



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

Ordinance No. 02  
Series of 2021

**AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.**

Authored By: Councilor Rodrigo B. Asilo  
Co-Authored By: Councilors Ferdinand A. Avis, Regino S. Balderrama, Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Rosalio D. Martires, Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Reynaldo R. San Buenaventura III, Editha C. Santiago, Wilfredo F. Sityar, LIGA Pres. Rigor J. Enriquez and SK Fed. President Georgia Lynne P. Clemente

**WHEREAS**, the 1987 Philippine Constitutional provides that the maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people the blessings of democracy;

**WHEREAS**, the City Council has enacted various ordinances such as Prohibiting the Drinking of Liquor in Public Places, Half Naked in the Public Places, Minor Violation Curfew Hours and Smoking Ban, among others, which provide fines and penalties in violation thereof;

**WHEREAS**, our enforcement units such as the Bantay Pasig Division, Public Safety Division, City Environment and Natural Enforcement Office (CENRO), Traffic and Parking Management Office (TPMO), Tricycle Operators Regulatory Office (TORO), Pasig City Anti-Smoke Belching Unit (ASBU), and the uniformed personnel of Pasig City Police Station are strongly enforcing the aforesaid ordinances by issuing Ordinance Violation Receipt (OVR) to the violators;

**WHEREAS**, on June 13, 2018, RODRIGO ROA DUTERTE, President of the Republic of the Philippines has directed all enforcement agencies to strictly implement all existing local ordinances;

**WHEREAS**, based on records of the Pasig City Police Station, from 4:00 AM of June 13, 2018 up to 4:00 AM of November 19, 2018, the said Station has accosted 43,323 violators of various City Ordinances wherein 28,106 were fined and 18 were charged in the Pasig City Prosecutors Office;

**WHEREAS**, out of the 28,106 violators who were fined, 27,417 violated the smoking ban, 2,769 were caught half-naked, 524 for violation of drinking in public place/street, and 11,866 others composed of 9,670 for traffic and parking ordinances, 1,642 for spitting, littering, and urinating, 507 for illegal vending, and 36 for non-wearing of crash helmets;



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

Ordinance No. 02  
Series of 2021

-page 2-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

**WHEREAS**, the Pasig City Police Station Advisory Council chaired by Honorable Executive Judge Danilo S. Cruz, found out during their meetings that there is no ready available data on how to trace if all the violators, who were issued Ordinance Violation receipt (OVR), have paid the corresponding penalties to be settled within the specified grace period;

**WHEREAS**, the Pasig City Police Station Advisory Council further found out that no case has been filed against those who failed to pay or settle the penalties by the concerned enforcement units to the Pasig City Prosecutor's Office within the prescription period;

**WHEREAS**, the Pasig City Police Station exhausted efforts to determine the number of OVR issued by the General Services Office of the Pasig City Government to be compared to the number of violators who settled their violations in the City Treasury Office of Pasig City, but to no avail;

**WHEREAS**, due to the lack of clear guidelines in the payment of fines and the subsequent filing of charges for the non-payment, the Pasig City Government stands the risk of losing huge amount of supposed revenues;

**WHEREAS**, the purpose for the creation of City Ordinances in order to discipline the Pasig City residents, is defeated for the lack of clear guidelines in the implementation of City Ordinances particularly on the payment of fines and the filing of charges to those who failed to settle the fine;

**WHEREAS**, an immediate solution is necessary in order to systematize the procedures in the implementation of existing City Ordinances of Pasig City;

**WHEREAS**, Section 16 of Republic Act No. 7160, otherwise known as the local Government Code of 1991, explicitly provides that, " Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary , appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. x-x-x"

**NOW, THEREFORE**, be it ordained that:

**SECTION 1. TITLE** – This Ordinance shall be known and referred to as the "PASIG CITY PROCEDURE FOR ORDINANCE IMPLEMENTATION ORDINANCE."



