

EXTRACT FROM THE MINUTES OF THE REGULAR MEETING OF THE SANGGUNIANG BAYAN,
BONTOC, MOUNTAIN PROVINCE HELD AT ITS SESSION HALL ON MAY 29, 2017.

PRESENT: HON. EUSEBIO S. KABLUYEN, Municipal Vice mayor & Presiding Officer
HON. VIOLA P. OKKO, Member
HON. ESTEBAN O. NGUDDO, Member
HON. JULIAN F. CHUMACOG, Member
HON. ALSANNYSTER F. PATINGAN, Member
HON. ALFREDO A. AWICHEN, Member
HON. ALEXANDRE C. CLAVER, Member
HON. ROBERT DACYON, Member
HON. ALEXANDER N. FANA-ANG, ABC President
HON. THOMAS LONGATAN, IPMR

ABSENT: N O N E

ORDINANCE NO. 287, S. 2017

AN ORDINANCE PROHIBITING ALL FORMS OF ILLEGAL GAMBLING, IMPOSING CHARGES ON VIOLATIONS AND CREATING A MUNICIPAL ANTI-ILLEGAL GAMBLING TASK FORCE IN THE MUNICIPALITY OF BONTOC.

EXPLANATORY NOTE

WHEREAS, illegal gambling practices are stated in the articles 195 to 199 of the Revised Penal Code and other subsequent laws such as Presidential Decree No. 1602 and Republic Act No. 9827;

WHEREAS, Section 13 of Article 2 of the 1987 Philippine Constitutions provides that the state shall recognize the vital role of the youth in nation building and it shall promote and protect their physical, moral, spiritual, intellectual, and social well being;

WHEREAS, Art. 100 (1) (v) of RA 7160 of the Local Government Code of 1991 states that the Sangguniang Bayan shall enact Ordinances to prevent, suppress and impose appropriate penalties for any acts inimical to the welfare and morals of the inhabitants of the municipality;

WHEREAS, gambling practices bring harmful effects to the municipality. Such acts can be sources of crimes, result into addiction, ruin personal and interpersonal and intrapersonal relationships and harm physical health and individuals. These acts could also affect minors by associating, harming or exploiting them to such;

WHEREAS, The Sangguniang Bayan of Bontoc is committed to uplift the socio-economic well-being of its inhabitants and maintain and provide protection of the minors in the Municipality;

WHEREAS, in order to stop illegal gambling practices in our municipality, to ensure the general welfare of its inhabitants, particularly the minors, the need to stop all forms of illegal gambling imposing charges on such acts inimical to and establishment of municipal anti-illegal gambling task force are provided in this ordinance

Be it enacted by the Sangguniang Bayan of Bontoc in session assembled that:



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ARTICLE I
GENERAL PROVISIONS

Section 1. Title of the Ordinance – This ordinance shall be known as an ordinance prohibiting all forms of illegal gambling, imposing charges on violations and creating a municipal anti-illegal gambling task force.

Section 2. Objectives – The objectives of this ordinance are as follows:

- a) To prevent gambling from becoming a source of crimes and disorders in the municipality;
- b) To protect minors from illegal gambling and to avoid them from being associated, harmed or exploited from such activities;
- c) To prevent illegal gambling from affecting relationships in the municipality;
- d) To promote and maintain Peace and Security in the municipality; and
- e) To promote and secure the character and morals of the people of Bontoc.

Section 3. Definition of Terms – When used in this Ordinance, the following terms shall mean as follows:

- a) Illegal – refers to anything contrary to law
- b) Gambling – refers to series of activities of gaming and betting
- c) Practices – refers to any activities related to gambling
- d) Minor – refers to persons below eighteen (18) years of age
- e) Business Establishments – refers to places where illegal gambling is conducted
- f) Jueteng – refers to an illegal numbers game that involves the combination of thirty seven (37) numbers against thirty seven (37) numbers from number one (1) to thirty seven (37) or combination of thirty eight (38) numbers in some areas serving as a form of local lottery where bets are placed and accepted per combination and its variants.
- g) Lucky Nine – refers to a card game with an object or of reaching a count of nine.
- h) Monte – refers to a game in which a player chooses between two cards and bets on being dealt a card of that same suit before being dealt a card of the other suits.
- i) Black Jack – refers to a gambling game using card wherein the object is to hold cards.
- j) Mahjong – refers to a game wherein players pick up pieces of plastic tiles to build a winning combination.
- k) Maintainer or conductor – refers to any person who maintains, manages or operates any illegal gambling games in a specific area from whom the coordinator, controller and collector or agent takes orders.
- l) Premise – refers to any house, room or building, place or spot.



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- m) Task Force – refers to a unit specially organized for task.
- n) Tong-its – refers to a card game for three players, each player is dealt 12 cards while the dealer gets 13 and the rest of the cards are left a central stack.
- o) Pusoy – refers to a card game typically played as a four person game, though it can also be played with two or three.
- p) Pusoy Dos – refers to a variation of big two, the two has the highest rank, a royal flush does not necessarily beat a straight flush.

This shall apply to all persons residing in the municipality of Bontoc including tourists or visitors, all business establishments, private or public within the jurisdiction of the municipality.

**ARTICLE II
SOURCES OF FUND**

There shall be funds appropriated annually in the municipal budget for the implementation and enforcement of this ordinance. Fines that will be collected from violations of this ordinance shall be added thereto.

**ARTICLE III
IMPLEMENTING AGENCY OR PERSONNEL.**

Section 1. Creation of the Anti-illegal Gambling Task Force – A functional anti-illegal Gambling Task Force shall be organized and established for the implementation of this ordinance. It shall possess the authority to implement measures against illegal gambling practices in the municipality.

