



REPUBLIC OF THE PHILIPPINES
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF PINAMALAYAN

Office of the Sangguniang Bayan

RESOLUTION NO. 124- 2008

A RESOLUTION ENACTING AN ORDINANCE REGULATING THE HOLDING OF FUND RAISING ACTIVITIES WITHIN THE JURISDICTION OF THE MUNICIPALITY OF PINAMALAYAN AND IMPOSING PENALTIES THEROF.

WHEREAS, primarily fund raising activities do have noble intentions, there are instances however when activities have been abused and misused;

WHEREAS, different kinds of fund raising activities and solicitations are continuously increasing, victimizing well-meaning citizens especially by those solicitors with fraudulent intentions;

WHEREAS, some forms of fund raising activities such as table charge, enveloped solicitations for beauty contests, concert and dance parties have been misused to a point that have gradually made many Pinamaleños to be dependent on dole-outs;

WHEREAS, in view of the foregoing reasons the members of the Sangguniang Bayan of Pinamalayan, deem it necessary to regulate the holding of fund raising activities within the jurisdiction of the municipality of Pinamalayan;

Now Therefore, on motion of Hon. Susan F. Cobrado and seconded by all members present, be it Resolved as t is hereby Resolved to enact a municipal ordinance to wit:

ORDINANCE NO. 10 -2008

ORDINANCE REGULATING THE HOLDING OF FUND RAISING ACTIVITIES WITHIN THE JURISDICTION OF THE MUNICIPALITY OF PINAMALAYAN AND IMPOSING PENATIES THEREOF.

Be it ordained by the Sangguniang Bayan in session assembled that;

Section I. TITLE: This Ordinance shall be known as an "Ordinance Regulating the Holding of Fund Raising Activities within the Jurisdiction of the Municipality of Pinamalayan and Imposing Penalties thereof".

Section II. DECLARATION OF PRINCIPLES AND POLICIES : A disciplined law-abiding and self-reliant citizenry is a key to any localities' economic progress. Based on the said principle, it is the policy of the Municipal Government of Pinamalayan to provide to the people of this town relevant and effective set of rules geared towards shaping their character to become better and responsible citizens. It is also the policy of the municipal government of Pinamalayan to promote the general welfare of all the residents of this town as mandated by RA 7160 otherwise known as the Local Government Code of 1991.

Section III. DEFINITION OF TERMS: For the purpose of this ordinance, the following terms shall mean:



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cont'n of Resolution No. 124-2008/Ordinance No. 10-2008:

1. Fund Raising Activities – This refer to all kinds of fund solicitations such as popularity beauty contests, benefit shows, bingo social, table charge, raffle tickets, caroling, solicitation letters, envelopes solicitations and other similar activities, like dinner or lunch for a cause, school solicitations and sports related solicitations, including raffle/ripa with prize value higher than Php 3,000.00.
2. Institutions/Organizations – shall include public and private educational institutions, non-government organizations, people's organizations, cooperatives, clubs, religious organizations and government agencies such as Sangguniang Barangay, Municipal/City governments, national offices in the town and other similar institutions.

Section IV. Regulated Acts: The following acts are hereby regulated in this ordinance:

1. No person and organization, natural or juridical shall hold/conduct any form of fund raising activity within the jurisdiction of the municipality of Pinamalayan without first securing the following requirements:
 - a. Barangay clearance where the fund raising activity shall be conducted;
 - b. Indorsement letter from the president/chairperson or manager/ or founder of the organization/institution to the concerned Barangay Captain and Mayor;
 - c. Resolution of the Committee or Board of Directors, if applicable;
 - d. Sample tickets, envelopes, letters or invitation;
 - e. Police clearance;
 - f. Sanitary permit if it is table charge, concerts, dinner, lunch, food for a cause;
 - g. Purpose of fund raising and name of project to be funded;
 - h. Permit from DTI (for raffle ticket only)
 - i. Permit from the Municipal Social Welfare and Development Office as prescribed in PD No. 1564; and
 - j. The above documents are pre-requisite prior to the issuance of mayor's permit. Upon issuance of said permit, solicitations maybe conducted within Pinamalayan.
2. No institution, organization or individual is allowed to conduct fund raising activity more than once per calendar year.

Section V. Exemptions: The following special occasions shall not be covered under this ordinance:

1. Christmas Carolling on December 23, 24 and 25 of each year.
2. Carolling in October 31 and November 1 of each year in commemoration of All Saints Days, for minors.
3. Municipal Foundation Celebration and Barangay Foundation excluding Sitio Celebrations; and
4. Burial Solicitation



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cont'n of Resolution No. 124-2008/Ordinance No. 10-2008:

Section VI. Securing Mayor's Permit: Those responsible person, institution or organization, shall prior to the conduct of fund raising, first secure permit from the Office of the Mayor upon completion of the necessary requirements as enumerated in Section IV (1) hereof and upon payment of fees in the amount of Fifty Pesos (Php 50.00) to the Municipal Treasurer.