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

Ordinance No. 02  
Series of 2021

-page 3-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

**SECTION 2. ISSUANCE OF ORDINANCE VIOLATION RECEIPT (OVR)-**

Any person who is cited for the violation of any provision in an Ordinance promulgated by the City Government of Pasig, imposing fine and penalties, shall be issued an Ordinance Violation Receipt (OVR).

**SECTION 3. PROCEDURES IN THE ISSUANCE OF A ORDINANCE VIOLATION RECEIPT (OVR)**

The following procedures shall be observed by any law enforcer in the apprehension of any person who violates any provision of a City Ordinance:

- a. The apprehending Officer must introduce himself or herself;
- b. The apprehending Officer must inform the violator of his/her violation/s with adherence to all rights accorded to the violator including the Miranda Rights and the Anti-Torture warning;
- c. The apprehending Officer must issue the OVR, including therein the name, address, (should be verified) and other pertinent data of the person apprehended, as may be required in the OVR, including the violation;
- d. Information the violator of his/her right to avail of the No Contest Provision, as provided in Section 4, hereof.

**SECTION 4. NO CONTEST PROVISION-**

Any person apprehended for violation of a City Ordinance, who wishes not to contest the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of formal complaint with the office of the City Prosecutor, shall be allowed to pay said fine with the City Treasurer and in the Barangay where he/she was apprehended, to avoid being criminally prosecuted.



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

Ordinance No. 02  
Series of 2021

-page 4-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

**SECTION 5. PROCEDURE IN THE AVAILMENT OF THE NO CONTEST PROVISION**

- a. The violator shall be given five (5) working days from issuance of the Ordinance Violation Receipt (OVR) within which to pay the fine.
  - a. The fine shall be the minimum imposable by the Ordinance violated;
  - b. Where there are fines imposed in the second and third offenses, the minimum fine in the second and third offenses shall be charged.
  - c. If the violator had already availed of the No Contest provision three (3) times, he/she can no longer avail of the same and the corresponding complaint for the violation of the Ordinance, with the maximum penalty imposed, should be filed against the violator.
- b. The violator who avails of the No Contest Provision before making the payment to the City Treasurer, shall secure an order of the payment from the Bantay Pasig Division.
- c. After payment of the fine, the violator shall present the Official Receipt to the office of the Batas Ciudad Enforcement Office, which shall attach a Certified True Copy of the receipt to the record of the documents of the case. Thereafter, the case shall be considered closed.
- d. If after the lapse of five (5) days, the violator has failed to present the Official Receipt of the fine, the Batas Ciudad Enforcement Office shall have the case filed with the City Prosecutor's Office, attaching an Affidavit or certification from the office of the Batas Ciudad Enforcement Division that the violator failed or did not avail of the No Contest Provision.



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

Ordinance No. 02  
Series of 2021

-page 5-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

**SECTION 6. COMMUNITY SERVICE**

- a. In case of inability to pay the fine, the violator may opt to render community service as provided in the ordinance violated;
- b. Community Service shall be imposed as follows:

1.	For the penalty of P1,000.00 and below	Eight (8) hours
2.	For the penalty of more than P1,000.00 but not more than 3,000.00	Sixteen (16) hours
3.	For a penalty of more than P3,000.00 but not more than P5,000.00	Twenty (20) hours

- c. The violator who alleged inability to pay must secure a Certification to that effect from the City Welfare and Development Department which shall administer the same;
- d. The Punong Barangay shall determine the kind of community service that will be required of the violator and shall administer the same;
- e. After the completion of the community service, the Punong Barangay shall render a report to the office of the Batas Ciudad Enforcement Division, which shall consider the case closed;

None-completion of the community service as certified by the Punong Barangay shall be deemed as a waiver on the part of the violator to still avail of the same and case shall proceed accordingly.

- f. The provision on the community service can be availed of only for three (3) times by any violator.

