



Republic of the Philippines
MUNICIPALITY OF CAINTA
 Province of Rizal



OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN
 HELD AT THE SANGGUNIANG BAYAN SESSION HALL, CAINTA, RIZAL
 ON OCTOBER 12, 2020 AT 10:00 IN THE MORNING**

Present:

Hon. ACE B. SERVILLON	-----	Vice Mayor/SB Presiding Officer
Hon. ALLAN G. TAJUNA	-----	SB Member
Hon. MARIA CHARIS KAY S. ILAGAN	-----	SB Member
Hon. SITTI RUAINA K. FERRIOLS	-----	SB Member
Hon. MANUEL S. JACOB	-----	SB Member
Hon. EDWIN F. CRUZ	-----	SB Member
Hon. FELIPE A. SAURO	-----	SB Member
Hon. WILFREDO F. SULIT	-----	SB Member
Hon. JOSE A. FERRER	-----	Ex-Officio Member/ABC President
Hon. ROMINA CASSANDRA VALENCIA	-----	Ex-Officio Member/SK Chairman
Hon. LINCOLN M. FELIX	-----	SB Member

ORDINANCE NO. 2020-032

AN ORDINANCE AMENDING SECTIONS 3 AND 4 OF ORDINANCE NO. 2017-001 – “REGULATING THE OPERATION OF VIDEOKE MACHINES AND ANY SING-ALONG GADGETS IN THE MUNICIPALITY OF CAINTA, RIZAL AND THE IMPOSITION OF PENALTIES IN VIOLATION THEREOF”

Introduced by: VM Ace B. Servillon and Councilor Edwin F. Cruz

WHEREAS, on January 16, 2017, the Sangguniang Bayan of Cainta enacted Ordinance No. 2017-001 – Regulating the Operation of Videoke Machines and Any Sing-along Gadgets in the Municipality of Cainta, Rizal and the Imposition of Penalties in Violation Thereof”

WHEREAS, Section 458 of the Local Government Code of 1991 empowers the Sangguniang Bayan to approve ordinances for the general welfare and prescribe penalties for any violation thereof;

WHEREAS, the Council is taking into serious consideration the “New Normal” brought about by the Covid 19 Pandemic, particularly the on-line classes being implemented nationwide;

WHEREAS, in line with said on-line classes, it is important to minimize nuisances such as loud noises, so as not to interrupt the students while in the middle of the class;

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINS BY THE SANGGUNIANG BAYAN OF CAINTA IN A SESSION DULY ASSEMBLED, THAT:

Section 1. Amendments. Section 3 and 4 of Ordinance No. 2017-001 is hereby amended as follows:

FROM:

Section 3. Regulated Act/s

- a. Weekday Use of sing-along machine/gadget from Sunday to Thursday – **starting from 8:00 A.M until 10:00 P.M. only.**
- b. Weekend Use of sing-along machine/gadget from Friday to Saturday – **starting from 8:00 A.M until 12:00 midnight only.**
- c. On Special occasions – any homeowner who will celebrate an important occasion shall get a special permit to the barangay or HOA at no cost.

TO:

Section 3. Regulated Act/s

- a. Use of sing-along machine/gadget from Sunday to Thursday – **shall be from 6:00 in the evening up to 10:00 in the evening only**
- b. Weekend Use of sing-along machine/gadget from Friday to Saturday – **shall be from 6:00 in the evening up to 11:00 in the evening only**
- c. On special occasions: No exceptions

FROM:

Section 4. Implementing Agency or Unit

- a. *Subdivisions/Villages*
Village/Subdivision Home Owners Association shall adopt this ordinance and shall implement the same by reporting to the MPSO and or Barangay for any violation.
- b. *Barangay*
The barangay, through its Sangguniang barangay shall adopt this ordinance and shall implement the same.

Section 4. Implementing Agencies or Units

- a. Cainta PNP
- b. Barangay Governments
- c. MPSO
- d. Road Clearing Office
- e. *Subdivisions/Villages*
Village/Subdivision Home Owners Association shall adopt this ordinance and shall implement the same by reporting to the MPSO and or Barangay for any violation.

Section 2. Penalties

- a. *For user violators*

Any person/s found guilty of the violation of this Ordinance shall be given a warning on the first offense. If the violator/s is found guilty of the violation of this Ordinance on his/her second offense, he/she shall pay the fine of Php 2,000.00.

The renter shall undertake the liability of the owner for the payment of Php 2,500.00 if the machine is confiscated provided the operator has fully apprised the renter to discontinue its use beyond hours prescribed by the ordinance.

In case of incapacity to pay the fine, any violator/offender shall render an 8-hour community service.

- b. *For Videoke Machine Owner/Operator*

Videoke Machine owners shall also be held liable to the violations committed by their clients if they committed violations of this ordinance such as:

1. *Using the videoke machine beyond the regulated hours.* It is the responsibility of the videoke machine owner/operator to advise his/her clients of the Municipal Ordinance and Barangay Ordinance regarding the regulation in the use of the videoke machine. The videoke operator/owner shall advise the clients of the cessation of use an hour before the deadline. If the owner/operator failed to stop the violations of the client, his/her machine shall be confiscated and shall only be returned to his/her upon payment of Php 2,500.00.

In case of severe and numerous violations, his/her business permit may be revoked.

2. *Videoke machine rental is strictly prohibited without necessary business permit.* Any videoke machine operator/owner who is found guilty of violating this Ordinance shall pay the fine of Php 2,500.00 and all his/her videoke machines shall be confiscated and will be released only upon presentation of the business permit from the barangay or the municipal government.

Section 6. Repealing Clause. Any Ordinance in conflict with any provision thereof, shall be deemed repealed or modified accordingly.

Section 7. Separability Clause. Should any of the provision of this Ordinance be declared unconstitutional or invalid, other provisions not so declared shall continue to be in full force and effect.

Section 8. Effectivity. This Ordinance shall take effect upon approval

Let copies of this ordinance be furnished all concerned offices for their information, guidance and implementation.

I hereby certify to the correctness of the foregoing Ordinance which was duly adopted by the Sangguniang Bayan in its Regular Session held on October 12, 2020.


BLARDONI C. MALLARI
Secretary to the Sanggunian

APPROVED BY THE SANGGUNIANG BAYAN MEMBERS:


ALLAN G. TAJUNA



LINCOLN M. FELIX


MANUEL S. JACOB, JR.


WILFREDO E. SULIT


JOSE A. FERRER

Attested by:


ACE B. SERVILLON
Vice Mayor & SB Presiding Officer


MARIA CHARIS KAY S. ILAGAN



SITTI RUAINA K. FERRIOLS


EDWIN F. CRUZ


FELIPE A. SAURO


ROMINA CASSANDRA G. VALENCIA

Approved by:


J. KEITH P. NIETO
Mayor