



Republic of the Philippines
Region IV-A (CALABARZON)
Province of Cavite
CITY OF GENERAL TRIAS
OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 20-83 (GENERAL)

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Chair, Committee on Ways and Means
SP Member Isagani L. Culanding
Chair, Committee on Peace, Public Safety
and Order
SP Member J-M Vergel M. Columna
Chair, Committee on Social Services
SP Member Walter C. Martinez
Chair, Committee on Finance, Budget
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Sponsors : SP Member Jonas Glyn P. Labuguen
SP Member Gary A. Grepo
SP Member Clarissel J. Campana-Moral
SP Member Jowie S. Carampot
SP Member Kristine Jane M. Perdito-Barison
SP Member Vivencio Q. Lozares, Jr.
SP Member Richard R. Parin
SP Member Hernando M. Granados
SP Member Alfredo S. Ching
SP Member Reienel R. Ferrer

PRESCRIBING THE USE AND ISSUANCE OF AN ORDINANCE VIOLATION RECEIPT (OVR) WHEN A VIOLATION OF ANY EXISTING GENERAL TRIAS CITY ORDINANCE IS COMMITTED; AND PROVIDING FUNDS FOR THE PRINTING OF ORDINANCE VIOLATION RECEIPT (OVR) AND FOR OTHER PURPOSES.

WHEREAS, the City Government reiterates its commitment to maintain the peace and order in the City, the protection of life, liberty and property, and the promotion of the general welfare for its constituents;

WHEREAS, the Sangguniang Panlungsod has enacted various ordinances that provide fines and penalties for strict implementation;

WHEREAS, for full implementation of the corresponding fines and penalties provided in the City Ordinances, a uniform Ordinance Violation Receipt (OVR) shall be issued to violators;

WHEREFORE, on motion of SP Member Florencio D. Ayos duly seconded by SP Member Isagani L. Culanding,

Be it enacted by the Sangguniang Panlungsod, that:

SECTION 1. TITLE - This Ordinance shall be known as "ISSUANCE OF ORDINANCE VIOLATION RECEIPT (OVR) ORDINANCE".

SECTION 2. PURPOSES - This Ordinance aims to achieve a systematic and orderly apprehension of violators of City Ordinances.

SECTION 3. REGULATED ACT - Any person who is cited for violation of any provision of a General Trias City Ordinance that imposes fines and penalties shall be issued an Ordinance Violation Receipt (OVR).

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Continuation...page 2 of City Ordinance No. 20-83 (General):

SECTION 4. PROCEDURE IN THE ISSUANCE OF ORDINANCE VIOLATION RECEIPT (OVR) - The following procedures shall be observed by any law enforcer in the apprehension of any person who violates any provision of a City Ordinance:

- a. Inform the violator of his/her violation;
- b. Issue the OVR, indicating the name, verified address and other pertinent data of the person apprehended, as may be required in the OVR including the violation; and
- c. Inform the violator of his/her right to avail of the No Contest Provision, as provided in Section 5, hereof.

SECTION 5. NO CONTEST PROVISION - Any person apprehended for violation of a City Ordinance, who does not wish to contest the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of the formal complaint with the Prosecutor, shall be allowed to pay the said fine with the City Treasurer to avoid criminally prosecuted.

SECTION 6. PROCEDURE IN THE AVAILMENT OF THE NO CONTEST PROVISION -

- A. The violator shall be given five (5) working days from issuance of the Ordinance Violation Receipt (OVR) to pay the fine, to wit:
 - a.1 The fine shall be the minimum imposable by the Ordinance violated;
 - a.2 Where there are fines imposed in the Second and Third Offenses, the minimum fine in the Second and Third offenses shall be charged; and
 - a.3 If the violator had already availed of the No Contest Provision three (3) times, he/she can no longer avail of the same and the corresponding complaint for the violation of the Ordinance, with the maximum penalty imposed should be filed against the violator.
- B. The violator, who avails of the No Contest Provision shall make the payment to the City Treasurer who shall issue an Official Receipt.
- C. After payment of the fine, the violator shall present the Official Receipt to the apprehending enforcer, which shall attach a certified True Copy of the receipt of the documents of the case and the case shall be considered closed.
- D. If after the lapse of five (5) days, the violator has failed to present the Official Receipt of the payment of the fine, the enforcer who apprehended shall have the case filed with the Prosecutor's Office, attaching an Affidavit indicating therein that the violator failed or did not avail of the No Contest Provision.

