



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 48

11TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the fifth day of December, Two Thousand Nineteen

ORDINANCE NO. 8609

AN ORDINANCE FURTHER AMENDING CITY ORDINANCE NO. 6511, AS AMENDED BY CITY ORDINANCE NO. 7971, ENTITLED: "AN ORDINANCE PROHIBITING THE DEFACING, BY PAINTING, WRITING, SCRIBBLING, SCRAWLING, DRAWING, SMEARING, COLORING, STAMPING OR INSCRIBING OF WALLS, SIDINGS, PARTITIONS, FENCES, GATES, DOORS OR WINDOW PANES OF BUILDING, EDIFICES, HOUSES OR STRUCTURES, WHETHER PUBLIC OR PRIVATE, OF LAMPPOSTS, STREET SIGNS, STREETS, SIDEWALKS OR OTHER PUBLIC PROPERTY, WITH CERTAIN EXCEPTIONS AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES"

PRINCIPAL AUTHORS:

HON. JOEL "JTV" VILLANUEVA

HON. SALVADOR PHILIP H. LACUNA, HON. IRMA C. ALFONSO-JUSON, HON. ERICK IAN O. NIEVA, HON. PETER M. ONG, HON. JESUS M. FAJARDO, HON. ERNESTO G. DIONISIO, HON. MOISES T. LIM, HON. MACARIO M. LACSON, HON. NUMERO G. LIM, HON. DARWIN B. SIA, HON. MA. THERESA F. BUENAVENTURA-QUIMPO, HON. ROMA PAULA S. ROBLES-DALUZ, HON. EDWARD M. TAN, HON. MANUEL M. ZARCAL, HON. JOHANNA MAUREEN C. NIETO-RODRIGUEZ, HON. TERRENCE F. ALIBARBAR, HON. PAMELA "FA" G. FUGOSO-PASCUAL, HON. LOUISITO N. CHUA, HON. WARDEE P. QUINTOS XIV, HON. SCIENCE A. REYES, HON. DON JUAN "DJ" BAGATSING, HON. KRYSTLE MARIE C. BACANI, HON. IRWIN C. TIENG, HON. RAYMUNDO R. YUPANGCO, HON. LARIS T. BORROMEO, HON. JOEY S. HIZON III, HON. RICARDO "BOY" A. ISIP, JR., HON. CHARRY R. ORTEGA, HON. JOEL M. PAR, HON. PRISCILLA MARIE T. ABANTE-BARQUIA, HON. CARLOS C. CASTAÑEDA, HON. CHRISTIAN PAUL L. UY, HON. LUCIANO M. VELOSO, HON. LEILANI MARIE H. LACUNA, HON. DANIEL DAVE A. TAN, **HON. JOEL R. CHUA**, Majority Floor Leader and **HON. ERNESTO C. ISIP, JR.**, President Pro-Tempore



PREAMBLE

WHEREAS, property owners of both public and private property spent time, money, efforts and other resources to clean and/or paint walls and fences, as well as maintain the same free from any and all forms of graffiti;

WHEREAS, the City Government and Barangays often embarked on a cleanliness campaign including the cleaning and/or painting of walls, fences and other surface within their respective jurisdiction;

WHEREAS, despite serious campaign and effort on the part of the City Government, the Barangays, as well as private owners to eradicate, if not discourage, any form of vandalism and acts of defacement destructive of the aesthetic appearance of walls, fences and other surfaces, the same remain unabated;

WHEREAS, under the guise of expressing one's opinion, belief and principle, political or otherwise, there are individual or group of persons that use, utilize and convert walls, fences and other surfaces as platform without regards to the costs of removing the same;

WHEREAS, there is a need to increase the severity of any and all forms of vandalism and acts of destructive defacement to discourage any individual or group of persons from vandalizing walls, fences and other surfaces, as well as encourage property owners to maintain the cleanliness of these structures: NOW, THEREFORE,

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. Ordinance No. 6511, as amended by Ordinance No. 7971 is hereby further amended, to read as follows:

"SECTION 1. This Ordinance shall be called **"THE ANTI-VANDALISM ORDINANCE OF 2019"**.

SEC. 2. It shall be unlawful for any person to deface or cause to be defaced, by painting, writing, scribbling, scrawling, drawing, smearing coloring, stamping or inscribing the walls, sidings, partitions, fences, gates, doors or window panes of buildings, edifices, houses or structures, whether public or private, lampposts, street signs, streets, sidewalks or other public property, except when done with the consent and authority of the owner, with respect to privately-owned property, or when duly authorized by the Mayor, with respect to the public property.

SEC. 3. Any person caught in *flagrante delicto* by any public officer or private citizen committing the act/s enumerated in the preceding section under the principle of warrantless arrest shall be brought immediately to the nearest police station for proper disposition.

In addition, but without prejudice to further prosecution for the violation of this Ordinance, he may, at his option, be required to clean, wash, erase and perform any and all acts necessary to restore the structures vandalized to its original condition and/or reimburse the expenses thereof incurred by the City of Manila or the private owner with undertaking that a repetition of the same with be dealt with more severely.

SEC. 4. Any person found violating or infringing this Ordinance shall, upon conviction, be punished by a fine of not less than One Thousand Pesos (PhP. 1,000.00) but not more than Five Thousand Pesos (PhP. 5,000.00) or imprisonment of not less than six (6) months nor more than one (1) year or both such fine and imprisonment at the discretion of the court.

In addition to the penalty herein imposed, the offender shall also be liable for the expenses incurred to restore the defaced and/or vandalized structures.

SEC. 5. All Punong Barangays, Kagawads and their respective Barangay Tanods are likewise mandated to monitor, investigate and coordinate with the proper authorities for proper implementation of this Ordinance; PROVIDED, That every Barangay shall, through a duly approved resolution, submit to the City Council a monthly report of their performance in monitoring the afore-stated prohibited acts.

SEC. 6. Copies of this Ordinance shall always be posted in all barangay outposts."

SEC. 2. Separability Clause. – If any provision of the ordinance or the application of such provision to other persons or circumstances is declared invalid, the provisions thereof not affected hereby shall remain in full force and effect.

SEC. 3. Repealing Clause. – All ordinances, resolutions, executive orders, rules and regulations, and other issuances or parts thereof found to be inconsistent with the provisions of this Ordinance are hereby repealed, modified, or amended accordingly.


SEC. 4. Effectivity Clause. – This Ordinance shall take effect upon its approval.

This Ordinance was finally enacted by the City Council of Manila on January 23, 2020.

PRESIDED BY:


MARIA SHEILAH "Honey" LACUNA-PANGAN, MD, FPDS
Vice-Mayor and Presiding Officer
City Council, Manila


ATTESTED:


LUGH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR THE MAYOR, ON FEB 18 2020


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


BERNARDITO C. YANG
City Government Department Head III
(Secretary to the Mayor)

RNF: rrb/jvl/jok/cpl/jrp