



Republic of the Philippines
Region IX
Province of Zamboanga del Sur
Municipality of Ramon Magsaysay

Office of the Sanggunian Secretary

EXCERPT FROM THE MINUTES OF THE 48th REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN OF RAMON MAGSAYSAY, ZAMBOANGA DEL SUR, HELD AT THE SANGGUNIANG SESSION HALL ON JUNE 19, 2017.

Officers/Members:	Designation	Present	Absent	Remark
Hon. PACIFICO B. BULAHAN, JR.	<i>Municipal Vice Mayor, Presiding</i>	✓		
Hon. REGIDOR B. BULAHAN, SR.	<i>SB Member</i>	✓		
Hon. ACHILLEUS D. PESALBON	<i>SB Member</i>	✓		
Hon. ALFONSO G. DONAIRE, JR.	<i>SB Member</i>	✓		
Hon. CANDIDO S. ONIOT	<i>SB Member</i>	✓		
Hon. NESTOR H. BAHIAN	<i>SB Member</i>	✓		
Hon. NANETTE O. MINA	<i>SB Member</i>	✓		
Hon. ZOSIMA P. CORONEL	<i>SB Member</i>	✓		
Hon. ALEXANDER E. AGUILAR, SR.	<i>SB Member</i>	✓		
Hon. CELSO C. CUYOS	<i>Liga President</i>	✓		

MUNICIPAL ORDINANCE NO. 5 - 2017

AN ORDINANCE CREATING THE RAMON MAGSAYSAY DANGEROUS DRUGS ADMINISTRATIVE BOARD (RAMADDAB).

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF RAMON MAGSAYSAY, ZAMBOANGA DEL SUR IN SESSION ASSEMBLED:

SECTION 1. TITLE. This Ordinance shall be known as **THE RAMON MAGSAYSAY DANGEROUS DRUGS ADMINISTRATIVE BOARD (RAMADDAB)**.

SECTION 2. COMPOSITION. The Ramon Magsaysay Dangerous Drugs Administrative Board (RAMADDAB) is hereby composed of the following:

- The Municipal Health Officer as Chairperson;
- The Chief of Police of RMPS as Member
- President of Barangay Tanod Federation as member; One (1) representative of a Non-Government Organization (NGO) which is a member of the Municipal Peace and Order Council (MPOC); One (1) representative of a Non-Government Organization (NGO) which is a member of the Municipal Anti-Drug Abuse Council (MADAC).

SECTION 3. POWERS AND DUTIES. The following are the powers and duties of the Ramon Magsaysay Dangerous Drugs Administrative Board (RAMADDAB):

- Receive complaints for the abatement of drug related public nuisances;
- Conduct hearings in connection with the foregoing sub-section;
- Declare the place or premises in question as drug related public nuisance if the circumstances so warrant;
- Abate drug related public nuisances;
- Meet at least once a month;

[Signature]

[Signature]

- f. Undertake planning and evaluation sessions on quarterly and annual bases;
- g. Undertake systematic consultations with the barangays, schools, and other sectors;
- h. Formulate and cause the implementation of short-term and long -term plans, programs and projects;
- i. Monitor and maintain the necessary records on the status of drug abuse in the Municipality of Ramon Magsaysay including a vicinity map of the residences/establishments declared as nuisances and submit quarterly summary reports thereof to the Sangguniang Bayan ;
- j. Provide the Local Chief Executive and the chair/s of the concerned committee/s of the Sangguniang Bayan with minutes, plans of action, policy, recommendations and other pertinent decisions regarding the programs and projects of the Board; and
- k. Perform such other functions, necessary and proper, to effect the foregoing functions.

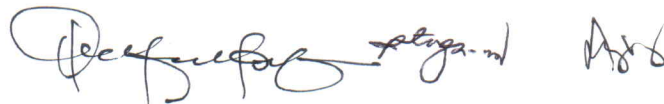
SECTION 4. ABATEMENT OF DRUG RELATED PUBLIC NUISANCES. Pursuant to Section 52 of Republic Act 9165 and its Implementing Rules and Regulations, otherwise known as "The Comprehensive Dangerous Drugs Act of 2002," any place or premises which have been used on two or more occasions as the site of the unlawful 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 maybe abated under the following procedures:

- a. Any employee, officer, or resident of the Municipality of Ramon Magsaysay may bring a complaint before the Ramon Magsaysay Dangerous Drugs Administrative Board (RAMADDAB) after giving not less than three (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 Ramon Magsaysay Dangerous Drugs Administrative Board, with notice to both parties and the administrative board may consider any evidence submitted, including evidence of general 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) days from commencement thereof.

SECTION 5. HONORARIA FOR MEMBERS OF THE ADMINISTRATIVE BOARD. The members of the Administrative Board shall be entitled to receive honoraria in the following manner:

- a. Five Hundred Pesos (Php500.00) per month for the chairperson; and
- b. Four Hundred Pesos (Php400.00) per month for every member.

SECTION 6. EFFECT OF THE ADMINISTRATIVE BOARD DECLARATION. 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 as stated in the order. The administrative board may bring a complaint seeking a permanent injunction against any nuisance described under RA # 9165 and its Implementing Rules and Regulations.

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 7. 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 447 (a) (4) (i) of RA # 7160.


SECTION 8. APPROPRIATION. The amount of at least Fifty Thousand Pesos (Php50,000.00) which shall be taken from the anti-drug appropriation) shall be appropriated annually for the effective implementation of this ordinance.

SECTION 9. SEPARABILITY CLAUSE. If for any reason, any part or provision of this ordinance shall be held unconstitutional or invalid, the other part of provisions not otherwise affected shall remain in full force and effect.

SECTION 10. REPEALING CLAUSE. Any ordinance found to be inconsistent with this enactment shall be deemed repealed or modified accordingly.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect after 10 days following the completion of its posting in three (3) conspicuous public places in the Local Government of Ramon Magsaysay, Zamboanga del Sur.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


TESSIE R. TAGA-AN
Secretary to the Sanggunian

ATTESTED:

PACIFICO B. BULAHAN, JR.
Municipal Vice-Mayor, Presiding

APPROVED:

LEONILO D. BORINAGA, SR.
Municipal Mayor