**SECTION 7. JURIDICAL PERSON-** when the offender is a corporation, partnership, organization or any similar entity, the OVR shall be issued to its President and/ or General Manager or Managing Partner and/or General Manager, or such other Officer-in-Charge with the duty involving the management of the business.



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

Ordinance No. 02  
Series of 2021

-page 6-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

**SECTION 8. EXEMPTION-** minors (below 18 years of ages) are exempted from issuance of Ordinance Violation Receipt (OVR).

**SECTION 9. PROCEDURE IN THE HANDLING OF A CHILD OFFENDER.**

- a. A child who is cited for violation of a City Ordinance shall be recorded as a "child at risk" and not as a "child in conflict with the law". He/she shall be brought to any Barangay Official at the Barangay Hall to be referred to the City Social Welfare Development Department, which shall, with the assistance of the Barangay Officials, release the custody of the child to his/her parents or guardian, or in the absence thereof, the child's nearest relative.

If the parents, guardians or nearest relatives cannot be located, or if they refuse to take custody, the child may be released to any of the following:

1. A duly registered non-government or religious organization.
2. A Barangay Official or member of the Barangay Council for the Protection of Children (BCPC).
3. A City Social Welfare and Development Officer, when or where appropriate, the DSWD.

- b. The Pasig City Social Welfare and Development Department Head shall determine and design the intervention program for the child.

The intervention program shall consist of counseling, attendance in group activities for children, etc. and for the parents, attendance in parenting education seminar (Republic Act. 10630).

- c. If the child has been found by the PSWD to be dependent, abandoned, neglected or abuse by his/her parent and the best interest of the requires that he/she be pleased in the Youth Care Facility, the child's parents or guardians shall execute a written authorization for the voluntary commitment of the child. Provided, that if the child has no parents or guardians or if they refuse or fail to execute the written authorization for voluntary



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

Ordinance No. 02  
Series of 2021

-page 7-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

commitment shall be immediately filed by the PSWD. (Section 6 Republic Act No. 13630, amending section 20, Republic Act No.9344).

- d. Section 21, Republic Act No 9344, pertaining to the "Procedure for Taking the child into custody shall at all times be observed by any law enforcer who takes a child into custody."

**SECTION 10. BANTAY PASIG DIVISION**

A. The Bantay Pasig Division, a division under the Peace and Order Department, shall be the primary authority that is tasked to implement and enforce all the City Ordinances and to prosecute the violators thereof in the proper administrative and judicial for a, except those Ordinance, the implementation of which have been specifically assigned to a particular office or law enforcers group by the Ordinance itself, such as but not limited to:

- 1. **BUSINESS PERMIT AND LICENSING OFFICE.**  
Tasked to implement Ordinance No. 51 entitled: An Ordinance Enacting the Revised Pasig Revenue Code Providing Penalties and Violation Thereof;
- 2. **TRAFFIC AND PARKING MANAGEMENT OFFICE.**  
Tasked to implement Ordinance No. 23 Series of 2016 entitled: An Ordinance Approving the Revised Traffic and Parking Management Code, Defining Functions, Prescribing Fees, and for Other Purposes;
- 3. **TRICYCLE OPERATORS REGULATORY OFFICE.**  
Tasked to implement Ordinance No. 40 Series of 2001 entitled: An Ordinance Enacting the Tricycle/Pedicab Code of Pasig City;
- 4. **CITY PLANNING AND DEVELOPMENT OFFICE.**  
Tasked to implement Ordinance No. 14 Series of 2015 entitled: A Zoning Ordinance for the City of Pasig, Providing for the Administration, Enforcement and Amendment thereof and for the Repeal of all Ordinances in conflict therewith;

*Handwritten signatures and notes on the left margin, including a large signature at the top and several smaller ones below.*

*Handwritten signature on the right margin, appearing to be 'John R. ...'.*

*Large handwritten signature at the bottom right of the page.*



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

Ordinance No. 02  
Series of 2021

-page 8-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

5. CITY HEALTH DEPARTMENT.

Tasked to implement Ordinance No. 15 Series of 2008 entitled: An Ordinance Adopting the Sanitation Code of Pasig City, Providing for its Implementation, Rules and Regulations, Penalties for its violations and for other Purposes.

