



Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
City Government of Pasig

Ordinance No. 17  
Series of 2016

**AN ORDINANCE STRENGTHENING AND RENAMING THE PASIG DANGEROUS DRUGS ADMINISTRATIVE BOARD TO PASIG ADMINISTRATIVE BOARD FOR NUISANCE TO CONDUCT HEARINGS, DECLARE AND ABATE NUISANCE AND FOR OTHER PURPOSES.**

Authored By: Councilor Corazon M. Raymundo  
Co-Authored By: Councilors Rodrigo B. Asilo, Ferdinand Avis, Regino S. Balderrama, Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Alejandro E. Santiago, Rosalio D. Martires, Gregorio P. Rupisan, Jr., Wilfredo F. Sityar, Victor Ma. Regis N. Sotto, and Liga President Celestino U. Chua

**WHEREAS**, Article 2 Section 4 of the 1987 Constitution states that the prime duty of the Government is to serve and protect the people;

**WHEREAS**, Section 52 of Republic Act 9165, otherwise known as the Comprehensive Dangerous Drug Act 2002, state that any city or municipality may, by ordinance, create an administrative board to hear complaints regarding drug-related and other nuisances in relation to the provisions of the New Civil Code of the Philippines;

**WHEREAS**, DILG Memorandum Circular No. 98-227 dated December 2, 1998 mandates the creation of provincial, city, municipal and barangay anti-drugs abuse councils which will serve as a focal point through which various organizations and individuals shall work together cooperatively in the planning, implementation and evaluation of programs on drug abuse prevention.

**WHEREAS**, pursuant to the above mandates, Pasig City Ordinance No. 32 series of 2009 was duly enacted;

**WHEREAS**, nuisances are also to be abated in accordance with the provisions of the Civil Code of the Philippines (RA No. 386);

**WHEREAS**, there is a need to strengthen the Pasig Dangerous Drugs Administrative Board and to include the power to deal with public nuisances: drug or criminality-related;

**NOW, THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD**, in session duly assembled that:

**SECTION 1.** Section 1 of Pasig City Ordinance No. 32, series of 2009 is hereby amended to read as follows:

Section 1. The administrative board shall be known as the "PASIG ADMINISTRATIVE BOARD FOR NUISANCE."

**SECTION 2.** Section 2 of Pasig City Ordinance No. 32, series of 2009 is hereby amended to read as follows:

Section 2. **SCOPE AND APPLICATION.** – This Ordinance shall apply to public nuisances, including drug-and criminality-related nuisances as well as structural obstructions that may exist within the territorial jurisdiction of Pasig City.

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**SECTION 3.** Paragraphs (a) (i) of Section 5, on Definition of Terms, of the same Pasig City Ordinance No. 32, series of 2009 are hereby amended to read as follows:

- a) Complaint – a written statement, report, anonymous or signed by the Complainant, including text messages and electronic mails (emails), regarding a public nuisance as defined in j);
- j) Public Nuisance – any drug- or criminality-related act or obstructions that are the subject of complaint that affects the community or neighborhood or any considerable number of persons, although the extent of the annoyance, danger or damage upon individuals may be unequal.

**SECTION 4.** Composition. The Board shall be composed of the following:

- a) The City Health Officer as Chairperson;
- b) The City Legal Officer as any person acting on his/her behalf as Vice Chairperson;
- c) The Chief of Police or any person acting on his/her behalf as Member;
- d) The City Engineer or any person acting on his/her behalf as Member;
- e) The City Building Official or person acting on his/her behalf as member;
- f) The Local Chief of the Bureau of Fire and Protection who is currently assigned in the Pasig City, or any person acting on his/her behalf as member; and
- g) One (1) representative of a Non-Government Organization (NGO) which is a member of the Peace and Order Council, and who shall sit as Member of the Board for the one (1) year from his/her appointment; and
- h) One (1) representative of a Non-Government Organization (NGO) which is a member of the City Anti-Drug Abuse Council (ADCOP) of Pasig City, and who shall sit as a Member of the Board for one (1) year from his/her appointment.

**SECTION 5.** Section 7 of Pasig City Ordinance No. 32, series of 2009 is hereby amended to read as follows:

**Section 7. POWERS AND FUNCTIONS.** – The Board shall have the following powers and functions:

- a) Receive complaints for the purpose of declaring a place or premise a public nuisance which may be filed by any employee, officer, or resident of the City of Pasig;
- b) Invite or summon any person to appear and testify before the Board;

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- c) After due notice and hearing, declare a place or premises or any act or activity a public nuisance.

After hearing any complaint, the Board, by a vote of majority of all its members, may declare any place as a public nuisance, and:

1. Issue an order immediately prohibiting the conduct, operation or maintenance of any business or activity on the premises which is conducive to such nuisances including removal/clearing of any obstruction/structure constituting any such nuisance through the Office of the City Action Line and/or appropriate Office;
2. Declare houses or any structure constructed without governmental authority, on public streets and waterways, which obstruct at all times the free use by the public of said street and waterways as accordingly constituting nuisance per se.
3. Perform such other duties as may be required under RA 9165.

**SECTION 6.** Section 8 of Pasig City Ordinance No. 32, series of 2009 is hereby amended to read as follows:

**Section 8. FILING OF COMPLAINT.** – Any employee, officer, or resident of Pasig City may file a written complaint before the Administrative Board. The Complaint may be submitted in any form, verified or not, or in the form of a text message or an electronic mail.

