



Republic of the Philippines
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF PINAMALAYAN

Office of the Sangguniang Bayan

ORDINANCE NO. 05-2015

Introduced by: Former Councilor Arnel G. Abrenica

AN ORDINANCE MANDATING THAT NO PERSON SHALL ROAM AROUND AND HANG AROUND IN PUBLIC PLACES AND OUTSIDE HIS/HER RESIDENCE HALF-NAKED OR WEARING CLOTHING COVERING ONLY THE LOWERMOST PORTION OF THE BODY WITHOUT ANY TOP APPAREL WITHIN THE MUNICIPALITY OF PINAMALAYAN.

Be it ordained by the Sangguniang Bayan of Pinamalayan, Oriental Mindoro.

SECTION I. DECLARATION OF POLICY:

It shall be the policy of the Local Government of Pinamalayan to adopt and implement measures designed to protect and promote public moral. As vested in Local Government Code of 1991, the Sanggunian Bayan of Pinamalayan has the power to undertake measures to prevent and penalize activities that adversely affect the moral well-being of the people. This measure will serve as an example of orderliness, propriety and decency in our area of responsibility.

SECTION II. DEFINITION OF TERMS:

- a) **TOP APPAREL** - shall mean upper garment such as shirt, t-shirt, polo shirt, blouse to cover upper portion of the body or the like.
- b) **HALF-NAKED** - defined as either topless or bottom less, specially, "wearing clothing covering only the lowermost (covered only by innermost garments) or uppermost portion of the body with the absence of any top or bottom apparel.
- c) **PUBLIC PLACES** - shall mean any space/place where people are allowed to have access to, but not limited to such as street, roads, markets, restaurants, eateries and coffee shops, malls, movie house, computer shop, parlors, transport terminals, waiting shed, plazas, ball field, basketball court, sports/cockpit arena, hospitals, school grounds, churches, ports and the like.
- d) **ROAM AROUND** - travel from place to place (e.g. drive/ride, play games, walk, jog, run or the like)
- e) **HANG AROUND** - toiler idly, stay aimlessly.
- f) **ORDERLINESS** - a condition of regular or proper arrangement.
- g) **PROPRIETY** - a correct or appropriate behavior of a human being.
- h) **DECENCY** - a quality of conforming to standards of propriety and morality.
- i) **INNERMOST GARMENTS** - includes, but not limited to, the underwear of men and women such as briefs, panties, bra, tight shorts, etc.

SECTION III. PROHIBITED ACT:

Any person of both sexes and in their legal age, found in public places without top apparel in all public places shall be penalized accordance to Section V of this ordinance.



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SECTION IV. LIMITATION AND EXEMPTION OF THE PROHIBITED ACTS:

- a) Those people who are in resorts, beaches and rivers for pleasure or swimming;
- b) Those who are within the premises of their respective residences;
- c) Indigenous people;
- d) Those individual or group of individuals who are participants to an activity or programs in an event on festivity wherein the non-wearing of upper garment is considered part of their costume during the presentation and within the presentation area;
- e) Farmers who are working farmlands, ricefields, orchards and the likes;
- f) Fishermen while fishing;
- g) During times of disaster/calamities such typhoons, heavy rains, flooding and the likes;

SECTION V. PENALTY CLAUSE:

Any person caught violating the provisions of this ordinance shall be penalized as follows.

FIRST OFFENSE – person who violates shall be given a warning.

SECOND OFFENSE – person who violates shall be fined of P500.00 or ordered to render
Eight (8) hours of community service.

THIRD OFFENSE and SUCCEEDING OFFENSE - person who violates shall be fined of P2,500.00 or an imprisonment of Six (6) months or both, depending upon the discretion of the court.

Minors (18 yrs below) caught violating the provisions of this ordinance shall be turned over to the Municipal Social Welfare Office for counseling and educating the importance of the ordinance.

