Leader) SB Member SB Member SB Member SB Member SB Member (ABC Representative) SB Member (SK Representative)</p> <p>Vice Mayor (Acting Mayor) SB Member</p>
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ORDINANCE NO. 2006 – 159

AN ORDINANCE PRESCRIBING THE USE OF OTON PUBLIC PLAZA.

ON MOTION of the Committee on Culture, History, Arts and Tourism, namely, Hon. Jose Neil P. Olivares, Hon. Eusebio G. Villavicencio, Jr. and Hon. Pablo S. Guevara, Jr. and duly seconded by Hon. Virginia F. Olivares

BE IT ORDAINED by the Sangguniang Bayan of Oton, Iloilo, an Ordinance, to wit:

SECTION 1. INTRODUCTION. The Oton Public Plaza was once declared as one of the most beautiful public plazas in the world during the XXIV Francoise du Paysage International Conference in 1987.

In regulating the use of the Plaza and maintaining its aesthetics, this ordinance is necessary.

SECTION 2. DEFINITION OF TERMS. As used in this Ordinance, the term:

1. **Plaza** – refers to the Oton Public Plaza including its Amphitheatre and side plant boxes, enclosed by an alley, and surrounded by Rizal, Bonifacio, C. M. Recto and Mabini Streets;
2. **Mural** – refers to the historical mural sculpted in concrete and pebbles media located along C.M. Recto Street serving as the back drop of the plaza;
3. **Structures of Municipal Heritage** – refer to the monuments of national hero Jose P. Rizal, Jose P. Laurel, the mural, the veterans' monument and the two (2) statues of two (2) abreast youth;
4. **Vandalism** – hostility to, or willful destruction or defacement of things of beauty or work of arts, literature, historical monuments, public facilities, etc.
5. **Indecent Shows** – shows to promote lewdness, vulgarity and are offensive to moral or religious sensitivity. These are shows that are indecent based on public norms and morals including but not limited to Bikini open, and similar shows that purely promotes the desire for lust and lewdness.

SECTION 3. REGULATORY CLAUSE.

- A. The following shall be the prohibited vehicles within the plaza:
 - 1) Truck or any four-wheeled vehicle except when used in hauling props or materials for the program and when used to service dignitaries or celebrity guests;
 - 2) Tricycles, Triskads or any other three (3)-wheeled vehicle except when used to haul props or materials for the program;
 - 3) Bicycles, unicycles, scooters or any other similar vehicles, except when part of the ceremony held inside the plaza; skateboards and rollers are allowed only at the basketball court area;
- B. The following shall be the prohibited activities inside the plaza: gambling of any kind; ferias and rides; commercial fairs; promotions or exhibits; drinking spree or rendezvous; drinking in front or within the premises of structures of municipal heritage; indecent shows and activities that are contrary to customs and traditions, good morals and public policy.
- C. Stalls and kiosks for food festivals shall be placed at the back alley and street or side streets of the plaza.
- D. The plaza shall be used for the purpose of, but not limited to: family picnic; recreation and unwinding; physical fitness; court games; government, civic and religious programs; parades, processions or assemblies; film showing; pageants; debates; theatrical dance and musical shows; magic and acrobatic shows; political rallies and public assemblies; and similar activities. Provided however, that:
 - D.1) a necessary permit to use the plaza be issued by the Office of the Mayor or Municipal Administrator in the case of the abovementioned programs, assemblies, shows, rallies and similar activities, except on the daily and routine use by the public, like: picnic, recreation and unwinding, physical fitness or calisthenics, hiking and the like.

[Handwritten signatures and initials on the left margin]

- D.2) any other activity not prohibited under par. (b) above may also be granted as long as the landscape of the plaza is not endangered.
- E. Shows, programs, film showing, pageants, rallies and public assemblies shall be done at the amphitheatre area
- F. There shall be corresponding fees in the issuance of permit to use the plaza, to wit:
 - F.1) Shows or programs of private persons or entities with the character of commerce – **P1,500.00** for Five (5) hours and One Hundred Pesos (**P100.00**) in every hour of **excess** (inclusive of rental and electricity);
 - F.2) Shows or programs for a noble cause – free;
 - F.3) Shows or programs of socio-civic and non-profit associations and religious group / sect but may be required by the Office of the Mayor or Administrator to pay the amount of electricity used – free;
 - F.4) Shows or programs of the local and national governments and their agencies / offices – Free;
 - F.5) Political rallies – Free, may be required by the Office of the Mayor or Administrator to pay the amount of electricity used;
 - F.6) Shows or programs of duly accredited NGOs and POs – Free;
- G. Before the issuance of a permit to use the plaza, the applicant – organizer shall read the Code on Public Safety (Municipal Ordinance No. 30, Series of 1994) which will be attached to the permit. The Code shall be issued by the Secretary to the Sanggunian after payment of corresponding Secretary's Fee.

SECTION 4. PENALTY CLAUSE.

1. Any person who violates par. (A) of Section 3 hereof shall pay a fine of Two Hundred Pesos (**P200.00**) or plaza service of Three (3) hours, or both fine and service at the discretion of the court;
2. Any person who violates par. (B) of Section 3 hereof shall pay a fine of Four Hundred Pesos (**P400.00**) or plaza service of Five (5) hours, and both fine and service on second and succeeding offenses. Provided further, that students or minors caught doing gambling (including "Taksi" in local dialect) in the plaza shall also be apprehended or subjected to the Code on Discipline and Courtesy of Students (Municipal Ordinance No. 2006 – 155) or be turned over to the MSWDO for reprimand and guidance.
3. Any person who violates Sections (C), (D), (E) and (F) of Section 3 above shall be meted a fine of Four Hundred Pesos (**P400.00**) or plaza service of Five (5) hours, or both fine and service at the discretion of the court.
4. Any person who violates any provision of this Ordinance shall pay a fine of Two Hundred Pesos (**P200.00**) or plaza service of Two (2) hours, or both fine and service at the discretion of the court;

SECTION 5. COMPROMISE AGREEMENT. Should the violator of this Ordinance opt for a compromise agreement, he shall sign the form for such agreement admitting therein the commission of the violation, pay the Compromise Agreement Fee in the amount of P _____ and waive his right for a due process in a court of competent jurisdiction.

SECTION 6. SEPARABILITY CLAUSE. If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue in operation.

SECTION 7. REPEALING CLAUSE. All municipal ordinances or parts of any municipal ordinance inconsistent with provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY CLAUSE. This Ordinance shall take effect after 3 weeks following the completion of its posting in at least 2 conspicuous places in the municipality and publication in the newsletter / journal of the Municipality of Oton.

SECTION 9. COPIES. This Ordinance shall be furnished to the Office of the Mayor; MTC; Oton – PNP; GSO; MPDC; JODAI; SOJODA; Federation of Triskad Drivers Association; Federation of MCH Associations; and the Sangguniang Panlalawigan of Iloilo for information and guidance.

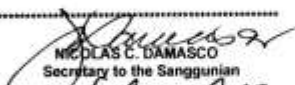
UNANIMOUSLY APPROVED.

HEREBY CERTIFY to the correctness of the foregoing Ordinance.

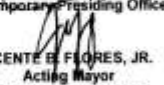
Attested:


JAFET P. SALINAS
Temporary Presiding Officer

Concurred:


NICOLAS C. DAMASCO
Secretary to the Sanggunian

Approved:


VICENTE B. FLORES, JR.
Acting Mayor
Effective August 1, 2006


FELIMON GREGORIO M. CALVO
Floor Leader

Date Approved: _____

Date Posted: _____

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