

PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

ORDINANCE NO. 02-067

AN ORDINANCE CONVERTING THE MUNTINLUPA DRUG ABUSE PREVENTION AND CONTROL COUNCIL (MDAPACC) TO DRUG ABUSE PREVENTION AND CONTROL OFFICE (DAPCO), DEFINING ITS POWERS AND FUNCTIONS AND PROVIDING FUNDS THEREOF.

Sponsored by:

- Hon. Rufino B. Joaquin*
- Hon. Mamerto T. Sevilla, Jr.*
- Hon. Francis Ian T. Bagatsing*
- Hon. Lucio B. Constantino*
- Hon. Atty. Patricio L. Boncayao, Jr.*
- Hon. Melchor R. Teves*
- Hon. Aldrin L. San Pedro*
- Hon. Nicanor L. Echavez, M.D.*
- Hon. Atty. Raul R. Corro*
- Hon. Atty. Icasiano M. Dela Rea*
- Hon. Elmer S. Espeleta*
- Hon. Artemio A. Simundac*

WHEREAS, *Section 454 (c) (2) of Republic Act 7160, otherwise known as the Local Government Code*, provides that *"the Sangguniang Panlungsod may create such other offices as may be necessary to carry the purposes of the city government"*;

WHEREAS, *Section 458 (1) (a) (v); (vii); (viii) of the same Code* states that *"the Sangguniang Panlungsod, as the legislative body of the city, shall enact ordinances xxx for the general welfare of the city and its inhabitants xxx and shall:*

(1) Approve ordinances and pass resolutions necessary for an efficient and effective city government and in this connection shall:

(v) Enact ordinances intended to prevent, suppress and impose appropriate penalties for xxx drug addiction, maintenance of drug dens, drug pushing xxx and such other activities inimical to the welfare and morals of the inhabitants of the city;

(vii) xxx determine the powers and duties of officials and employees of the city;

(viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from city funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the city government;

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WHEREAS, it was pursuant to *Resolution No. 88-26 and its amendment Executive Order No. 88 - 01 on July 13, 1988* the *Muntinlupa Drug Abuse Prevention and Control Council* was formed and created, in the guise of the unabated proliferation of drug abuse in the City, involving mostly the youth;

WHEREAS, the present MDAPACC Office is not recognized as having a legal personality considering the basis of its creation and existence, a council created by a resolution and a subsequent executive order, while the law requires more legal stability than its present status;

WHEREAS, considering the magnitude of the drug menace now evidently proliferating in the streets and in the communities, the problem of proportion needs a more stable law enforcement and advocacy office to lead the various campaigns, programs and projects to combat the menace;

WHEREAS, a more stable drug abuse prevention and control office will have more power and authority to use its own resources directly available and to enhance people's support without the threat of legal backlash;

WHEREAS, there is a need to convert the present *MUNTINLUPA DRUG ABUSE PREVENTION AND CONTROL COUNCIL* (MDAPACC) to a *DRUG ABUSE PREVENTION AND CONTROL OFFICE* to help realize the vision towards a drug free city in the near future;

NOW, THEREFORE BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Members of the Sangguniang Panlungsod duly assembled that:

SECTION 1. DAPCO. The Muntinlupa Drug Abuse Prevention And Control Council shall be converted into a new department, to be called the "**Drug Abuse Prevention and Control Office (DAPCO)**".

SECTION 2. THE POWERS AND DUTIES OF THE OFFICE. The office shall have the following powers and duties:

- a. Promulgate such rules and regulations as may be necessary to carry out the purposes of this Ordinance, including the manner of safekeeping, disposition, burning or condemnation of dangerous drugs under its charge and custody, and prescribe administrative remedies or sanctions for the violations of such rules and regulations;
- b. Take charge and custody of all dangerous drugs seized, confiscated or surrendered to the Office and eventually turn them over to the Drug Law Enforcement Unit for proper disposition;



