



Republic of the Philippines



CITY OF CAVITE
SANGGUNIANG PANLUNGSOD

AN ORDINANCE DULY APPROVED AND ENACTED BY THE SANGGUNIANG PANLUNGSOD OF CAVITE CITY (BATCH 2022-2025) DURING ITS 24TH REGULAR SESSION HELD ON JUNE 13, 2023.

PRESENT:

HON. BENZEN RALEIGH GREPO RUSIT - City Vice-Mayor, Presiding Officer
HON. MARRIAN M. PINZON - City Councilor, President
Protempore
HON. EDUARDO G. NOVERO, JR. - City Councilor, Vice President
Protempore
HON. EDMUND C. TIRONA - City Councilor, Majority Floor
Leader
HON. MAUREEN E. LU - City Councilor, Asst. Majority
Floor Leader
HON. RENAN L. MONTOYA - City Councilor
HON. FRANKLIN A. NUGUID - City Councilor
HON. MARC LAWRENCE DR. SERRANO - City Councilor
HON. MARK ANTHONY A. AMPARO - City Councilor
HON. AZENITH P. PAREDES - President, Liga ng mga Barangay
(Ex-Officio Member)

ABSENT:

HON. JESUS JET S. BARRERA, II - City Councilor, Minority Floor Leader
HON. AEIGN ZACKREY NASH - City Councilor
VICTORIANO-AGUAS
HON. DARYL R. SOLIS - SK Federation President
(Ex-Officio Member)

GENERAL ORDINANCE NO. 2023-3390

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

[Signature]
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 used of drones today its areas of applications have expanded overtime;

[Signature]
WHEREAS, there are perceived safety and security challenges and concerns of using drones which need to be immediately addressed and regulated to ensure and maintain safety and security of the constituents;

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

[Signature]
WHEREAS, Under Philippine Civil Aviation Rules 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, Be it ordained by the Sangguniang Panlungsod of Cavite City, in session duly assembled, That: On motion Sanggunian Member Eduardo G. Novero, Jr. as principal author, co-sponsored by Sanggunian Members Marc Lawrence DR. Serrano, Renan L. Montoya and Marrian M. Pinzon and duly seconded by Sanggunian Members Maureen E. Lu, Marc Lawrence DR. Serrano, Mark Anthony A. Amparo, Edmund C. Tirona, Marrian M. Pinzon and Renan L. Montoya, this Body

RESOLVED, as it is hereby resolved, to enact an ordinance prohibiting Drone Operation within One Hundred (100) meters from Jail Facilities, providing penalties for violation thereof and for other purposes, to read as follows:

Be it enacted by the Sangguniang Panlungsod of Cavite City, that:

SECTION 1. TITLE. This ordinance shall be known as “**AN ORDINANCE PROHIBITING DRONE OPERATIONS WITHIN 100 METERS FROM 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 prohibiting the operation of drones within one hundred meters (100 m) from jail facilities within the territorial jurisdiction of Cavite City.

SECTION 3. DEFINITION AND TERMS. As used in this Ordinance the following terms shall be construed to mean as follows:

- a. *Unmanned Aerial Vehicle (UAV) commonly known as drone* - is an aircraft without human pilot aboard, UAV’s are a component of an unmanned aircraft system (UAS); which includes an UAV, a ground-based controller, and as 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 meters radius of jail facilities in Cavite 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:

- a. First Offense – A fine of One Thousand Pesos (Php 1,000.00);
- b. Second Offense – A fine of Thousand Five Hundred Pesos (Php 1,500.00);
- c. 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.

SECTION 7. IMPLEMENTING AGENCY. The Philippine National Police (PNP) and Public Order and Security Team (POST), 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 FLYZONE 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 Security Team (POST), the concerned barangay which 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 approval of this ordinance and the same shall immediately be transmitted to the 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

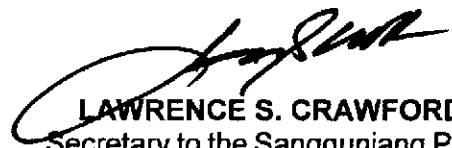
SECTION 9. REPEALING CAUSE. All ordinances or any section of provision or a part of thereof which are contrary to or inconsistent with the provision of this Ordinance are hereby repealed or amended accordingly.

SECTION 10. SEPARABILITY CAUSE. If for any reason, any section of provision or a part of this Ordinance is declared illegal or unconstitutional, the other provisions which are not affected thereby shall continue to be fully force and effect.


SECTION 11. EFFECTIVELY. This ordinance shall take effect upon approval.

ENACTED.

I hereby certify that the foregoing ordinance was duly enacted by the Sangguniang Panlungsod of Cavite City during its 24TH Regular Session held on June 13, 2023.


LAWRENCE S. CRAWFORD, MGM
Secretary to the Sangguniang Panlungsod

ATTESTED:


BENZEN RALEIGH GREPO RUSIT, MPA
City Vice-Mayor/Presiding Officer
Date Signed: JUN 14 2023

DATE APPROVED: JUNE 14, 2023


DENVER CHRISTOPHER REYES CHUA
City Mayor

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