



Republic of the Philippines
Province of Ilocos Sur
MUNICIPALITY OF NARVACAN

OFFICE OF THE SANGGUNIANG BAYAN 2016-2019

36th Regular Session
Held at the SB Session Hall
On October 30, 2017

ORDINANCE NO. 09
Series of 2017

AN ORDINANCE CREATING THE MUNICIPAL DANGEROUS DRUGS ADMINISTRATIVE BOARD OF THE MUNICIPALITY OF NARVACAN, ILOCOS SUR

Be it enacted by the Sangguniang Bayan of Narvacan, Ilocos Sur to wit:

SECTION 1. TITLE – This Ordinance shall be known as THE NARVACAN DANGEROUS DRUGS ADMINISTRATIVE BOARD.

SECTION 2. CREATION AND COMPOSITION – The Municipal Dangerous Drugs Administrative Board is hereby created and composed of the following:

- a. The Municipal Health Officer as Chairperson;
- b. The Municipal Social Welfare and Development Officer as Vice Chairperson;
- c. The Chief of Police as member;
- d. One (1) representative of a Non-Government Organization (NGO) which is a member of the Municipal Peace and Order Council (MPOC);
- e. One (1) representative of a Non-Government Organization (NGO) which is a member of the Municipal Anti-Drugs Abuse Council (MADAC).

SECTION 3. POWERS, DUTIES AND RESPONSIBILITIES – The following are the powers and duties of the Board:

- a. Receive complaints for the abatement of drug-related public nuisances;
- b. Conduct hearings in connection with the foregoing sub-section;
- c. Declare the place or premises in question as drug-related public nuisance if the circumstances so warrant; and
- d. Abate drug-related public nuisances

SECTION 4. ABATEMENT OF DRUG-RELATED PUBLIC NUISANCES – Pursuant to Section 52 of Republic Act 9165, otherwise known as The Comprehensive Dangerous Drugs Act of 2002, any place or premises which have been used on two (2) or more occasions as the site of the unlawful sale or delivery of dangerous drugs, or used as drug dens for pot sessions and other similar activities may be declared to be a public nuisance and such nuisance may be abated under the following procedures:

- a. Any employee, officer or resident of the Municipality of Narvacan, Ilocos Sur may bring a complaint before the Municipal Dangerous Drugs Administrative Board after giving not less than (3) days written notice of such complaint to the owner of the place or premises at his/her last known address;
- b. Within three (3) days from receipt of the complaint, a hearing shall then be conducted by the Municipal Dangerous Drugs Administrative Board, with notice to both parties and the administrative board may consider any evidence submitted, including evidence of regular reputation of the place or premises;

- c. The owner/manager of the premises or place shall also be given an opportunity to present any evidence in his/her defense.
- d. After hearing, the Administrative Board may declare the place or premises to be a public nuisance; and
- e. The hearing shall be terminated within ten (10) working days from commencement.

SECTION 5. EFFECT OF THE DECLARATION OF THE ADMINISTRATIVE BOARD – Pursuant to Section 53 of Republic Act 9165 and its Implementing Rules and Regulations, if the Administrative Board declares a place or premises to be a public nuisance, it shall issue an order immediately prohibiting the conduct, operation or maintenance of any business or activity which is conducive to such nuisance. The Municipal Mayor shall implement the order of the administrative board within fifteen (15) days from receipt thereof and shall assume full responsibility in seeing to it that the order is immediately complied with.

The order issued by the Administrative Board shall expire after one (1) year from the date of issuance or at such an earlier time stated in the order. The Administrative Board may bring a complaint seeking a permanent injunction against any nuisance described under RA 9165 and its IRR.

The Administrative Board, upon showing that the place is no longer a public nuisance may conduct hearing with the complainant duly notified, for the possible lifting of the order.

SECTION 6. WITHOUT PREJUDICE TO THE FILING OF A CRIMINAL CASE AND THE DECLARATION AND/OR ABATEMENT OF ANY NUISANCE UNDER THE CIVIL CODE AND THE LOCAL GOVERNMENT CODE OF THE PHILIPPINES – This Ordinance is without prejudice to the filing of a criminal case against the owner of a place or premises declared as drug-related public nuisance pursuant to Section 6 of RA 9165. This does not restrict the right of any person to proceed under the Civil Code on public nuisance. Neither shall this restrict the power of the Sangguniang Bayan to declare and/or abate any nuisance under Section 458 (a) (4) (i) of the Local Government Code.

SECTION 7. FUNDING – Funding for the effective implementation of this Ordinance shall annually appropriated under the Anti-Drug Abuse Program of the Municipality.

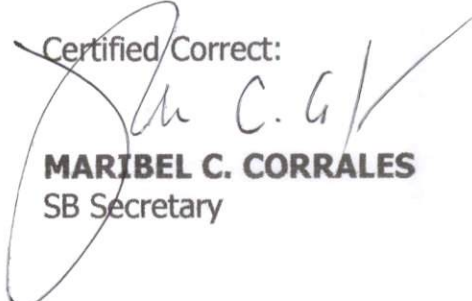
SECTION 8. SEPARABILITY CLAUSE – Any provision of this Ordinance found to be unconstitutional shall not affect the other which shall remain to be in full force and effect.

