



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/ Fax: 862-6473  
Email address: sangguniangpanlungsod2k16@gmail.com



ORDINANCE NO. 18-149

AN ORDINANCE AMENDING ARTICLE IV OF ORDINANCE NO. 17-097 IN RELATION TO ORDINANCE NO 02-030, OTHERWISE KNOWN AS THE CITYWIDE CURFEW HOURS.

- Sponsored by:
- Hon. Coun. Lucio B. Constantino
  - Hon. Coun. Atty. Patricio L. Boncayao, Jr.
  - Hon. Coun. Bal Niefes
  - Hon. Coun. Stephanie G. Teves
  - Hon. Coun. Allan Rey A. Camilon
  - Hon. Coun. Ringo A. Teves
  - Hon. Coun. Louisito A. Arciaga
  - Hon. Coun. Alexander Diaz
  - Hon. Coun. Ivey Rhia Arciaga-Tadefa
  - Hon. Coun. Ma. Dhesiree G. Arevalo
  - Hon. Coun. Christine May A. Abas
  - Hon. Coun. Marissa Cole-Rongavilla
  - Hon. Coun. Mark Lester M. Baes
  - Hon. Coun. Rafael T. Sevilla
  - Hon. Coun. Victor L. Ulanday
  - Hon. Coun. Grace B. Gonzaga
  - Hon. Coun. Walter A. Arcilla – ABC

WHEREAS, the Sangguniang Panlungsod of Muntinlupa, on **January 20, 2002** during its **17<sup>th</sup> Regular Session** passed **Ordinance No. 02-030**, otherwise known as the **"Citywide Curfew Hours"**;

WHEREAS, on **May 22<sup>nd</sup>** in the year 2017, on its **35<sup>th</sup> Regular Session**, the Sangguniang Panlungsod enacted, **"an ordinance amending some provisions in Ordinance No. 02-030"**;

WHEREAS, the local government is dutybound to assist the parents and guardians of minor children in controlling the latter's behavior and instilling discipline among them, making these young people productive members of our society;

WHEREAS, Section 458(a)(1)(ii) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, **"mandates the Sanggunian to enact ordinance to maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, and impose penalties for the violation of the ordinance"**;

WHEREAS, it is necessary in the interest of public order and safety to regulate the movement of minor children during night time by setting disciplinary hours, protect them from neglect, abuse, cruelty and exploitation, and other conditions prejudicial to their to their development;

WHEREAS, on **February 7, 2018**, the **Committee on Public Order, Security and Safety** conducted a public hearing to review the existing citywide curfew hours ordinance regarding its implementation and imposition of penalties;

**ANG TAMA**  
**ANANG MUNTINLUPA!**



*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/ Fax: 862-6473  
Email address: sangguniangpanlungsod2k16@gmail.com



Page 2  
Ordinance No. 18-149

NOW THEREFORE, BE IT ORDAINED, by the 8<sup>th</sup> Sangguniang Panlungsod of the City of Muntinlupa, during its regular session assembled that:

**SECTION 1.** This provision shall amend Article IV, Mechanics of Enforcement of the Citywide Curfew hours Ordinance and shall be read as follows:

**“ARTICLE IV. MECHANICS OF ENFORCEMENT”**

**“Section 1.** In compliance with Republic Act No. 9344, otherwise known as the Juvenile Justice Welfare Act of 2006, the Ordinance enforcers as stated in Article III of Ordinance No. 17-097, shall observe the prescribed provision under **Section 21** of **Republic Act No. 9344** in dealing with the minor believed to be in violation of the Citywide Curfew Ordinance as follows:

**“R.A. 9344, Section 21 – Procedure for taking child into Custody.**

From the moment a child is taken into custody, the law enforcement officer shall:

- a. *Explain to the child in simple language and in a dialect that he/she can understand why he/she is being placed under custody and the offence that he or she allegedly committed;*
- b. *Inform the child of the reason for such custody and advise the child of his/her constitutional rights in a language or dialect understood by him/her;*
- c. *Properly identify himself/herself and present proper identification to the child;*
- d. *Refrain from using vulgar or profane words and from sexually harassing or abusing, or making sexual advances on the child in conflict with the law;*
- e. *Avoid displaying or using any firearms, weapon, handcuffs or other instruments of force or restraint, unless absolutely necessary and only after all other methods of control have been exhausted and have failed;*
- f. *Refrain from subjecting the child in conflict with law to greater restraint than is necessary for his/her apprehension;*
- g. *Avoid violence or unnecessary force;*
- h. *Determine the age of the child pursuant to Section 7 of this Act;*



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/ Fax: 862-6473  
Email address: sangguniangpanlungsod2k16@gmail.com



Page 3  
Ordinance No. 18-149

- i. Immediately but not later than eight (8) hours after apprehension, turn over custody of the child to the Social Welfare and Development Office or other accredited NGOs, and notify the child's apprehension to their parents/guardians. The social welfare and development officer shall explain to the child and the child's parent or guardian the consequences of the child's act with a view towards counseling and rehabilitation, diversion from the criminal justice system, and reparation, if appropriate;
- j. Take the child immediately to the proper medical and health officer for a thorough physical and mental examination. The examination results shall be kept confidential unless otherwise ordered by the family court. Whenever the medical treatment is required, steps shall be immediately undertaken to provide the same;
- k. Ensure that should detention of the child in conflict with the law be necessary, the child shall be secured in quarters separate from that of the opposite sex and adult offenders;
- l. Record the following in the initial investigation:
  - a. Whether handcuffs or other instruments of restraint were used, and if so, the reason for such;
  - b. That the parent or guardian of the child, the DSWD, and the PAO have been informed of the apprehension and details thereof; and
  - c. The exhaustion of measures to determine the age of a child and the precise details of the physical and mental examination or the failure to submit a child to such examination; and
  - d. Ensure that all statements signed by the child during investigation shall be witnessed by the child's parent or guardian, social worker, or legal counsel in attendance who shall affix his/her signature to the said statement.

