



Republic of the Philippines
PROVINCE OF NEGROS ORIENTAL
City of Bayawan
Office of the Sangguniang Panlungsod

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE CITY COUNCIL OF BAYAWAN, NEGROS ORIENTAL ON JANUARY 9, 2023 AT 10:00 AM AT THE LEGISLATIVE BUILDING GOVERNMENT CENTER.

RECORD OF ATTENDANCE

| | | |
|-----------------------------------|--------------------------------|----------|
| HON. HENRY E. CARREON, JR. | Vice Mayor & Presiding Officer | Present |
| HON. MARK FIDENCIO L. AURELIA | | On Leave |
| HON. NARCISO N. CASIPONG | | Present |
| HON. RUSMAR IAN D. TIJING | | Present |
| HON. MERLITA R. GAUDIEL | | Present |
| HON. NICO ANGELO L. LIM | | Present |
| HON. ROLANDO B. ABRASALDO | | Present |
| HON. KARL T. SARAÑA | | Present |
| HON. LUIS J. SUMALPONG | | Present |
| HON. FELIPE O. SANTIAGO, JR. | | Present |
| HON. MA. LUCIANA T. TIZON | | Present |
| HON. SEVERINO SALVADOR M. CAPULSO | (LNMB President) | Present |
| HON. TRISTAN GOLD T. TORRILLO | (SK Federated President) | Present |

RESOLUTION NO. 3

“WHEREAS, one of the alarming issues affecting our City very recently are the incidents involving unknown assailants or motorcycle driving assailants, wherein the perpetrators wore and used bonnets and masks to cover their identities in order to escape arrest from Police Authorities and authorized law enforcers and evade prosecution;

“WHEREAS, the residents of the entire City of Bayawan now greatly feared for their safety and security due to the continuous and uncontrolled assaults, threats and shooting incidents perpetuated by mask/bonnet-wearing assailants, motorcycle drivers, passengers and all others, thereby significantly affecting the peace and order situation of this City;

“WHEREAS, there were some cases related to physical assault by mask/bonnet-wearing assailants and drive-by shooting incidents which have remained unsolved due to lack of witnesses to identify the perpetrators and most likely, due to the bonnets and masks worn by these criminals during the incident;

“WHEREAS, the Local Government Code empowers the Local Government Unit to draft and formulate measures, ways and means to ensure the well-being of the community, thus, the common interest shall be primordially attended;

“WHEREFORE, on motion of Honorable Councilor Felipe O. Santiago, Jr., and duly seconded by Honorable Councilor Karl T. Saraña, the Council

“RESOLVED, To enact, as it hereby enacts the following ordinance:

ORDINANCE NO. 1

AN ORDINANCE PROHIBITING THE USE AND WEARING OF BONNETS, TUBE MASKS AND BALACLAVA THAT COVER AND HIDE THE FACE AND IDENTITIES OF DRIVERS, PASSENGERS AND OTHER PERSONS, IMPOSING PENALTIES IN VIOLATION THEREOF

Be it ordained that:

Section 1. TITLE. "AN ORDINANCE PROHIBITING THE USE AND WEARING OF BONNETS, TUBE MASKS AND BALACLAVA THAT COVER AND HIDE THE FACE AND IDENTITIES OF DRIVERS, PASSENGERS AND OTHER PERSONS, IMPOSING PENALTIES IN VIOLATION THEREOF."

Section 2. DEFINITION OF TERMS

- 1. **Bonnets-** a headgear usually made of cloth and similar material used to cover a person's head with only the eyes and mouth being exposed.
- 2. **Balaclava** - a close-fitting garment covering the whole head and neck except for parts of the eyes made of cloth.
- 3. **Tube Masks** - a fabric covering in the form of a closed loop worn around the neck that can extend to cover the lower part of the face
- 4. **Driver** - a person who drives a vehicle
- 5. **Passenger** - a person who is riding in a vehicle
- 6. **Other Persons** - refer to bystanders and persons who are in public places
- 7. **Valid Identification** - government issued identification

Section 3. PROHIBITION. All Drivers, Passengers and Other Persons as defined in Section 2(4) (5)(6) are prohibited to wear balaclava, bonnets and tube masks that cover their faces and identities within Bayawan City

Section 4. Fines and Penalties :

- a. **First Offense** : Warning
- b. **Second Offense:** PHP 500.00
- c. **Third Offense:** PHP 1000.00 or an imprisonment of not less than five (5) days at the discretion of the court

Section 5. Authorized traffic enforcers of the city and the members of the Philippine National Police (PNP) shall enforce this Ordinance;

Section 6. SEPARABILITY CLAUSE. If a competent court declares any provision of this Ordinance unconstitutional or illegal, the same shall not affect the validity and effectivity of the other provisions.

Section 7. REPEALING CLAUSE. All ordinances, orders, issuances, rules and regulations, contrary to or inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

Section 8. EFFECTIVITY. This Ordinance shall take effect after compliance with the provisions of RA 7160, the Local Government Code of 1991.

"Enacted."


* * *
* * *


I hereby certify to the correctness of the foregoing resolution.


JULIUS T. ESPARTERO
Secretary to the Sangguniang Panlungsod

ATTESTED:

APPROVED:


HENRY E. CARREON, JR.
Vice Mayor
Presiding Officer


JOHN T. RAYMOND, JR.
Mayor
Date: 17 JAN 2023

Copy for:
- The Honorable Provincial Board, Dumaguete City