

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





#### **ORDINANCE NO. 19-237**

AN ORDINANCE PROHIBITING THE CARRYING AND USE OF CELLULAR PHONES AND OTHER FORMS OF ELECTRONIC COMMUNICATION DEVICES INSIDE THE MUNTINLUPA CITY JAIL AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*



Sponsored by:

Hon. Coun. Lucio B. Constantino

Hon. Coun. Louisito A. Arciaga

Hon. Coun. Atty. Patricio L. Boncayao, Jr.

Hon. Coun. Bal Niefes

Hon. Coun. Stephanie G. Teves

Hon. Coun. Ringo A. Teves

Hon. Coun. Louisito A. Arciaga

Hon. Coun. Alexander Diaz

Hon. Coun. Ivee Rhia Arciaga-Tadefa

Hon. Coun. Marissa Cole-Rongavilla

Hon. Coun. Mark Lester M. Baes

Hon. Coun. Victor L. Ulanday

Hon. Coun. Grace B. Gonzaga

Hon. Coun. Walter A. Arcilla - ABC

Hon. Coun. Kenichi D.A. Takagi, Jr. - SK



WHEREAS, Section 16 of the Local Government Code expressly provides that, Section 16. General Welfare. Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as power necessary, appropriate, or incidental for its efficient governance, and those which are essential to the promotion of the general welfare";

WHEREAS, the City Government of Muntinlupa deems it imperative to install necessary measures and work hand in hand with the national government offices, such as the Philippine Nation Police (PNP), the Bureau of Jail Management and Penology (BJMP) and other non-government agencies/organizations in its desire to protect its constituents:

WHEREAS, it is the policy of the state to maintain peace and order and the occurrence of any violence or any attempt there to in each locality. Consistent with this policy, it shall be the top priority of this city to provide safety measures among its constituents with the end in view of promoting public welfare, safety and public morals.

WHEREAS, it has been noted that the carrying and use of cellular phones and other forms of electronic communication devices during jail visitations have been practiced despite the issuance of a directive from the BJMP National Office, thus jeopardizing security in jail operations.

NOW THEREFORE, BE IT ORDAINED AS IT HEREBY ORDAINED, by the 8th Sangguniang Panlungsod of Muntinlupa, in session duly assembled, that:



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SECTION 1. Title – This ordinance shall be known as "an ordinance prohibiting the carrying and use of cellular phones and other forms of electronic communication devices inside the Muntinlupa City Jail and providing penalties for violations thereof".

**SECTION 2**. *Definition Of Terms* – For the purpose of this ordinance, the following terms is defined:

- Cellphone also known as cellular or mobile phone. A small wireless device that has the same functions of a standard wired telephone but is smaller and mobile which is also capable of taking photographs, recording videos, sending and receiving short message system (SMS) or text messages and accessing the worldwide web.
- 2. Censorship refers to the reading of mail intended for or coming from a PDL except those seen during inspection, deleting portions thereof returning or giving the same either its entirely or in part to the sender or addresses; and removing printing of images or rendering any portion of the constituents unintelligible. In its essence, censorship interferes with intended communication.
- Contraband any item or article inside the Jail facility which is not issued to PDL by the BJMP; those are prohibited by law which is included by not limited to dangerous drugs, firearms and ammunitions; and those that are considered unauthorized and/or excessive based on the existing policies whether or not pose risk.
- 4. Electronic Communication Devices any electronic device including tablets, ipad, and cellphones capable of receiving and sending messages.

**SECTION 3.** *Penalty Cause* – Any individual who violates this ordinance shall be penalized: **Php 3,000.00** and confiscation of the cellphone (s) and other communication device (s).

SECTION 4. *Implementing Authorities* – The Muntinlupa City – *Philippine National Police* and the *Muntinlupa City Bureau of Jail Management and Penology*, shall implement the provisions of this ordinance.

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

SECTION 6. Effectivity Clause – This ordinance shall take effect fifteen (15) days after its completion of its publication in a newspaper of general circulation.

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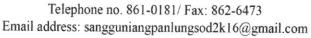


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ENACTED, by the 8th Sangguniang Panlungsod of Muntinlupa this 21ST day of January, 2019, on its 101 Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. PATRICIO L. BONCAYAO, JR

Member

COUN. BA

Member

COUN. RINGO A.

Member

COUN. STEPHANIE G. TEVES

Member

COUN. LOUIS

Member

COUN. ALEXANDER B. DIAZ

Member

COUN. IVEE RHIA A. TADEFA

Member

DISTRICT I

COUN. MA. PHESIREE G. AREVALO

Member

COUN. MARISSA C. RONGAVILLA

Member

COUN. MARK LESTER

Member

COUN. LUCIO B. CONSTANTINO

Member

COUN. VICTOR L.

Member

COUN. GRACE B. GONZAGA

Member

COUN. WALTER A. ARCILLA

Sectoral Representative

President

League of Barangay Captains

COUN KENICHI D.A. TAKAGI, JR.

Sectoral Representative

President

Federation of Sangguniang Kabataan









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#### ABSENT:

# COUN. ALLAN REY A. CAMILON

Member

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

CECILIA C. LAZARTE Secretary to the Sanggunian

ATTESTED

CELSO C. DIOKO

City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI City Mayor

Date: 2 9 JAN 2019

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