



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod ng Mandaluyong

ORDINANCE NO. 351, S-2005

ORDINANCE PROHIBITING VANDALISM IN THE CITY
OF MANDALUYONG, METROPOLITAN MANILA AND
PROVIDING PENALTIES FOR VIOLATION THEREOF

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

- SECTION 1. SHORT TITLE. This Ordinance shall be known as the "ANTI VANDALISM ORDINANCE".
- SECTION 2. SCOPE AND COVERAGE. This Ordinance covers the defacing by posting of bills and advertisements, writing, painting, marking and other forms of vandalism on public and private walls, edifices, statues, buildings, trees, road signs and billboards and other structures within the City of Mandaluyong.
- SECTION 3. DEFINITION. The words "vandalism" and the "acts of vandalism" whenever used in this Ordinance shall mean as follows:
1. Any forms of painting, writing, marking, scribbling, scrawling drawing, smearing, coloring, stamping, or inscribing graffiti with the use of paint, pentel, fountain and ball pens, and inks or any coloring materials of any word, sign or logo on any private or public wall, sidings, partitions, doors or window panes, fences, gates, buildings, edifices, house or structure whether public or private lampposts, streets, railings, sidewalks or other public property or legitimate sign or billboards and public announcements without the knowledge and written consent of the owner.
 2. Any form or writing, painting, spraying or splashing of paints, inks or coloring materials, defacing any wall, trees, road signs, statues, busts, private or public wall, fences, furniture and equipment, gates, building or legitimate sign or billboards and public announcements without the knowledge and written consent of the owner.
 3. Any form of scratching or etching with the use of pointed or sharp object on any private or public wall, fence, gate, glass windows or glass show case, legitimate signs, billboards and public announcements without the knowledge and written consent of the owner;
 4. Or posting of any campaign or advertising materials on any private or public wall, fence, gate, building or legitimate signs, billboards or public announcements or removing or defacing any legitimate signs, billboards or public announcements without the knowledge and written consent of the owner.
- SECTION 4. PROHIBITION. It shall be unlawful for any person to commit any acts of vandalism as defined in Section 3 hereof.

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SECTION 5. ENFORCEMENT/IMPLEMENTATION. All Barangay Chairmen, Kagawads, and their respective Barangay Tanods are likewise mandated to keep a record of all offenders; monitor, investigate and coordinate with the proper authorities for proper implementation of this Ordinance; PROVIDED, that every Barangay Council shall, through a duly approved resolution, submit to the City Council a monthly report of their performance in monitoring the aforestated prohibited acts.

SECTION 6. PENAL PROVISION. The following fines and penalties shall be imposed, without prejudice of implementing the penalties provided for under Article 331 of the Revised Penal Code:

FOR ADULT OFFENDERS:

- a. A fine of Five Thousand Pesos (P5,000.00) or an imprisonment of arresto mayor in its maximum period from four (4) months and one (1) day to six (6) months or both fine and imprisonment at the discretion of the Court, if the value of the damaged property exceeds One Thousand Pesos (P1,000.00);
- b. A fine of Three Thousand Pesos (P3,000.00) or an imprisonment of arresto mayor in its medium period from two (2) months and one (1) day to four (4) months or both fine and imprisonment at the discretion of the Court, if the value of the damaged property exceeds Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P1,000.00).
- c. A fine of One Thousand Pesos (P1,000.00) or an imprisonment of arresto mayor in its medium period from one (1) month to two (2) months or both fine and imprisonment at the discretion of the Court, if the value of the damaged property is below Five Hundred Pesos (P500.00).

FOR YOUTHFUL OFFENDERS (18 years old and below). The following sanction, penalties/fines will be imposed:

FIRST OFFENSE : Offender will be under the custody of the Barangay Officials and shall be subject to community service of one (1) day or eight (8) hours service.

SECOND OFFENSE : Offender will be penalized with a fine of Five Hundred Pesos (P500.00) or one (1) day (eight (8) hours) service.

THIRD AND SUBSEQUENT OFFENSE : Offender will be penalized with a fine of One Thousand Pesos (P1,000.00) and one (1) week imprisonment.

SECTION 8. 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 9. EFFECTIVITY. This Ordinance shall take effect upon approval.

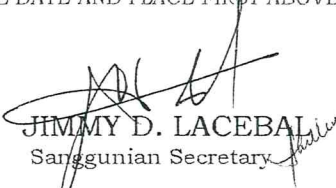
ADOPTED on this 5th day of December, 2005 in the City of Mandaluyong.

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.

ATTESTED:


JESUS C. CRUZ
City Vice Mayor &
Presiding Officer

APPROVED:


JIMMY D. LACEBA
Sanggunian Secretary


NEPTALI M. GONZALES II
City Mayor

Date: DEC 12 2005