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- c. Develop educational programs based on factual information and disseminate the same to the general public through drug fora, symposia or any other public interactions on drug awareness. The Office shall endeavor to make the general public aware of the hazards of dangerous drugs by providing lectures, stickers, primers, films, leaflets, tracks, posters or advertisement, and by coordinating with all institutions of learning, as well as with all national and local law enforcement agencies together with all sectors of the society, including among others, the urban poor sector, youth and student sector, in planning and conducting its educational campaign programs and projects;
- d. Provide law enforcement officers, school authorities and personnel of Centers with special training in dangerous drugs control, in coordination with the Dangerous Drug Board (DDB), NDEP Center and other national agencies;
- e. Conduct scientific, clinical, social, psychological, physical and biological researches on dangerous drugs involving local and national drug situations;
- f. Draw up and maintain, in consultation and in coordination with various agencies involved in drug abuse control, treatment and rehabilitation, both public and private, a City Treatment and Rehabilitation Program for drug dependents in Muntinlupa;
- g. Receive, gather, collect and evaluate all information on the importation, exportation, production, manufacture, sale, stocks, seizure of an estimated need for dangerous drugs from any official, instrumentality or local agency or any private persons or enterprises dealing in, engaged in activities having to do with dangerous drugs.
- h. Relay information and any violations of Republic Act 9165 otherwise known as the COMPREHENSIVE DANGEROUS DRUGS ACT of 2002 and other drug related laws and ordinances to law enforcement agencies to effect the apprehension of offenders and the confiscation of dangerous drugs and transmit evidence to the proper court.
- i. Conduct eradication programs to destroy wild or illicit growth of plants from which dangerous drugs may be extracted;
- j. Issue appropriate Certification and/ or accreditation to deserving and qualified applicant with regards to the purchase of rugby and other volatile substances as such;
- k. Provide, by rules and regulations, appropriate rewards to informers who are instrumental in the discovery and seizure of dangerous drugs and in the apprehension of violators of Republic Act No. 9165 and other pertinent laws and ordinances;



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- l. Gather and prepare detailed statistics on drug dependents subjected for rehabilitation and treatment; drug related operations conducted, persons apprehended, cases filed, cases resolved, cases referred, cases dismissed or convicted;
- m. Submit monthly and periodical reports to the City Mayor and other Local Officials who are helping in one way or the other in the realization of the tasks;
- n. Coordinate and enter into arrangement with all sectors of the society, NGOs and POs both local, national and foreign agencies for the effective prevention and control and eradication of drug dependency or abuse;
- o. Maintain holding or safekeeping centers exclusively for drug dependents who are to be subjected for drug treatment and rehabilitation;
- p. To help promote the nationally sponsored projects and programs against illicit drugs;
- q. To perform other duties, functions and task as may be assigned to the Office.

SECTION 3. THE DIFFERENT DIVISIONS. In order to attain the different objectives of the department the following divisions shall be maintained:

1. **ADMINISTRATIVE and SPECIAL ADVOCACY DIVISION** – shall have the following functions:
 - a. Responsible for Budget Preparation, Annual Procurement Plan, Performance Evaluation, Write – up reports, compilation of all information, liquidation of cash advances, reimbursement, documentation.
2. **PREVENTIVE EDUCATION DIVISION** – shall have the following responsibilities:
 - a. Create public awareness (student forum, symposium, drug forum) regarding the effects of the different dangerous drugs thru drug abuse information and preventive campaign.
 - b. Responsible for capability building on drug abuse prevention in order to generate active, wider people empowerment and participation.
 - c. Responsible for the implementation of social action programs on drug abuse, prevention and control involving all the sectors of the society.
 - d. Monitor and evaluate drug cases and make status reports.
 - e. Coordinate with the different sectors to explore possible information for anti-drug prevention advocacy.

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3. **TREATMENT and REHABILITATION DIVISION** – shall be responsible for the following:
- Responsible for the intake/ interview of the client before the admission to treatment and rehabilitation for the purpose of determining the eligibility and appropriateness to the particular kind of services to be rendered.
 - Assess the client, to establish a basis for personal and family background.
 - Responsible in defining the role of the clients and parents responsibilities.
 - Responsible for the Rehabilitation confinement and documentation.

SECTION 4. COMPOSITION. The DAPCO shall be composed of the following staff and personnel and their corresponding salary grades:

- DEPARTMENT HEAD** – The Department Head must be a Bachelor's degree (relevant to the job) holder and Civil Service Eligible (Professional). He also must have at least 4 years of experience and 24 hours of training in the field of dangerous drugs or in law, medicine, criminology, psychology or social work. He shall receive a salary equivalent to salary grade 22.