Section 2. Composition – The task force shall be composed of the following:

- a) Chairman – Municipal Vice Mayor
- b) Co-chairman – SB chairman on Peace and Order
- c) Members
 - 1) BMPS Chief of Police
 - 2) Rector, Sta. Rita Parish
 - 3) Dean, Cathedral of All Saints
 - 4) Punong Barangay Poblacion
 - 5) Punong Barangay Caluttit
 - 6) Punong Barangay Bontoc Ili
 - 7) Punong Barangay Samoki
 - 8) Representative, Retired Police Force
 - 9) President, Brotherhood of Saint Andrew
 - 10) Grand Knight, Knights of Columbus
 - 11) Faith Based Organization

A series of handwritten signatures in black ink, corresponding to the members listed in the previous block. The signatures are arranged horizontally and are somewhat stylized and overlapping.

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- 12) President, Episcopal Church Women
- 13) President, BOMARVA
- 14) President, Bontoc Business Circle
- 15) President, Couples For Christ
- 16) President, Senior Citizens Organization
- 17) PNP, Women and Children's Desk

Section 3. Functions – The anti-illegal gambling task force shall have the authority in the implementation of this ordinance and illegal gambling cases and shall exercise any and all of the following specific powers and functions.

- a) To implement and enforce this Ordinance
- b) To investigate illegal gambling cases; and
- c) To conduct inspections, public information and dissemination campaigns for the implementation of this ordinance.

Section 4. Enforcement – the following activities shall be done for the implementation and enforcement of this ordinance.

- a) Inspection and Assessments – The personnel responsible in this function shall:
 - 1) Inspect any premises.
 - 2) Monitor the activities of persons or residential areas.
 - 3) Take copies of any document or record of information needed from the premises.
 - 4) Remove and confiscate anything that he or she believes is violating the provisions of the ordinance.
- b) Identification of person or business establishment that violated the ordinance.
- c) Production of evidences of the identity of the person, establishment related to the offense reported.
- d) Information Dissemination – The personnel responsible in this function shall:
 - 1) Produce copies of this Ordinance to be given to the public
 - 2) Conduct public information and dissemination campaigns every three months in schools and barangays of Bontoc; and
 - 3) Put –up posters, tarpaulins or billboards in conspicuous places in each Barangay to notify the public of the restrictions and sanctions imposed by the ordinance.
- e) Providing a written report after exercising the following activities mentioned in this sections.
- f) Any person caught committing an offense against the provisions can be taken in custody.
- g) The chairman shall call for a meeting as maybe necessary for the effective implementation of this ordinance and to educate people about the provisions provided.

Section 5. Punong Barangays of Gonogon, Alab Oriente, Alab Proper, Balili, Dalican, Mainit, Guina-ang, Maligcong, Tocucan, Can-ao, Talubin and Bayyo are mandated to assist the members of the task force in the implementation of this ordinance.



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ARTICLE IV
PENAL PROVISIONS

Section 1. Prohibited Acts. The following are the prohibited acts of the ordinance.

- a) Directly or indirectly taken part in any illegal gambling practices of Jueteng, Lucky Nine, Monte, Mahjong, Black Jack, Cara Y Cruz and dice (Kotokot), Tong-it, Pusoy, Pusoy Dos.
- b) Acting as the collector or agent, coordinator, controllers or supervisors, financiers or capitalists, protector or coddler and maintainer or conductor of illegal gambling activities referred to in subparagraph (a)
- c) Providing or producing facilities for conducting any activities or practices of illegal gambling provided in sub-paragraph (a)
- d) Inviting, committing or causing minors directly or indirectly, to be involved in the function of conducting any acts of gambling referred to in sub paragraph (a) under this section.

Section 2. Fines and Penalties. – Conviction of any of the prohibited acts for the first and all succeeding offenses shall merit the penalty of imprisonment of six (6) months and the Fine of Two Thousand and Five Hundred Pesos (Php2,500.00)

Section 3. No contest settlement. – The person alleged to have committed the prohibited acts/s for the first offense may pay the amount of Five Hundred Pesos (Php500.00) by way of settlement and to avoid court litigation, provided, he signs an undertaking to pay the amount of Five Thousand Pesos (Php5,000.00) for each succeeding future violation. Settlement shall be done individually.

Section 4. Authorization – The Municipal Mayor is hereto authorized to: (a) institute/cause the institution of court cases against person/s reported to have violated this ordinance in behalf of the municipality; and (b) to enter into any no contest settlement with any of these persons/s should there be any. The Municipal Treasurer is hereto authorized to receive for and in behalf of the Municipality such amount as may be paid in the course of any no contest settlement.

ARTICLE V
MISCELLANEOUS PROVISIONS

Section 1. Separability Clause. If for whatever reason, any provision of this ordinance is declared to be unconstitutional or invalid, the other provisions hereof not so affected shall continue in full force and effect.

Section 2. Repealing Clause. Any parts inconsistent with or conflict with the provisions of this ordinance shall be deemed repealed and/or amended accordingly.

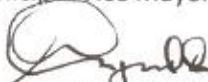
Section 3. Effectivity. This Ordinance shall take effect 15 days after its approval and the posting of the full text of this ordinance in 2 conspicuous places of the municipality.

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ENACTED this 29th day of May, 2017


EUSEBIO S. RABLUYEN
Municipal Vice Mayor & Presiding Officer

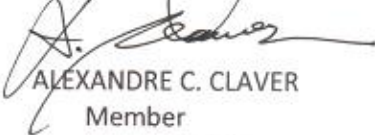

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Member


ALEXANDER N. FANA-ANG
ABC President


THOMAS LONGATAN
IPMR

ATTENDANCE ATTESTED: 
ARTHUR L. CULALLAD
Sanggunian Secretary


APPROVED: FRANKLIN C. ODSEY
Municipal Mayor