



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-09 S. 2023

AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS PERIMETER FROM THE FENCE OF THE BATANGAS CITY JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

SPONSOR : **COUNCILOR ARMANDO C. LAZARTE**
Committee on Peace and Order and
Public Safety

WHEREAS, Remotely Piloted Aircraft System (RPAS) or drones, by their nature, can be used as a tool for gathering information via recording or photographs and there is a growing use of drones today and its areas of applications have expanded overtime;

WHEREAS, drones could be used in transporting illegal drugs, deadly weapons and other contraband, as well as in the surveillance of jail facilities and premises, which could very well compromise the safety and security of the jail facilities;

WHEREAS, under Philippine Civil Aviation Rules 11 of the Civil Aviation Authority of the Philippines (CAAP) 21-14, no person may operate small UAV or RPA in a populous area, pursuant to which, jails are considered populous and congested areas;

WHEREAS, the Bureau of Jail Management and Penology (BJMP), pursuant to regulations issued by the Civil Aviation Authority of the Philippines (CAAP), prescribed a Standard Operating Procedure on the detection, prevention and handling of Remotely Piloted Aircraft System (RPAS) or Unmanned Aerial Vehicles (UAV), aimed at maintaining the safety and security of jail facilities of this City;

WHEREAS, the enactment of this Ordinance will promote peace and order, enhance the physical security of the jail facilities and guarantee the safety and security of this City and the constituents;

NOW THEREFORE, the Sangguniang Panlungsod in session assembled hereby ordains:

SECTION 1. SHORT TITLE. - This ordinance shall be known and cited as "AN ORDINANCE PROHIBITING DRONE OPERATIONS WITHIN THE VICINITY OF JAIL FACILITIES IN BATANGAS CITY".

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Republic of the Philippines
BATANGAS CITY

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Tel. No. 722-0304

Continuation of Ordinance No. 22-09 S. 2023

AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS PERIMETER FROM THE FENCE OF THE BATANGAS CITY JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

SECTION 2. PURPOSE. - This ordinance is enacted to ensure and promote public health, safety and security by prohibiting the operation of drones within one hundred (100) meters perimeter from the fence of jail facilities within the territorial jurisdiction of the Batangas City Jail.

SECTION 3. DEFINITION OF TERMS. - As used in this Ordinance the following terms shall mean as follows:

- a. **Unmanned Aerial Vehicle (UAV) commonly known as drone** - is an aircraft without a human pilot aboard, component of an unmanned aircraft system (UAS) which includes an UAV, a ground-based controller, and a system of communications between the two. The flight of UAV's may operate with various degree of autonomy; either under remote control by human operator or autonomous by onboard computers.
- b. **Jail Facilities** - a place for the confinement of people accused or convicted of a crime.

SECTION 4. SCOPE. - This ordinance shall apply to all persons, who shall willfully operate drone within 100-meter radius of jail facilities in Batangas City.

SECTION 5. EXEMPTION. - This ordinance shall not cover law enforcement agencies, emergency management offices of the Bureau of Jail Management and Penology - Batangas City Jail.

SECTION 6. PENALTIES. - Any person found violating any of the prohibitions provided in this Ordinance shall suffer the penalty of fine in the amount of Five Thousand Pesos (P5,000.00), or imprisonment of not more than six (6) months, or both fine and imprisonment at the discretion of the Court. In addition, drones or UAV used in violation of this Ordinance shall be immediately shot down.

SECTION 7. IMPLEMENTING AGENCY. - The Jail warden in his discretion may have the authority to order to use necessary means to suppress or prevent any unidentified flying objects and/or the unlawful flying of the drone.

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SECTION 8. IMPLEMENTING RULES AND REGULATIONS (IRR). - The City Mayor with the assistance of PNP Batangas City, DSS, BJMP, and the concerned barangay which has territorial jurisdiction over the jail facilities in the City shall formulate the necessary implementing Rules and Regulations (IRR) of this Ordinance.

SECTION 9. SEPARABILITY CLAUSE. - If for any reason, any section of provisions of this Ordinance is declared illegal or unconstitutional, the other provisions which are not affected thereby shall continue to be in full force and effect.

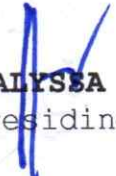
SECTION 10. REPEALING CLAUSE. - All ordinances or any section or provision or a part thereof which are contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

SECTION 11. EFFECTIVITY. - This Ordinance shall take effect within fifteen (15) days from its approval and publication in a newspaper of general circulation.

ENACTED by the Sangguniang Panlungsod this 21st day of March, 2023.


