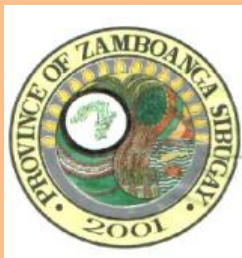


The 30th Session 4th SANGGUNIANG PANLALAWIGAN

3rd floor, Capitol building, Ipil Heights, Ipil, Zamboanga Sibugay, Philippines

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OFFICIALS

GOV. ROMMEL A. JALOSJOS
CONG. ROMEO M. JALOSJOS
CONG. JONATHAN C YAMBAO

SANGGUNIANG PANLALAWIGAN

HON. REY ANDRE C. OLEGARIO
Vice-Governor, Presiding officer

HON. ERIC A. CABARIOS
Pro-Tempore

HON. CRESENCIO S. JORE
Majority Floor Leader

HON. WILBORNE S. DANDA
Majority Assistant Floor Leader

1ST DISTRICT

HON. CRESENCIO S. JORE
Chairman, Asset and Management, Finance

HON. ERIC Y. PALMA
Chairman, Rules and Good Government

HON. ABDUSAID A. AHIRON
*Chairman, Fire, Public Safety, Peace & Order, Muslim Affairs, Public Utilities
Traffic and transportation*

HON. EDITHA O CALOÑGE
Chairman, Health and Social Services

HON. FLODELIZ C. CURIBA
Chairman, Education, Women and Family, Senior Citizen

2ND DISTRICT

HON. EUFEMIO D. JAVIER
Member, Rules, Women and Family, and Human Rights, Labor and Justice

HON. ERIC A. CABARIOS
Chairman, Tourism

HON. JOSE V. ABALDE
Chairman, Trade and Industry, Infrastructure, Public Works, & Engineering

HON. JOEL D. EBOL
Chairman, Appropriations, Agriculture and Fisheries, Cooperative, NGO & Livelihood

HON. WILBORNE S. DANDA
Chairman, Indigenous Peoples & Cultural Communities, Environment and Natural Resources, Privileges

Sectoral Representatives

HON. BENHAJAR E. TANDIH
*President, Liga ng mga Barangay
Chairman, Barangay Affairs & Rural Development*

HON. MUJAHID C. JAJURIE
*President, Councilor's League
Chairman, Municipal Legislative Affairs*

HON. KATRINA ANN V. PALMA
*President, Sangguniang Kabataan
Chairman, Youth & Sports Development*

Legend

Present O/B On-Leave

Republic of the Philippines

PROVINCE OF ZAMBOANGA SIBUGAY

Municipality of Ipil

EXCERPT from the minutes of the 30th Regular Session of the 4th Sangguniang Panlalawigan of the Province of Zamboanga Sibugay held on April 18, 2011, at the *Provincial Capitol Complex, Ipil Heights, Ipil, Zamboanga Sibugay*, at exactly 9:00 o'clock in the morning.

ORDINANCE NO. 2011-340

AN ORDINANCE PROHIBITING THE USE OF MARBLE GUN AND OTHER DANGEROUS ARTICLES OR WEAPONS HARMFUL TO THE COMMUNITY AND THE RESIDENTS OF THE PROVINCE OF ZAMBOANGA SIBUGAY, AND PROVIDING PENALTY THEREFOR.

HON. JOEL D. EBOL

Board Member, 2nd District

Author

Chairman, Committee on Agriculture and Fisheries

EXPLANATORY NOTE

WHEREAS, the province of Zamboanga Sibugay is a friendly and peaceful province and proven to be low in crime incidents. It is a province of the Philippines located in the Zamboanga Peninsula region in Mindanao. Its capital is Ipil town where in the south lies Sibuguey Bay in the Moro Gulf. Zamboanga Sibugay was created in 2001 when the third district of Zamboanga del Sur was carved out of that province. Zamboanga Sibugay is the 79th province created in the Philippines;

WHEREAS, the province is now confronted with certain activity inimical to public safety and welfare – the proliferation of marble gun and other deadly weapons and similar articles of combat;

WHEREAS, the manufacturing and use of commonly known “marble gun” has already reached the alarming level and has to be curtailed and virtually forbidden to ensure the safety of the inhabitants of this province;

WHEREAS, the pertinent provisions of Article 98, Rule XVII of the Rules and Regulations Implementing Republic Act No. 7160 mandates:

Art. 98. Powers, Duties, and Functions of the Sangguniang Panlalawigan. - (a) The sangguniang panlalawigan, as the legislative body of the province, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the province and its inhabitants pursuant to Section 16 of the Code and in the proper exercise of the corporate powers of the province as provided in Rule IX of these Rules, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective provincial government and shall:

(i) Review all ordinances x x x

(ii) **Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence**, rebellion, or sedition and impose penalties for the violation of said ordinances;

(iii) **Approve ordinances** imposing imprisonment of not exceeding one (1) year or a fine not exceeding Five Thousand Pesos (P5,000.00) or both imprisonment and fine at the discretion of the court, for violation of a provincial ordinances;

x x x (underscoring supplied)