SECTION 9. REPEALING CLAUSE – Any Ordinance found to be inconsistent with this shall be deemed repealed or modified accordingly.

SECTION 10. EFFECTIVITY – This Ordinance shall take effect immediately.

ENACTED this 30th day of October, 2017 at Narvacan, Ilocos Sur.

Certified/Correct:



MARIBEL C. CORRALES
SB Secretary

Attest:




FAYINNA PILAR S. ZARAGOZA-DELGADO
Vice Mayor/Presiding Officer

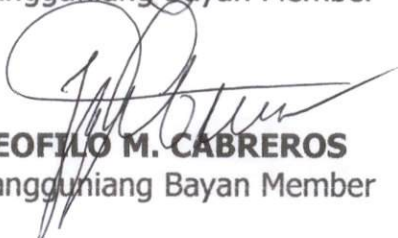
CONFORME:



JOSEPH A. TEJADA
Sangguniang Bayan Member



AVEL VERNEY C. ZARAGOZA
Sangguniang Bayan Member

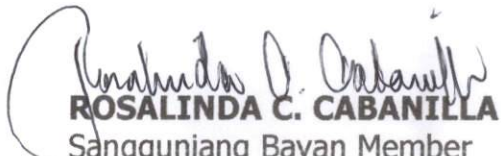


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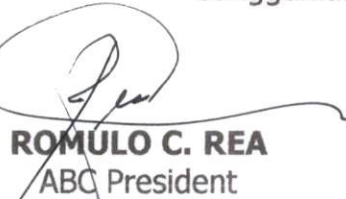


ROSALINDA C. CABANILLA
Sangguniang Bayan Member

BENEDIX BX DELA CUADRA
Sangguniang Bayan Member



KAYSIE T. POTENCION
Sangguniang Bayan Member



ROMULO C. REA
ABC President

Approved:



ZURIEL S. ZARAGOZA
Municipal Mayor



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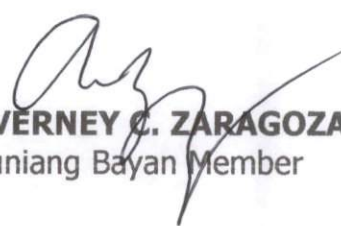

MARIBEL C. CORRALES
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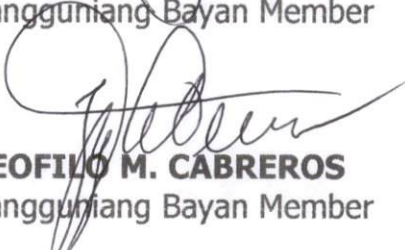
Attest:


FAYINNA PILAR S. ZARAGOZA-DELGADO
Vice Mayor/Presiding Officer

CONFORME:

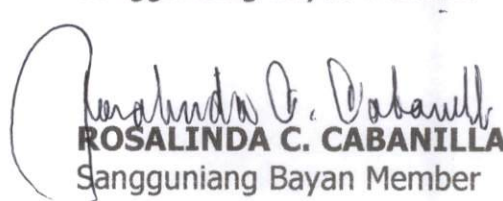

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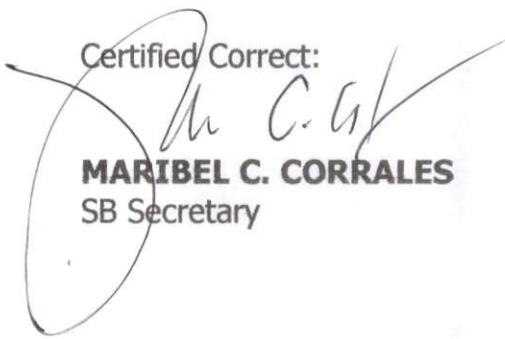

KAYSIE T. POTENCION
Sangguniang Bayan Member


ROMULO C. REA
ABC President


Approved:


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Municipal Mayor

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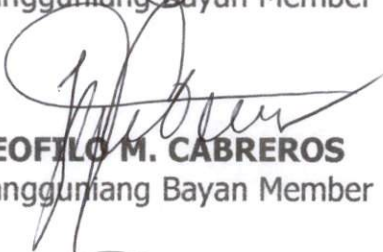
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Municipal Mayor



Republic of the Philippines
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MUNICIPALITY OF NARVACAN

OFFICE OF THE MUNICIPAL MAYOR

October 27, 2017

The Presiding Officer and Members,
Sangguniang Bayan, Narvacan,
Ilocos Sur

Your Honors:

Greetings!

In the interest of public service and by virtue of the authority vested upon me by law particularly Article 107 (e) of the Rules and Regulations Implementing the Local Government Code of 1991, the undersigned requests the Honorable Body to treat as **urgent matter** the passage of:

1. Ordinance No. 09, Series Of 2017 -An Ordinance Creating The Municipal Dangerous Drugs Administrative Board Of The Municipality Of Narvacan, Ilocos Sur
2. Ordinance No. 10, Series Of 2017 -Ordinance Granting Temporary Closure Of Roads At The Poblacion Area In Consideration To The Celebration Of The 441st Town Fiesta Celebration Of Narvacan, Ilocos Sur , The Annual Bagnet Festival And Continuing Through The Holiday Season

Thank you.

Very truly yours,

ZURIEL S. ZARAGOZA
Municipal Mayor