



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 16, 2006 at 2:30 in the afternoon.

PRESENT: Hon. Jafet P. Salinas SB Member
Hon. Eusebio G. Villavicencio, Jr. SB Member (Temporary Presiding Officer)
Hon. Felimon Gregorio M. Calvo SB Member (Floor Leader)
Hon. Virginia F. Olivares SB Member
Hon. Francisca C. Expeleta SB Member
Hon. Pablo S. Guevara, Jr. SB Member
Hon. Simplicio R. Carreon, Jr. SB Member
Hon. Edgar N. Javelana SB Member (ABC Representative)
Hon. Lee C. Alison SB Member (SK Representative)
ON OFFICIAL BUSINESS: Hon. Vicente B. Flores, Jr. Vice Mayor (Acting Mayor)
Hon. Jose Neil P. Olivares SB Member (Asst. Floor Leader)



ABSENT: None.

ORDINANCE NO. 2006 - 161

AN ORDINANCE DESIGNATING THE OPEN SPACE IN FRONT OF ANNEX "B" OF THE OTON MUNICIPAL HALL AS "FREEDOM PARK".

ON MOTION of the Committee on Peace and Order and Public Safety, namely, Hon. Pablo S. Guevara, Jr., Hon. Jose Neil P. Olivares and Hon. Edgar N. Javelana and duly seconded by Hon. Eusebio G. Villavicencio, Jr.

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

SECTION 1. INTRODUCTION. Batas Pambansa Bilang 880 known as the Public Assembly Act of 1985 was enacted to ensure the Constitutional Rights of the people peaceably to assemble and petition the government for redress of grievances which is essential and vital to the strength and stability of the State. To this end, the State shall ensure the free exercise of such rights without prejudice to the rights of others to life, liberty and equal protection of the law.

Along with this, Section 15 of the law states that every city and municipality in the country shall within six months after the effectivity of this act establish or designate at least one suitable "freedom park" or mall in their respective jurisdictions which, as far as practicable shall be centrally located within the Poblacion where demonstrations and meetings may be held at anytime without the need of a prior permit.

SECTION 2. DEFINITION OF TERMS.

a. **Public Assembly** - means any rally, demonstration, march, parade, procession or any other form of mass or concerted action held in a public place for the purpose of presenting a lawful cause; or expressing an opinion to the general public or any particular issue, or protesting or influencing any state of affairs whether political, economic or social; or petitioning the government for redress of grievances.

The processions, rallies, parades, demonstrations, public meetings and assemblies for religious purposes shall be governed by local ordinances.

The definition herein contained shall not include picketing and other concerted action or strike area of workers and employees resulting for a labor dispute as defined by the Labor Code, its implementing rules and regulations and by the B.P. No. 227.

b. **Public Place** - shall include any highway, boulevard, avenue, road, street, bridge or other thoroughfare, park, plaza, square and / or any open space of public ownership where the people are allowed access.

c. **Maximum Tolerance** - means the highest degree of restraint that the military police and other peacekeeping authorities shall observe during a public assembly or in the dispersal of the same.

SECTION 3. FREEDOM PARK. The Open space in front of Annex "B" of the Oton Municipal Hall is hereby declared as "Freedom Park" as mandated under B.P. # 880.

SECTION 4. GUIDELINES.

a. No permit shall be required if the public assembly shall be done or made in a designated "Freedom Park" duly established by this Ordinance however, organizer(s) of any public assembly must inform LGU - Oton thru the Office of the Municipal Mayor the estimated number of participant at least Twenty Four (24) hours before the assembly to regulate traffic for public convenience.

b. Any public assembly in the "Freedom Park" shall be on "first come, first serve basis."

SECTION 5. REPEALING CLAUSE. All municipal ordinances or parts of any municipal ordinance inconsistent with provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 6. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon approval.

SECTION 7. COPIES. This Ordinance shall be furnished to the Office of the Mayor; MEO, MPDC; MBO; Oton PNP; 37 Barangay Councils, Accredited NGOs; and the Sangguniang Panlalawigan of Iloilo for information and guidance.

UNANIMOUSLY APPROVED.

HEREBY CERTIFY to the correctness of the foregoing Ordinance.

Attested:
EUSEBIO G. VILLAVICENCIO, JR.
Temporary Presiding Officer

Concurred:

NICOLAS C. DAMASCO
Secretary to the Sanggunian

FELIMON GREGORIO M. CALVO
Floor Leader

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

Date Approved: _____

Date Posted: _____

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