



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod ng Mandaluyong

ORDINANCE NO. 337, S-2005

AN ORDINANCE PROHIBITING MINORS FROM CAROLING DURING THE CHRISTMAS SEASON ON ALL THOROUGHFARES WITHIN THE CITY OF MANDALUYONG, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

BE IT ORDAINED by the Sangguniang Panlungsod of Mandaluyong, in session assembled, that:

SECTION 1. This Ordinance shall be called "An Ordinance Prohibiting Minors from Caroling during the Christmas Season on all Thoroughfares within the City of Mandaluyong, Providing Penalties Therefor, and for other Purposes".

SECTION 2. The following terms are hereby defined within the context of this Ordinance.

2.1 CAROLING – means singing with joy, praise, or devotion during the Christmas Season, with intent to solicit money.

2.2 CHRISTMAS SEASON – in the Philippines, it refers liturgically to the nine-day rituals from December 16 to December 25, Christmas Day, but, customarily, festivities start a few days earlier and extend to the advent of the Feast of the Three Kings.

2.3 A MAJOR THOROUGHFARE – shall refer to all roads or streets usually busy most of the day and night with motor vehicles.

2.4 MINORS – are persons below eighteen (18) years old.

SECTION 3. PERSONS WHO ARE PROHIBITED UNDER THIS ORDINANCE. Minors, whether alone or in groups, are prohibited from caroling during the Christmas Season on vehicles and motorists on all thoroughfares within the City of Mandaluyong, as well as on parking areas and gasoline stations along such thoroughfares at any time of the day and night.

SECTION 4. Minors who are apprehended for violation of this Ordinance shall be sanctioned or penalized as follows:

4.1 Those below thirteen (13) years old shall be committed to the care of their parents or legal guardian or guardians-in-fact, for proper advice against repetition of the offense.

4.2 Those above age of thirteen (13) years: First Offenders, shall be confined at the police detention cells exclusively for minors and released with a reprimand the following day. Second Offenders shall be meted with the same penalty, but, with a fine of Five Hundred Pesos (P500.00) prior to release. Third and succeeding Offenders shall be fined an amount not more than One Thousand Five Hundred Pesos (P1, 500.00) or be imprisoned of not more than fifteen (15) days, or both, at the discretion of the court. The parents or guardians of the offenders shall be liable for the fines hereby imposed.

SECTION 5. Persons or groups of persons from age eighteen (18) years and above who do or conduct Christmas caroling prohibited herein shall be treated as mendicants and will be apprehended under City Ordinance No. 334, S-2005 which prohibits and penalizes mendicancy and vagrancy.

SECTION 6. 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.

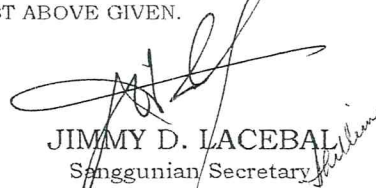
The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six - hour period within which to pay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

SECTION 7. This Ordinance shall take effect upon approval.

SECTION 8. The Barangay Council will be furnished a copy of this Ordinance to assure speedy dissemination thereof to its constituents.

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: DEC 12 2005