



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod ng Mandaluyong

ORDINANCE NO. 319, S-2005

AN ORDINANCE PROHIBITING THE OWNERSHIP, OPERATION OR EMPLOYMENT BY CITY, BARANGAY, POLICE AND FIRE OFFICIALS OR EMPLOYEES OF ANY AMUSEMENT OR ENTERTAINMENT ESTABLISHMENT WITHIN THE CITY OF MANDALUYONG, METRO MANILA, AND FOR OTHER PURPOSES

BE IT ORDAINED by the Sangguniang Panlungsod ng Mandaluyong, Metro Manila in session assembled:

SECTION 1. TITLE - This Ordinance shall be known as the Anti-Conflict of Interest Ordinance.

SECTION 2. DEFINITION OF TERMS. - For purposes of this ordinance, the following shall mean or include:

- a) City and Barangay Officials shall mean or include all officials of the City Government and each and every Barangay of Mandaluyong, Metro Manila whether elected or appointed, including those person or persons holding contractual appointments/designations with the City Government or with any of its agencies and instrumentalities.
- b) City and Barangay employees shall mean or include all employees of the City Government and all Barangays within the City of Mandaluyong, Metro Manila holding a regular, casual or contractual appointments/designations with the City Government or with any of its agencies and instrumentalities.
- c) Officers and Members of the Mandaluyong Police and Fire Stations shall mean or include any and all officers and members presently and actually assigned within the territorial jurisdictions of the City of Mandaluyong including all officers and members whose initial appointments/designations originated from the City of Mandaluyong but assigned or detailed elsewhere.
- d) Amusement or entertainment establishment shall mean or include night clubs, disco pubs, beerhouses, sing-a-longs, and other similar establishments catering to the general public.
- e) Employment with any amusement or entertainment establishment shall mean or include consultancy, retainership, direct or indirect employment in any capacity whatsoever including but not limited to bouncer, security, parking attendant, liaison officer, or similar job or work.

SECTION 3. No City, Barangay, Police or Fire Official or employee including their spouse and relatives within the first degree of consanguinity or affinity shall, directly or indirectly, own, establish or operate any amusement or entertainment establishment within the City of Mandaluyong, Metro Manila.

SECTION 4. No owner of an amusement or entertainment establishment shall hire, engage, employ or otherwise utilize the services, time and effort, with or without a fee, of any City, Barangay and Police and Fire Official or employee of the City of Mandaluyong, Metro Manila.

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SECTION 5. No City, Barangay, and Police and Fire Official or employee shall accept any employment, directly or indirectly, and in any capacity or nature whatsoever, with any amusement or entertainment establishment within the City of Mandaluyong, Metro Manila.

SECTION 6. Any City, Barangay, Police and Fire Official or employee, including their spouse and relatives within the first degree of consanguinity or affinity who, directly or indirectly, owns, establishes or operates any amusement or entertainment establishment within the City of Mandaluyong, Metro Manila shall upon conviction, be punished by a fine of not less than Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P1,000.00) or imprisonment of not less than two (2) months but not more than six (6) months, or both at the discretion of the court.

SECTION 7. Any amusement or entertainment establishment hiring, engaging, employing or otherwise utilizing the services, time and effort, directly or indirectly and in any capacity whatsoever, of any City, Barangay, Police and Fire Officials or employees shall, upon conviction, be punished by a fine of not less than Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P1,000.00) or imprisonment of not less than two (2) months but not more than six (6) months, or both at the discretion of the court.

SECTION 8. If the owner of the amusement or entertainment establishment is a corporation or a partnership, the penalties provided in Section 6 hereof shall be imposed on the President and/or General manager, respectively.

SECTION 9. Any City, Barangay, Police and Fire Official or employee found violating the provisions of this Ordinance shall suffer the penalty of a fine of not less than Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P1000.00) or imprisonment of not less than two (2) months but not more than six (6) months, or both at the discretion of the Court.

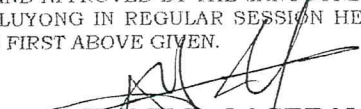
SECTION 10. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours from apprehension otherwise the case shall be prosecuted.

The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six - hour period within which to pay under this Ordinance


SECTION 11. EFFECTIVITY. This Ordinance shall take effect upon approval.

ENACTED on this 5th day of December 2005 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

ATTESTED:


JESUS C. CRUZ
City Vice Mayor &
Presiding Officer

APPROVED:


NEPTALI M. GONZALES II
City Mayor

Date: 2005 DEC 12