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: **APR 05 2023**

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**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON MARCH 21, 2023 AT THE SAMPAGUITA FARM,
SAMPAGA, BATANGAS CITY**

PRESENT:

Hon. Alyssa Renee A. Cruz,	Presiding Officer
Hon. Hamilton G. Blanco,	Councilor
Hon. Karlos Emmanuel A. Buted,	“
Hon. Andrea Loise F. Macaraig,	“
Hon. Nestor E. Dimacuha,	“
Hon. Oliver Z. Macatangay,	“
Hon. Armando C. Lazarte,	“
Hon. Nelson J. Chavez,	“
Hon. Jose Jonash Luis F. Tolentino,	“
Hon. Zester Carlo M. Hernandez,	“
Hon. Lorenzo A. Gamboa, Jr.,	“
Hon. Michael C. Villena,	“
Hon. Angelito Dondon A. Dimacuha,	(ABC-Rep.)
Hon. Marjorie A. Manalo,	(SK-Rep.)
Hon. Isidra “Ched” M. Atienza,	Councilor

“On motion of Councilor Lazarte seconded by Councilor Nestor Dimacuha, the following Resolution was Adopted:

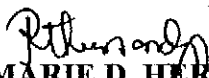
RESOLUTION NO. 22-147 S. 2023

**AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED
(100) METERS PERIMETER FROM THE FENCE OF THE BATANGAS CITY JAIL
FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR
OTHER PURPOSES**

RESOLVED, to approve on Final Reading the ordinance entitled: “An Ordinance Prohibiting Drone Operation within One Hundred (100) Meters Perimeter from the Fence of the Batangas City Jail Facilities, Providing Penalties for Violation Thereof and for Other Purposes”.

UNANIMOUSLY APPROVED . ”

I hereby certify that the foregoing Resolution No. 22-147 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on March 21, 2023.


ROSEMARIE D. HERNANDEZ
Board Secretary IV

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

COMMITTEE REPORT

DATE : March 13, 2023

TO : The Honorable Presiding Officer and Members of the Sangguniang Panlungsod

FROM : The Committee on Peace & Order and Public Safety

SUBJECT : Passage of An Ordinance Prohibiting Drone Operation within One Hundred (100) Meters Outside the Perimeter from the Fence of Jail Facilities, Providing Penalties for Violation thereof and for other Purposes.

Honorables:

Referred to the Committee on Peace & Order and Public Safety is the proposed Ordinance Prohibiting Drone Operation within One Hundred (100) Meters Outside the Perimeter from the Fence of Jail Facilities, Providing Penalties Thereof and for Other Purposes. The Committee held a hearing on February 28, 2023 and in attendance were the Chairman and members of the Committee on Peace & Order and Public Safety, Councilors N. Dimacuha, Chavez, Macatangay and Tolentino. Also present were the Vice Mayor and other Sangguniang Panlungsod members, Councilors Macaraig, Blanco, Hernandez, Atienza, Buted, Gamboa, Villena, A. Dimacuha and Manalo. Proponents present were City Jail Warden JInsp. Lord Bryce W. Kinao, Female Warden SJ04 Elma S. Pagtalunan, NVP Reylynda Cantos and City Coordinator CRC Marjorie Marasigan.

FINDINGS:

The purpose of the proposed ordinance is to ensure and promote public health, safety and security by prohibiting the operation of drones within one hundred meters (100m) outside the perimeter from the fence of jail facilities thus, providing penalties for violation thereof and for other purposes. Cascade of inquiries were raised during the hearing. Revisions and modifications were collaboratively appreciated by the Committee.

RECOMMENDATIONS:

Considering the foregoing, the Committee therefore recommends the following:

1. Approval of the proposed Ordinance Prohibiting Drone Operation within One Hundred (100) Meter Outside the Perimeter From the Fence of Jail Facilities, Providing Penalties for Violation thereof and for other purposes for second reading.
2. The adoption of this Committee Report.



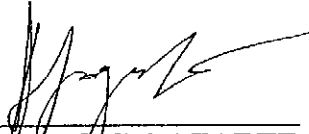
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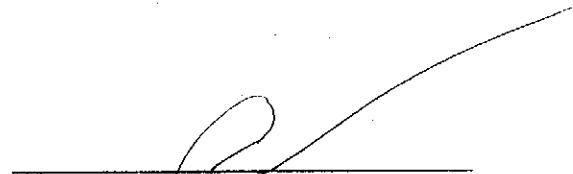
Tel. No. 722-0304


Respectfully submitted, March 13, 2023.

Committee on Peace & Order and Public Safety



HON. ARMANDO C. LAZARTE
Chairman

HON. NESTOR E. DIMACUHA
Member

HON. NELSON J. CHAVEZ
Member

HON. JOSE JONASH LUIS F. TOLENTINO
Member

HON. OLIVER Z. MACATANGAY
Member