**SECTION 7.** Section 9 of Pasig City Ordinance No. 32, series of 2009 is hereby amended to read as follows:

**SECTION 9. NOTICE AND HEARING** – in the conduct of the hearing of a complaint to declare a place or premises to be a drug - or criminality - related nuisance, the Board shall:

- a) Within twenty-four (24) hours after the administrative complaint is filed, Office of the Chairman of the Board shall notify the owner/s or the occupant/s of the place or premises sought to be declared a drug- or criminality-related public nuisance and for the latter to file an answer to the complaint within three (3) days from receipt thereof.
- b) Hear the complaint during which the Board may consider any evidence, including the evidence of the general reputation of the place or premises, and at which the owner of the premises shall have the opportunity to present evidence in his/her defense.
- c) After hearing, the Administrative Board may declare the place or premise to be a public nuisance; and

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d) The hearing shall be terminated within ten (10) days from commencement.

**SECTION 8.** Section 10 of Pasig City Ordinance No. 32, series of 2009 is hereby amended to read as follows:

**SECTION 10. QUORUM** – A majority of the members of the Board shall constitute a quorum, but the Chairman or the Vice Chairman must be present during the hearings.

**SECTION 9.** Section 11 of the same Ordinance is hereby amended to read as follows:

**SECTION 11. SECRETARIAT** – There is hereby constituted a Secretariat composed of four (4) members, which shall be responsible for providing administrative, clerical and logistical support to the Board. The Head of the Secretariat shall be appointed by the Chairman of the Board with the concurrence of the majority of the Members, and the other members should come from the Anti-Drug Abuse Council (ADCOP) of Pasig City, and from the Office of the City Administrator.

**SECTION 10.** Section 12 of the same Ordinance is hereby amended to read as follows:

**SECTION 11. HONORARIA FOR MEMBERS OF THE ADMINISTRATIVE BOARD** – the members of the Administrative Board shall be entitled to receive honoraria in the following manner:

- a) Three Thousand Pesos (P3,000.00) per month for the Chairperson;
- b) Two Thousand Five Hundred Pesos (P2,500.00) per month for the Vice-Chairperson;
- c) Two Thousand Pesos (P2,000.00) per month for every Member; and
- d) One Thousand Pesos (P1,000.00) per month for each member of the Secretariat.

**SECTION 11.** Section 15 of the same Ordinance is hereby amended to read as follows:

**SECTION 14. APPROPRIATION** – The amount of at least One Million Pesos (P1,000,000.00) shall be appropriated annually for the effective implementation of this Ordinance.



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**SECTION 12. SEPARABILITY CLAUSE** – If any provision or part of this Ordinance is declared invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

**SECTION 13. REPEALING CLAUSE** – All Ordinances, rules and regulations which are inconsistent with or contrary to the provisions of this Ordinance are hereby amended or repealed accordingly.


**SECTION 14. EFECTIVITY.** This ordinance shall take effect upon its approval.

APPROVED, this 22nd day of **September 2016** at Pasig City.

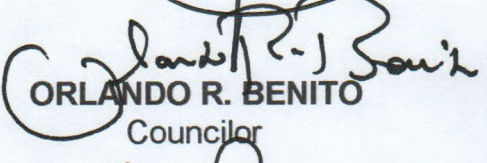
  
**VICTOR MA. REGIS N. SOTTO**  
Councilor

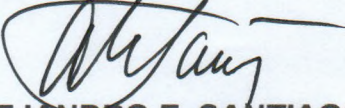
  
**RODRIGO B. ASILO**  
Councilor

  
**GREGORIO P. RUPISAN JR.**  
Councilor

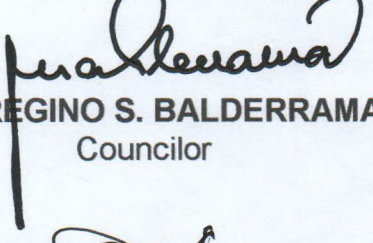
  
**MARIO C. CONCEPCION, JR.**  
Councilor

  
**RHICHIE GERARD T. BROWN**  
Councilor

  
**ORLANDO R. BENITO**  
Councilor

  
**ALEJANDRO E. SANTIAGO**  
Councilor

  
**CORAZON M. RAYMUNDO**  
Councilor

  
**REGINO S. BALDERRAMA**  
Councilor

  
**ROSALIO D. MARTIRES**  
Councilor

  
**CELESTINO U. CHUA**  
LIGA President



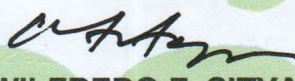
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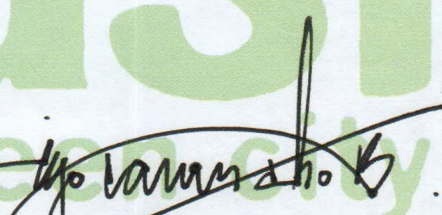
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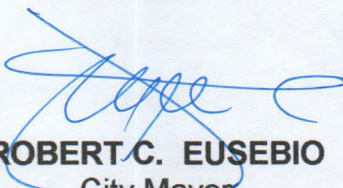
  
**FERDINAND A. AVIS**  
Councilor  
Minority Floor Leader

  
**WILFREDO F. SITYAR**  
Councilor  
Majority Floor Leader

Attested by:

  
**IYO CHRISTIAN C. BERNARDO**  
City Vice-Mayor  
Presiding Officer

APPROVED:

  
**ROBERT C. EUSEBIO**  
City Mayor

Attested by:

  
**REYNALDO R. SAN BUENAVENTURA III**  
Acting City Council Secretary

