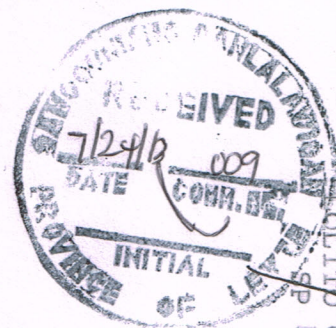




Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay
-0000000-



Office of the Sangguniang Panlungsod

Excerpt from the

MINUTES OF THE 21st REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF BAYBAY CITY, LEYTE HELD IN THE SESSION HALL ON JUNE 17, 2013.

RESOLUTION NO. 114 s. 2013

A RESOLUTION AMENDING SECTION 6 OF MUNICIPAL ORDINANCE NO. 001 S. 2006 OTHERWISE KNOWN AS ORDINANCE REGULATING THE OPERATION OF VIDEO AND COMPUTER GAMES BUSINESS IN THE CITY OF BAYBAY.

WHEREAS, this body have received numerous complaint from parents whose children are admitted by computer operators even during school hours or days.

WHEREAS, to give more emphasis on the importance of those ordinance and warn violators of the consequences if violators are committed both to the user and the operator;

WHEREFORE, on the motions of Hon. Ernesto M. Butawan duly seconded by Hons. Alan Fernandez and Lolito C. Muñoz be enacted an ordinance regulating the operation of video and computer games to wit:

CITY ORDINANCE NO. 005 s. 2013

AN ORDINANCE REGULATING THE OPERATION OF VIDEO AND COMPUTER GAMES BUSINESS IN THE CITY OF BAYBAY .

Be it enacted by the Sangguniang Panlungsod of the City of Baybay in session assembled that:

The following Sections are hereby amended to read as follows:

SECTION 1. TITLE. – The title of this ordinance shall be “ An ordinance Regulating the Operation of Video and Computer Games and Internet Cafes/Server” with the territorial jurisdiction of Baybay, City.

SECTION 2. Definition of terms shall include the following:

f. Internet cafes/server- is any establishments that offer to pulic for fee or otherwise the use of any computer machine as a mode, method or means of communicating directly or indirectly other persons.

g. Web Cam-is a device or an accessory of the internet mechanism which can capture the live clear image of the persons chatting and shown it at the computer screen/monitor.

h. Chatting- refers to the act of communicating through and by the use of internet mechanism.

-more over-

REX A. RETANA
SP Member

ALAN D. FERNANDEZ
SP Member

LEONCIO P. ASILDOM, JR.
SP Member

ERNESTO M. BUTAWAN
SP Member

LOLITO C. MUÑOZ
SP Member

TERESITA J. VELOSO
SP Member

KRIZZELLE ANN A. DACERA
SP Member

i. Internet Mechanism – is the computer machines, its key board, CPU mouse, printing, web cam, and other accessories.

j. School hours- shall meant from 7:00 am. to 12:00 noon and from 1:30 p.m. to 5:00 p.m.

SECTION 3. Place of Business – no business establishments will allowed or engaged to operate in business within 200 meters radius from the school perimeter fence. Those establishments that were already in operation before the enactment of this ordinance are given six (6) months grace period to relocate their place of business with the allowable distance.

SECTION 4. No elementary and high school students below 17 years of age are allowed to play video games, computer games, and /or use the internet as a mode, method or means of communications, (chatting), or use it to play games, except in the following instances.

1. At anytime after school hours or during holidays, Sundays and Saturdays and vacation period, provided, the student is accompanied by his/her parents or guardian and in their absence any of his/her relatives who is at least 18 years of age.
2. During school hours, provided the student is doing a research work as part of their lesson or school activities as certified to by his/her school teacher and approved by the school principal but in no case the use of the internet shall exceed 2 hours.

SECTION 5.- Prohibited Act

1. The exhibition of lewd shows either as background or as wall paper of the computer or as part of entertainment package of the establishment.
2. The installation of cubicle, curtains and other division for every unit of the computer used either as an internet server or as computer game or video game to the extent that the user is isolated from the open view of the public.
3. The exhibition of any of the private and sensitive parts of the body of the user in the web cam for consumption of his/her chat mate.

SECTION 6. Penalty Clause

Students who violated any of the provisions mentioned in Section 4 hereof are liable to pay a fine of:

- a. P50.00 for the first offense plus referral to the school authorities concern for appropriate action;
- b. P100.00 for the second offense plus referral to MSWD for counseling of the student and parents/guardian and referral to the school authorities concern for appropriate action.
- c. P200.00 for the third offense plus suspension from classes as determined by the school authorities concern.

Users/Operators who violate any of the provisions on paragraph 3 of Section 5 shall also be liable to pay a fine of P2,000.00, cancellation of business and mayor's permit and imprisonment of 30 days as the case may be.

REX A. RETANA
SP Member

ALAN P. BERNANDEZ
SP Member

LEONCIO P. ASTIOM, JR.
SP Member

ERNESTO M. BUTAWAN
SP Member

LOLITO C. MUNEZ
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SECTION 7.- Operators are required to put up a signage attached to the front door of the internet establishment quoting Section 4, Section 5 and Section 6 of this ordinance, otherwise, they shall be held liable to pay a fine of two thousand pesos (P2,000.00) plus cancellation of business permit; The CSWD may upon its own initiative put up such signage in every establishment the size of which shall not be less than 1 foot by two ff. but not more that 2 ft. by 3 ft.

SECTION 8.- Implementing for this particular ordinance will be Philippine National Police, Barangay Tanods, Barangay Officials, Dept. of Social Welfare and Development, our Local DECS from Elementary and High School Department and Local Law Enforcement Action Group (LEAG) under of the Mayor. The lead agency will be the Department of Social Welfare and Development.

SECTION 9. Separability Clause – If any section of this ordinance will be declared illegal or unconstitutional such declaration will not affect the whole ordinance.

SECTION 10. Effectivity – This ordinance shall take effect after its approval and publication.

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Sangguniang Panlalawigan of Leyte, Tacloban City, City Treasurer, Philippine National Police, all passengers bus and jeepney operators utilizing the services of the Baybay Bus Terminal, this municipality.

ENACTED, June 17, 2013.

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session held on June 17, 2013.

AMELITO V. BORNEO
SP Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

MICHAEL L. CARI
City Vice Mayor & Presiding Officer

APPROVED BY HER HONOR:

CARMEN L. CARI
City Mayor