6. ANTI-SMOKE BELCHING UNIT.

Tasked to implement Ordinance No. 17 Series of 2005 entitled: An Ordinance Enacting the Pasig City Vehicle Emission Control Code, and Providing Penalty for Violation Thereof; and

7. CITY ENVIRONMENT AND NATURAL RESOURCES OFFICE.

Tasked to implement Ordinance No. 01 Series of 2018 entitled: An Ordinance Approving the Ecological Solid Waste Management Code of Pasig City.

B. In the exigencies of the service, the City Mayor or his duly authorized representative may call upon the Peace and Order Department to implement or to assist in the implementation of Ordinances the enforcement of which have been assigned to a particular office or law enforcement group as have been mentioned above.

C. In the performance of this mandate, the Batas Ciudad Enforcement Office, shall:

- a. Collaborate with the Sangguniang Panlungsod for the conduct of adequate dissemination campaign to inform all concerned, especially the public of the pertinent provisions of the City Ordinance;
- b. Establish coordination and seek the assistance of local police, barangay officials, barangay tanods, civic groups and others and the public in general on the implementation and compliance of City Ordinance;
- c. Coordinate with other task forces and enforcers group created by the City Government to implement specific Ordinance, such as the Omnibus Traffic Code, Revenue Code, the Building Code, the Anti-Smoking Ordinance and other;





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

Ordinance No. 02  
Series of 2021

-page 9-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

- d. To advise the City Mayor and the Sangguniang Panlungsod on matters relating to ambiguities and others about provisions of the Ordinance and procedure of its implementation;
- e. To recommend amendments/solution/improvements for the betterment of the execution/implementation of an Ordinance;
- f. To submit to the City Mayor, copy furnished the Sangguniang Panglungsod, through its secretariat, a monthly report of the activities of the office, containing all necessary statistics gathered involving apprehensions of all types of violations; and
- g. To perform such other duties and functions as may be necessary for the effective implementation of City Ordinances.

**SECTION 11. DEPUTIZATION OF ENFORCEMENT AGENTS** – Barangay Officials, including Barangay Tanods are hereby deputized as agents in the enforcement of City Ordinances.

To assist the City law enforcers, the City Mayor may deputize member of the Philippine National Police assigned in the area of Pasig City as additional agents in the enforcement of City Ordinances.

**SECTION 12. PRINTING AND CUSTODIAN OF ORDINANCE VIOLATION RECEIPT (OVR).**

A. The City General Service Office is hereby authorized to secure the printing of sufficient copies of the Ordinance

Violation Receipt (OVR), the specification of which shall be prepared by the Batas Ciudad Enforcement Office.

B. The Batas Ciudad Enforcement Office shall take custody of and be accountable for all the OVRs printed for use in the enforcement of City Ordinances.

**SECTION 13. SHARING OF FINES-** Fines paid by violators who availed of the "No Contest Provision" shall be equally shared by the city government and the barangay, which shall cover the meals and others allowances of the Barangay Security Force (BSF) and the deputized agent. The share of the City Government Shall inure to the General Fund, after deduction of the Ten Percent (10%) share of the deputized enforcer who apprehended the perpetrator.



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

Ordinance No. 02  
Series of 2021

-page 10-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.

The City Treasurer is hereby directed to remit to the Barangay Treasurer on or before the 5<sup>th</sup> of every the share of the Barangay and to give to the deputized enforcers their respective share in the fines collected in pursuance of this Ordinance.

**SECTION 14. REPEALING CLAUSE** – All ordinances, resolutions, local executive orders or any administrative issuances found to be inconsistent with any provision or provision of this ordinance are hereby repealed or modified accordingly.