SECTION VI. ADMINISTRATIVE PROVISION:

The Local Chief Executive is hereby authorized to create **TASK FORCE DISIPLINA** via Executive Order (EO) purposely for the implementation of this ordinance.

The main function of **TASK FORCE DISIPLINA** are the following namely:

1. To campaign and disseminate orderliness, propriety, decency;
2. Apprehend the violators of this ordinance; and
3. Issuance of CITATION TICKET to be paid at the Office of Municipal Treasurer.

SECTION VII. DEPUTIZATION OF THE BARANGAY OFFICIALS AND WATCHMAN:

For the effective and total implementation of this ordinance, all barangay officials and watchman in their respective area of jurisdiction hereby deputized in apprehending violators of this ordinance.

Report/submit recommendation to the Local Chief Executive of the municipality, the violators caught thru the Barangay Captain of the respectively area for the implementation of Section V of the ordinance.



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MUNICIPALITY OF PINAMALAYAN

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SECTION VIII. SEPARABILITY CLAUSE :

Any part or provision of this ordinance found/declared unconstitutional or invalid for any reasons other provision not effected thereby shall remain enforceable and effective.

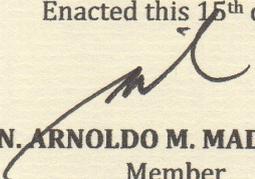
SECTION IX. REPEALING CLAUSE:

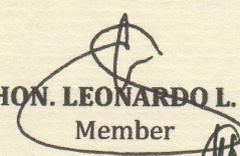
Any barangay ordinance, municipal laws, letter of implementation and executive orders inconsistent with the provisions of this ordinance are hereby repealed and/or modified/amended accordingly.

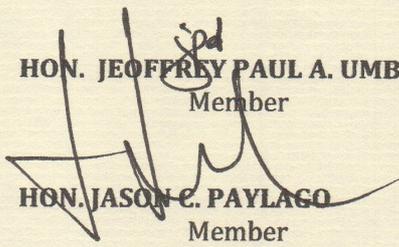
SECTION X. EFFECTIVITY.

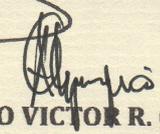
This ordinance shall take effect after its approval and publication in a newspaper of general circulation within the municipality and thereafter hereby made to a law of this municipality.

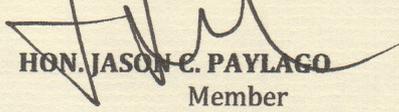
Enacted this 15th day of October, 2015 on mass motion of all SB Members present -

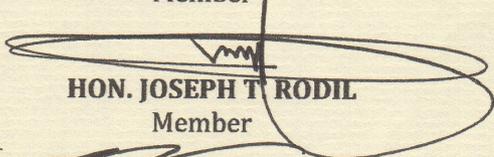

HON. ARNOLDO M. MADRID
Member

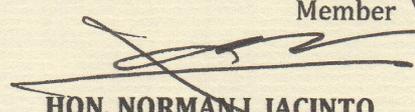

HON. LEONARDO L. PEDRAZA
Member


HON. JEOFFREY PAUL A. UMBAO
Member

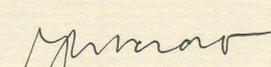

HON. ANTONIO VICTOR R. OLYMPIA
Member


HON. JASON C. PAYLAGO
Member

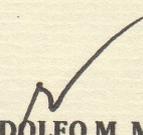

HON. JOSEPH T. RODIL
Member


HON. NORMAN J. JACINTO
ABC President/Member

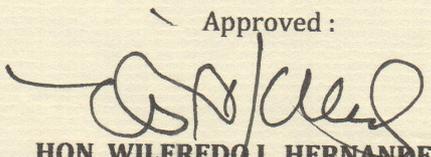
Attested :


MERLIE H. MICIANO
Acting SB Recorder

Certified Correct :


HON. RODOLFO M. MAGSINO
Temporary Presiding Officer

Approved :


HON. WILFREDO L. HERNANDEZ, SR.
Municipal Mayor