



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH CITY COUNCIL HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL, CABID AN, EAST DISTRICT, SORSOGON CITY ON JANUARY 11, 2022.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda –via zoom
Hon. Melchor P. Atutubo-via zoom
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Ralph Walter R. Lubiano
Hon. Franco Eric O. Ravanilla-via zoom
Hon. Joven Francis J. Laura

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Erwin J. Duana
Hon. Fernando David H. Duran, III
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

Hon. Ma. Teresa D. Perdigon
Hon. Lorenz S. Abenion

ABSENT:

Hon. Hilario D. Dioneda
Hon. Mary Ellen D. Jamisola – on official business

Resolution No. 021, Series of 2022

(Author: Hon. Danilo A. Deladia)

RESOLUTION ENACTING AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

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 its areas of applications have expanded overtime;

WHEREAS, drones could be used in transporting illegal drugs, deadly weapons, and other contraband, as well 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 Rule 11 and Civil Aviation Authority of the Philippines (CAAP) 21-14, no person may operate small UAV or RPA in a populous area. Pursuant to this rule, 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), prescribes 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, on motion of **Hon. Danilo A. Deladia**, duly seconded by **Hon. Lorenz S. Abenion** resolve as it is hereby resolved to prohibit Drone Operations within One Hundred (100) meters from jail facilities, providing penalties for violations thereof, and for other purposes.

City Ordinance No. 002, Series of 2022

AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE 7TH CITY COUNCIL OF SORSOGON IN SESSION ASSEMBLED THAT:

SECTION 1. TITLE

This ordinance shall be known as, **“AN ORDINANCE PROHIBITING DRONEOPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES”**.

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 meters (100 m) from jail facilities within the territorial jurisdiction of the City of Sorsogon.

SECTION 3. DEFINITION OF TERMS

As used in this Ordinance the following terms shall be construed to mean as follows:

1. **Unmanned Aerial Vehicle (UAV)** commonly known as drone – is an aircraft without a human pilot aboard, UAVs are a 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 on-board computers.
2. **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 wilfully operate drone within 100 meters radius of jail facilities in Sorsogon City.

SECTION 5. EXEMPTION

This ordinance shall not cover law enforcement agencies, emergency management offices and those duly authorized by the LGU with coordination to the Jail Management.

SECTION 6. PENALTIES

Violation of this Ordinance shall be meted the penalty of:

1. **First Offense** - a fine of One Thousand Pesos (Php 1,000.00);
2. **Second Offense**- a fine of One Thousand Five Hundred Pesos (Php 1,500.00);
3. **Third Offense** - a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment for a period of more than three (3) months but not exceeding six (6) months or both such fine and imprisonment at the discretion of the court.

Penalties herein mentioned shall be without prejudice to filing of appropriate criminal offense to drone operators in violation of Special Laws wherein the drone ferries contrabands such as deadly weapons, illegal drugs and the like.

SECTION 7. IMPLEMENTING AGENCY

The Philippine National Police (PNP) and Public Order and Safety Office (POSO), as well as the responsible officer in the barangay which has territorial jurisdiction over the jail facilities, together with the BJMP personnel, shall ensure the strict and faithful enforcement or implementation of this Ordinance.

The Jail Management shall cause the posting of the sign “**DRONE NO FLY ZONE WITHIN 100 METERS FROM JAIL FACILITY**” conspicuously outside of the jail facility.

SECTION 8. IMPLEMENTING RULES AND REGULATIONS (IRR)

The Philippine National Police (PNP) and Public Order and Safety Office (POSO), the concerned barangay which has territorial jurisdiction over the jail facilities in the Municipality, as well as the BJMP shall formulate the necessary implementing Rules and Regulations (IRR) of this Ordinance within thirty (30) days from the approval of this ordinance and the same shall immediately be transmitted to the City Mayor for approval.

8.1 Guidelines in Securing Permit for the Operation of Drone within Jail Facility

8.1.1 Any person or group of persons who want/s to use or operate drone within or near the jail facility should first secure permit in the LGU;

8.1.2 Once the permit has been obtained it will be shown to BJMP personnel;

SECTION 9. SEPARABILITY CLAUSE

If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue in full force and effect.

SECTION 10. REPEALING CLAUSE.

All ordinances, local issuances, rules and regulations or part thereof in conflict of inconsistent herewith are hereby repealed or modified accordingly.

SECTION 11. EFFECTIVITY

This ordinance shall take effect immediately upon its approval by the Sangguniang Panlungsod and after compliance with the law on public dissemination and publication as prescribed in Section 511(a) of R.A. 7160.

DATE APPROVED: JANUARY 11, 2022

I HEREBY CERTIFY to the correctness of the foregoing resolution and ordinance.



NEREO RONIE N. SIROY

Assistant Secretary to the Sangguniang Panlungsod

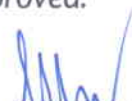
Attested:



MARK ERIC C. DIONEDA

City Vice Mayor/Presiding Officer

Approved:



MA. ESTER E. HAMOR

City Mayor