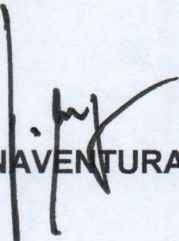
**SECTION 15. SEPARABILITY CLAUSE**- In case any provision of this ordinance is declared unconstitutional or invalid by a competent court, the remaining provisions not affected thereby shall continue in full force and effect.

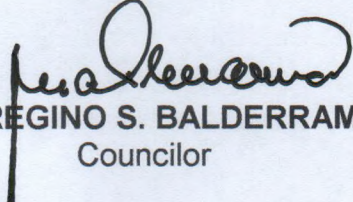
**SECTION 16. EFFECTIVITY CLAUSE** – This ordinance shall take effect fifteen (15) days after its approval and publication in a newspaper of general circulation.

APPROVED, this 28<sup>th</sup> day of **January 2021** at Pasig City.

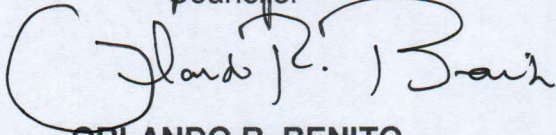
  
FERDINAND A. AVILA  
Councilor

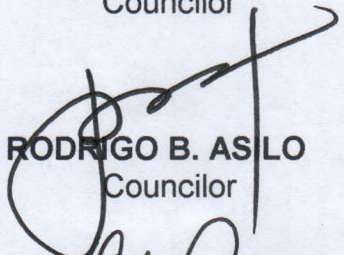
  
GREGORIO P. RUPISAN JR.  
Councilor

  
REYNALDO R. SAN BUENAVENTURA III  
Councilor

  
REGINO S. BALDERRAMA  
Councilor

  
MARIO C. CONCEPCION, JR.  
Councilor

  
ORLANDO R. BENITO  
Councilor

  
RODRIGO B. ASILO  
Councilor

  
CORAZON M. RAYMUNDO  
Councilor

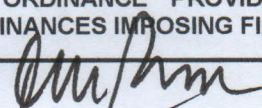


Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
City Government of Pasig

Ordinance No. 02  
Series of 2021

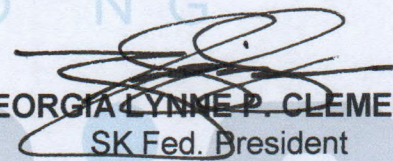
-page 10-

AN ORDINANCE PROVIDING FOR THE PROCEDURE IN THE IMPLEMENTATION OF CITY ORDINANCES IMPOSING FINES, PENALTIES, AND COMMUNITY SERVICES.


  
EDITHA C. SANTIAGO  
Councilor

  
WILFREDO F. SITYAR  
Councilor

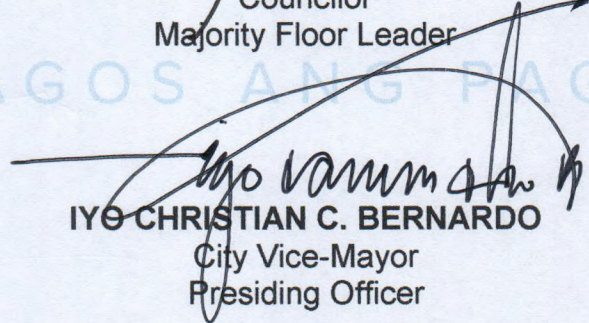
  
RIGOR J. ENRIQUEZ  
LIGA President

  
GEORGIA LYNNE P. CLEMENTE  
SK Fed. President

  
RHICHIE GERARD T. BROWN  
Councilor  
Minority Floor Leader

  
ROSALIO B. MARTIRES  
Councilor  
Majority Floor Leader

Attested by:

  
IYO CHRISTIAN C. BERNARDO  
City Vice-Mayor  
Presiding Officer

APPROVED:

  
VICTOR MA. REGIS N. SOTTO  
City Mayor

Attested by:

  
LOIDA U. VILLANUEVA  
Acting City Council Secretary