ADMINISTRATIVE/ COORDINATING AND SPECIAL PROGRAM DIVISION

- ADMINISTRATIVE OFFICER II** – must at least be a Bachelor's degree (relevant to the job) holder and Civil Service Eligible (Professional). He/ she must also have at least 1 year relevant experience and 4 hours relevant training. He/ she shall receive a salary equivalent to SG 15.
- COMMUNITY AFFAIRS OFFICER I** - must at least be a Bachelor's degree (relevant to the job) holder and Civil Service Eligible (Professional). He/ she shall receive a salary grade equivalent to SG-10.
- ADMINISTRATIVE ASSISTANT I** – must have at least completed 2 years in college and Civil Service Eligible (Sub - Professional). He/ she shall receive a salary equivalent to SG 08.
- CLERK III** - must have at least completed 2 years in college and Civil Service Eligible (Sub - Professional). He/ she shall receive a salary equivalent to SG 06.



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- e. **COMMUNITY AFFAIRS ASSISTANT I** – must have at least completed two (2) years of studies in college and Civil Service Eligible (Sub professional). He/ she will receive a salary equivalent to salary grade 05.

PREVENTIVE EDUCATION DIVISION:

- a. **COMMUNITY AFFAIRS OFFICER II** – must at least be a Bachelor's degree holder (relevant to the job) and Civil Service Eligible (Professional). He/ she must have at least 3 years experience and 8 hours of relevant training. He/ she will receive a salary equivalent to salary grade 15.
- b. **YOUTH DEVELOPMENT OFFICER I** – must at least be a Bachelor's degree holder (relevant to the job) and Civil Service Eligible (Professional). He/ she will receive a salary equivalent to salary grade 10.
- c. **COMPUTER OPERATOR I** – must have at least completed 2 years in college or a High School graduate with relevant vocational or trade course and Civil Service Eligible (Sub - Professional). He/ she shall receive a salary equivalent to SG 07.

TREATMENT AND REHABILITATION DIVISION:

- a. **COMMUNITY AFFAIRS OFFICER II** – must at least be a Bachelor's degree (relevant to the job) holder and Civil Service Eligible (Professional). He/ she must also have at least 3 years relevant experience and 8 hours relevant training. He/ she shall receive a salary equivalent to SG 15.
- b. **SOCIAL WELFARE OFFICER I** – must at least be a Bachelor's degree (relevant to the job) holder and a Professional Regulatory Commission (PRC) board passer. He/ she shall receive a salary equivalent to SG 11.
- c. **SECURITY AGENT II** – must have at least completed 2 years in college or a High School graduate with relevant vocational or trade course. He/ she shall receive a salary grade equivalent to salary grade 10.
- d. **COMMUNITY AFFAIRS ASSISTANT I** – must have at least completed two (2) years of studies in college and Civil Service Eligible (Sub professional). He/ she will receive a salary equivalent to salary grade 05.

I. DRUG TESTING:

- a. **MEDICAL SPECIALIST IV** – must be a Doctor of Medicine. He/ she must also have at least 2 years relevant experience and 8 hours relevant training. He/ she shall receive a salary equivalent to SG 24.

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- b. **MEDICAL TECHNOLOGIST III** – must at least be a Bachelor’s degree holder in Medical Technology or a Bachelor of Science in Public Health graduate. He/ she must also have at least 3 years relevant experience and 8 hours relevant training. He/ she shall receive a salary equivalent to SG 18.
- c. **LOCAL REVENUE COLLECTIONS OFFICER I** – must at least be a Bachelor’s degree (relevant to the job) holder and Civil Service Eligible (Professional). He/ she shall receive a salary equivalent to SG 11.

II. SAFEKEEPING:

- a. **SECURITY AGENT II** – must have at least completed 2 years in college or a High School graduate with relevant vocational or trade course. He/ she shall receive a salary grade equivalent to salary grade 10.

III. FAMILY WELLNESS:

- a. **PSYCHOLOGIST I**– must at least be a Bachelor’s degree in Psychology holder. He/ she shall receive a salary equivalent to SG 11.

SECTION 5. THE PRESENT STAFF, PERSONNEL AND COUNCIL. The Council shall be dissolved and cease its duties and functions upon the effectivity of this Ordinance or at the discretion of the City Mayor. The services of any Council member may be maintained or summoned in terms of consultancy.

The Staff and Personnel presently filling their assigned positions shall remain and shall be absorbed without distinction. Provided, however, that after 2 years of moratorium, said positions shall be subject to Civil Service Rules and Regulations pertaining to Qualifications and Standards.