WHEREAS, paragraph (d) of Article 3, Rule I of the aforecited Rules declared, as one of the policies, that every LGU shall exercise the powers expressly granted, those necessarily implied therefrom, as well as **powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare**. Within their respective territorial jurisdiction, LGU shall ensure and support, among other things, the preservation and enrichment of culture, **promote health and safety**, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice promote full employment among their residents, **maintain peace and order, and preserve the comfort and convenience of their inhabitants**;

x x x (underscoring supplied)

WHEREAS, the deadly weapons and articles sought to be forbidden are classified as follows: *Marble gun*, using marble materials as bullet; the commonly known "*Indian pana*" with flying feather using sharp object as flying pin; *Toy gun*, using pellet as bullet; *Sumpit gun*, using deadly and sharp poisonous pin and many other types of dangerous home-made guns and the like;

NOW THEREFORE, in session duly assembled

**THE SANGGUNIANG PANLALAWIGAN
of ZAMBOANGA SIBUGAY**

ORDAINED that:

Section 1. Title - This ordinance shall be known and thereafter referred to as "**AN ORDINANCE PROHIBITING THE USE OF MARBLE GUN AND OTHER DANGEROUS WEAPONS AND ARTICLES HARMFUL TO THE COMMUNITY AND THE RESIDENTS OF THE PROVINCE OF ZAMBOANGA SIBUGAY, AND PROVIDING PENALTY THEREFOR**"

Section 2. Scope and Coverage - This ordinance shall cover to all persons, stores, black markets, and other occupancies that possessed, sale or owned, originally made or improvised throughout entire municipalities and barangays of Zamboanga Sibugay Province.

Section 3. Definition Of Terms -

1. The dangerous articles that are sought to be prohibited includes but not limited to the following:
 - (a) **Marble Gun** - A deadly weapon or article of combat using marble material as bullet.
 - (b) **"Indian Pana"** - A deadly weapon/article with flying feather attached to a sharp object (normally nails) as flying pin.
 - (c) **Toy Gun** - Using pellet as bullet.
 - (d) **"Sumpit"** - A deadly and sharp poisonous pin.
2. **Crime Index** - a document that shows the crime rate and incidents of a particular place.

Section 4. Acts Prohibited. - The following acts or omissions are prohibited:

1. Manufacturing, selling, possessing, and trading of the dangerous weapons or articles herein-mentioned;

Barangay and Municipal officials in coordination with the Police authorities and other law enforcement agencies shall check, monitor, and cause the arrest of any violators of this ordinance;

Section 5. Exemption. - The following acts or omissions are exempt from the coverage of this ordinance:

5.1. Guns or firearms allowed by law and covered with proper licenses, clearances, and permits; and

5.2. Those which are utilized by duly authorized persons or group of persons who are connected with PNP, AFP, Security Agency, Auxiliary Forces and Gun Club which are under the supervision of the officers and men of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP).

Section 6. Penal Clause - Any person or persons found violating the provisions of this ordinance shall suffer the following penalties:

First Offense - A fine of Two Thousand Pesos (PHP 2,000.00);

Second Offense- A fine of Three Thousand Pesos (PHP 3,000.00);

Third Offense - A fine of Three Thousand Pesos (PHP 5,000.00) and imprisonment of not exceeding one (1) year

Section 7. Administrative or Voluntary Fine - A voluntary fine, in lieu of prosecution, maybe availed of by any person or persons found violating the foregoing ordinance by paying the corresponding penalty with the Office of the Provincial Treasurer.

Section 8. Enforcement. There shall be constituted a parallel enforcing body to implement the foregoing ordinance as follows:

1. **Provincial Enforcement Team**

- a) Provincial Governor
- b) SP Member- Chairperson, Committee on Peace and Order
- c) Provincial PNP Director
- d) AFP Task Force Commander

2. **Municipal Law Enforcers**

- a) Municipal Mayor
- b) SB Member- Chairperson on Peace and Order Committee
- c) Municipal PNP Chief of Police

3. **Barangay Law Enforcers**

- a) Barangay Chairpersons
- b) Barangay Kagawad- Chairperson, Committee on Peace and Order
- c) Barangay Chief Tanod

Section 9. Repealing Clause – All ordinances, resolutions or laws of local application and effect inconsistent hereto are hereby modified, superseded, and repealed accordingly.

Section 10. Separability Clause – If, for any reason or reasons, any part or provision hereof shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 11. Effectivity - This ordinance shall take effect immediately upon approval.

ENACTED during the **30th Regular Session** of the **4th Sangguniang Panlalawigan** of the Province of Zamboanga Sibugay, on April 18, 2011 at Ipil, Zamboanga Sibugay, Philippines.

CERTIFIED TRUE
& ACCURATE COPY

NICASIO M. PENA, AB,LLB.

Secretary to the Sanggunian



Sangguniang Panlalawigan
Province of Zamboanga Sibugay

p@ymail.com

ATTESTATION & CERTIFICATION

I HEREBY ATTEST and CERTIFY that I presided over the **30th Regular Session** of the **4th Sangguniang Panlalawigan** of the Province of Zamboanga Sibugay and that the foregoing legislative measure has been **approved and enacted** during the aforesaid session.

HON. CRESENCIO S. JORE

Presiding Officer, Board Member, 1st District

APPROVED by His Honor, the Governor, on _____
in the province of Zamboanga Sibugay, Philippines.

HON. ROMMEL A. JALOSJOS

Provincial Governor