**A child in conflict with the law shall be only be searched by a law enforcement officer of the same gender and shall not be locked up in a detention cell.**

**SECTION 2. Obligation and Liability of Parent/s or Guardian/s** – the parent/s or guardian/s who are in actual custody or living together with the minor child are hereby mandated to supervise the conduct and activities of their minor children and see to it that the latter are already in their home prior to and until after the occurrence of the disciplinary hours.

*[Handwritten signatures and initials on the left margin]*

*[Handwritten signatures and initials on the right margin]*





REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/ Fax: 862-6473  
Email address: sangguniangpanlungsod2k16@gmail.com



Page 4  
Ordinance No. 18-149

**SECTION 3. Community Involvement/Participation** – Any person who has personal knowledge of the existence of any minor during the wee hours as provided under Article II(a) of Ordinance No. 17-097, must immediately call the attention of the barangay.

**SECTION 4. Penalties and Manner of dealing with the violation.**

A. **1<sup>st</sup> Offense** – a minor found violating this ordinance for the first time will be referred to the nearest barangay hall or police station. The Barangay ordinance enforcers/council for the protection of children shall conduct the counseling before the minor will be properly turned over to his/her parent/guardian; the parent/s the minor violation of this ordinance shall be summoned to fetch the minor from the barangay hall and will be informed of the consequences they will be dealing with in case of subsequent violation of the minor.

A penalty of community service of twenty four (24) hours or a fine of Two Thousand Pesos (Php2,000.00) shall be imposed to the parent/guardian of the minor.

B. **2<sup>nd</sup> Offense** – a minor found violating this ordinance for the second time will be required to attend, together with his/her parent or guardian barangay counseling. The parent/guardian of the minor who violated this ordinance for the second time shall be required to render Forty Eight hours (48) of community service or a fine of three thousand Pesos (Php3,00.00);

C. **3<sup>rd</sup> offense and every subsequent offense** – a minor found violating this ordinance for the 3<sup>rd</sup> time and every time thereafter, given the intervention prescribed in the preceding paragraphs, shall be turned over to the DWSD/SSD for appropriate counseling and proper disposition on the matter. The parent or guardian of the minor violator shall be penalized with a Fine of Five Thousand Peso (Php5,000.00)

**SECTION 5. Separability Clause** – If, for any reason or reasons, any part or provisions of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 6. Repealing Clause.** All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

**SECTION 7. Effectivity Clause** – This ordinance shall take effect fifteen (15) days after its posting on conspicuous places within Muntinlupa City and completion of its publication in a newspaper of general circulation.



**YANANG TAMA  
YANANG MUNTINLUPA!**





REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/ Fax: 862-6473  
Email address: sangguniangpanlungsod2k16@gmail.com



Page 5  
Ordinance No. 18-149

ENACTED, by 8<sup>th</sup> Sangguniang Panlungsod of Muntinlupa this 19<sup>th</sup> day of February 2018, on its 65<sup>th</sup> Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. PATRICIO L. BONCAYAO, JR.  
Member

COUN. BAL NIEFES  
Member

COUN. STEPHANIE G. TEVES  
Member

COUN. ALLAN REY A. CAMILON  
Member

COUN. RINGO A. TEVES  
Member

COUN. LOUISITO A. ARCIAGA  
Member

COUN. ALEXANDER B. DIAZ  
Member

COUN. IVEE RHIA A. TADEFA  
Member

DISTRICT II:

COUN. MA. DHEESIREE G. AREVALO  
Member

COUN. CHRISTINE MAY A. ABAS  
Member

COUN. MARISSA C. RONGAVILLA  
Member

COUN. MARK LESTER M. BAES  
Member

COUN. LUCIO B. CONSTANTINO  
Member

COUN. RAFAEL T. SEVILLA  
Member

COUN. VICTOR L. ULANDAY  
Member

COUN. GRACE B. GONZAGA  
Member



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/ Fax: 862-6473  
Email address: sangguniangpanlungsod2k16@gmail.com



Page 6  
Ordinance No. 18-149

*[Signature]*  
COUN. WALTER A. ARCILLA  
Sectoral Representative  
President  
League of Barangay Captains

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

*[Signature]*  
CECILIA C. LAZARTE  
Secretary to the Sanggunian

ATTESTED:

*[Signature]*  
CELSO C. DIOKO  
City Vice-Mayor/Presiding Officer

APPROVED:

*[Signature]*  
ATTY. JAIME R. FRESNEDI  
City Mayor

Date: 08 MAR 2018

*[Signature]*

*[Signature]*

Norie/8<sup>th</sup> SP

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*



AN ANG TAMA  
AN ANG MUNTINLUPA!