SECTION 6. APPROPRIATION. The DAPCO shall have an annual budget allocation to be taken from the Executive Budget of every year in order to carry out the objectives, duties and responsibilities given to the office.

SECTION 7. SPECIAL TRUST FUND FOR DRUG ABUSE PREVENTION AND CONTROL. This provision establishes a special account to be called “*Special Trust Fund for Drug Abuse Prevention and Control*”.

The following sources of funds shall constitute and be deposited to the Special Trust Fund for Drug Abuse Prevention and Control:

- a. An amount equivalent to Fifteen Percent (15%) of every infraction of drug related ordinances.

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- b. Fifty percent (50%) of the Drug Test Fee generated by the Drug Test Laboratory.
- c. Other sources such as donations, pledges.

All funds/ money generated from various sources intended for drug abuse prevention and control programs shall be deposited by the **CITY TREASURER** for the exclusive account of the Special Trust Fund for Drug Abuse Prevention and Control and shall be used, but not limited to the following purposes:

- a. Allocation for buy – bust operations or entrapments.
- b. Allocation for travel/ road emergency, which shall amount to P1000.00 ready cash. However, this amount shall be immediately returned in case of non – expenditure, 24 hours upon return to the Office.
- c. Allocation for informer’s reward and intelligence activities.
- d. Allocation of P200.00 per drug dependent representing emergency allowance for each Apprehending Officers at times they are assigned to accompany the patients for drug related processes with the DDB and/ or confinement with the Drug Rehabilitation Centers.
- e. Allocations for the Hazard pay of each staff and personnel involved in the different operations of the Office.

SECTION 8. HAZARD PAY. Considering the peril that each staff and personnel are confronting each day of their work, an amount of Four Hundred Seventy Five Pesos (P475.00) monthly shall be allocated as their Hazard Pay.

SECTION 9. FIRE ARM PRIVILEGE. Each staff and personnel shall be allowed to carry firearms with limited capacity and caliber on *proper recommendation of the Local Chief Executive and subject to the strict requirements of the law. However, it is strictly mandated herein that such firearms shall only be carried within the line of duty of the grantee.*

SECTION 10. REPEALING CLAUSE. Any other ordinances, resolutions or parts thereof, which are inconsistent herewith, are hereby repealed or modified accordingly;

SECTION 11. SEPARABILITY CLAUSE. If for any reason or reasons, any section or provision of this ordinance shall be held unconstitutional or invalid, no other section or provision thereof shall be affected thereby;

SECTION 12. EFFECTIVITY. This ordinance shall immediately take effect upon approval;

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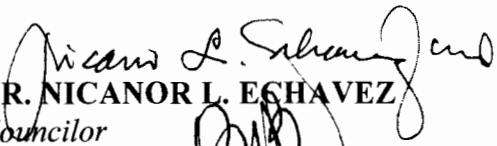
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ENACTED, by the *Sangguniang Panlungsod of Muntinlupa* this 17th day of October 2002, on its 51st Regular Session.

CONCURRED:

ALDRIN L. SAN PEDRO

Councilor


DR. NICANOR L. ECHAVEZ

Councilor

ATTY. PATRICIO L. BONCAYAO, JR.

Councilor

ATTY. RAUL R. CORRO

Councilor

MELCHOR R. TEVES

Councilor

ELMER S. ESPELETA

Councilor


FRANCIS IAN T. BAGATSING

Councilor

LUCIO B. CONSTANTINO

Councilor

MAMERTO T. SEVILLA, JR.

Councilor

RUFINO B. JOAQUIN

Councilor

ATTY. ICASIANO M. DELA REA

Councilor

ARTEMIO A. SIMUNDAC

Sectoral Representative

President

Association of Barangay Captains

ABSENT:

BAL NIEFES

Councilor

RENE CARL S. CAYETANO

Councilor

ALLAN REY A. CAMILON

Councilor

MARIO E. BULAY, JR.

Councilor







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CHRISTIAN GLENN D. LORICA
Sectoral Representative
President
Federation of Sangguniang Kabataan

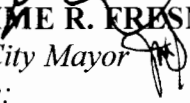
I HEREBY CERTIFY as to the correctness of the foregoing Ordinance.


ATTY. ISIDORO L. SORIANO, JR.
Secretary
SANGGUNIANG PANLUNGSOD

ATTESTED:


ATTY. JO JASON T. ALCARAZ
City Vice Mayor

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor
Date: _____

Jeffrey /08/26/2002
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