Section VII. Responsibility of the Barangay Captains: all Barangay captains in Pinamalayan are hereby mandated to ensure effective implementation of the provisions of this Ordinance. The concerned Barangay captain shall see to it that all the necessary requirements as enumerated in section IV hereof are met before any fund raising activity will be held in his area of jurisdiction.

Section VIII. Penalty Clause: Violation of any provision of this Ordinance shall be punished accordingly:

1. Any person, institution/organization who violated any of the provision of this ordinance for first time shall be meted with a fine of Five Hundred Pesos (Php 500.00) and or imprisonment at the discretion of the court.
2. Any person r institution/organization who violated any of the provision of this Ordinance for the second time shall be meted with a fine of One thousand pesos (Php 1,000.00) or both fine and imprisonment at the discretion of the court.
3. Any person or institution/organization who violated any provision of this ordinance for the third time and the succeeding offenses shall be meted with a fine of Two thousand pesos (Php 2,000.00) and an imprisonment of not more than six months (6 mos.) but not less than three (3) 3 months at the discretion of the court.
4. In case the violator is an institution/organization, its president, chairperson, manager or its equivalent shall be held liable and shall be meted with appropriate penalty or penalties.
5. Any individual, institution or organization providing assistance in any form to those who violated this ordinance shall be meted with similar penalties as stated above.

Section IX. Repealing Clause: All ordinances or parts thereof, both from municipal/barangay level and inconsistent herewith are hereby repealed or modified accordingly.

Section X. Separability Clause: If, for any reason or reasons, any part or provision of this ordinance shall be held invalid or unconstitutional, other parts or provisions not affected thereby shall continue to be in full force and effect.

Section XI. Effectivity Clause: This ordinance shall take effect on the day following it publication in a newspaper with a municipal-wide circulation or on the following day after the required period of posting, which ever occur later.

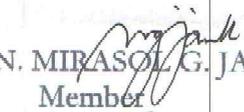


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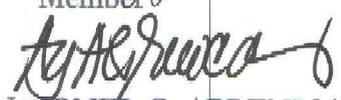
Office of the Sangguniang Bayan

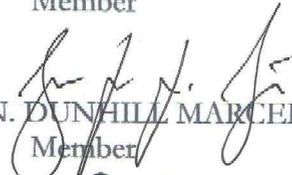
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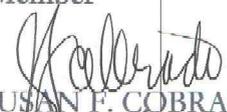
UNANIMOUSLY APPROVED this 25th day of July 2008.


HON. MIRASOL G. JAMILLA
Member

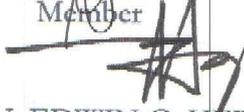

HON. SEVERINO J. NARITO
Member

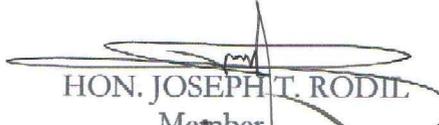

HON. ARNEL G. ABRENICA
Member

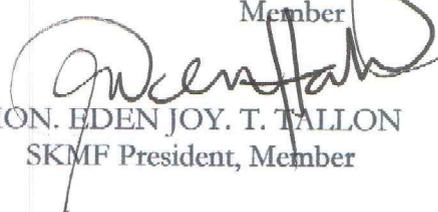

HON. DUNHILL MARCELO M. DELMO V
Member


HON. SUSAN F. COBRADO
Member

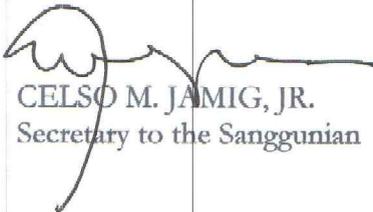

HON. GAVINO G. ERMITA
Member


HON. EDWIN G. HERNANDEZ
Member


HON. JOSEPH T. RODIL
Member


HON. EDEN JOY. T. TALLON
SKMF President, Member

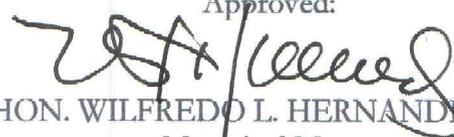
Attested:


CELSO M. JAMIG, JR.
Secretary to the Sanggunian

Certified Correct:


HON. ROBERTO A. MORENTE
Vice Mayor, Presiding Officer

Approved:


HON. WILFREDO L. HERNANDEZ, SR.
Municipal Mayor