SECTION 7. COMMUNITY SERVICE -

- A. In case of inability to pay the fine, the violator may render community service;

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Continuation...page 3 of City Ordinance No. 20-83 (General):

- B. The Punong Barangay where the violation occurred shall determine the kind of community service that will be required to the violator and shall administer the same;
- C. After the completion of the community service, the Punong Barangay within five (5) days shall issue Completion Certificate to the violator and submit the same to the apprehending officer which shall consider the case closed. noncompletion of the community service as certified by the Punong Barangay shall be deemed as waiver on the party of the violator to still avail of the same and the case shall proceed accordingly; and
- D. The provision on community service can be availed on for three (3) times by any violator.

SECTION 8. JURIDICIAL PERSON - When the offender is a corporation, partnership, organization or any similar entity, the OVR shall be issued to its President and/or General Manager or Managing Partner and/or General Manager, or such other Officer-in-Charge with the management of the business.

SECTION 9. EXEMPTION - Minors (below 18 years of age) are exempted from issuance of Ordinance Violation Receipt (OVR).

SECTION 10. VIOLATION OF THE ORDINANCE BY A CHILD (Under Age of Eighteen (18) Years) - Ordinance enacted by City of General Trias for the protection of children, NO PENALTY shall be imposed on children for said violations (RA 10630).

SECTION 11. PROCEDURE IN THE HANDLING OF A CHILD OFFENDER -

- A. A child who is cited for violation of a City Ordinance shall be recorded as a "child at risk" and not a "child in conflict with the law". He/she shall be brought to any Barangay Hall to refer to the Barangay Children and Women's Desk Officer, which shall, with the assistance of the Barangay Officials, release the custody of the child to his/her parent or guardian, or in the absence thereof, the child's nearest relative.

If the parent, guardian or nearest relative cannot be located, or if they refuse to take custody, the child may be released to any of the following:

1. A Barangay Official or a member of the Barangay Council for the Protection of Children (BCPC); and
 2. A City Social Welfare and Development Officer, or when and where appropriate, the DSWD/Government or nongovernment Agencies that cater to the needs of children.
- B. The City Social Welfare and Development Officer (CSWDO) shall determine and design the intervention program for the child. The intervention program shall consist of counselling, attendance in group activities for children, etc. and for the parents, attendance in parenting education seminar (RA 10630).

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Continuation...page 4 of City Ordinance No. 20-83 (General):

- C. If the child has been found by the CSWD to be dependent, abandoned, neglected or abused by his/her parent and the best interest of the child requires that he/she be placed in the Youth Care Facility, the child's parent or guardian shall execute a written authorization for the voluntary commitment of the child. Provided that the child has no parent or guardian or if they refuse or fail to execute the written authorization for voluntary commitment, the proper petition for involuntary commitment shall be immediately filed by the CSWD (Section 6, RA 13630, amending Section 20, RA 9344).

SECTION 12. APPROPRIATION - The City Government shall appropriate funds for the implementation of this Ordinance. Thereafter, the funding needed for its continuous implementation shall be included in the Annual Budget of the City Government.

SECTION 13. IMPLEMENTING RULES AND REGULATIONS - While the provisions of this Ordinance are operative and self-executory, an Implementing Rules and Regulations may be issued by the Local Chief Executive (LCE) as may be deemed necessary.

SECTION 14. REPEALING CLAUSE - All ordinances, resolutions, local executive orders or any administrative issuances found to be inconsistent with any provision or provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 15. SEPARABILITY CLAUSE - In case any provision of this Ordinance is declared unconstitutional or invalid by a competent Court, the remaining provisions not affected thereby shall continue in full force and effect.

SECTION 16. EFFECTIVITY CLAUSE - This Ordinance shall take effect fifteen (15) days after its approval and publication in a newspaper of general circulation.

ENACTED under THIRD/FINAL READING on 07 DECEMBER 2020.


JONAS GLYN D. LABUGUEN
SP Member


GARY A. GREPO
SP Member


CLARISSSEL J. CAMPAÑA-MORAL
SP Member


JOWIE S. CARAMPOT
SP Member


KRISTINE JANE M. FERDITO-BARISON
SP Member


ISAGANI L. CULANDING
SP Member


J-M VERGEL M. COLUMNA
SP Member


WALTER C. MARTINEZ
SP Member


FLORENCIO D. AYOS
SP Member


VIVENCIO Q. LOZARES, JR.
SP Member


RICHARD R. PARIN
SP Member

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Continuation...page 5 of City Ordinance No. 20-83 (General):


HERNANDO M. GRANADOS
SP Member


ALFREDO S. CHING
SP Member/LNB President


REIENEL R. FERRER
SP Member/SKF President

CERTIFIED TRUE AND CORRECT:


WENCESLAO P. CAMINGAY
Secretary to the Sanggunian

ATTESTED:


MAURITO C. SISON
City Vice Mayor/Presiding Officer

APPROVED:


ANTONIO A. FERRER
City Mayor


kva/app/jfa


