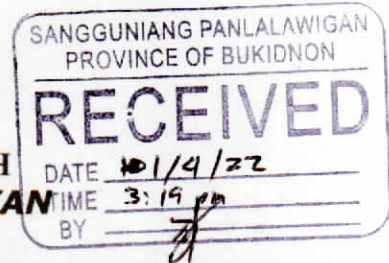




Republic of the Philippines
Province of Bukidnon
MUNICIPALITY OF MANOLO FORTICH
OFFICE OF THE SANGGUNIANG BAYAN
E-mail: sb@manolofortich.gov.ph



EXCERPT FROM THE MINUTES OF THE 49th REGULAR SESSION OF THE 19TH SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT SANGGUNIANG BAYAN SESSION HALL ON DECEMBER 10, 2021.

PRESENT:

HON. MIGUEL D. DEMATA

Presiding Officer

HON. JUANITO I. QUIÑO

Municipal Vice Mayor

HON. REYNALDO L. BAGAYAS, JR.

Sangguniang Bayan Member

HON. RAUL S. MIÑOZA

Sangguniang Bayan Member

HON. ELIEZER S. ONAHON

Sangguniang Bayan Member

HON. JOY L. CORDOVEZ

Temporary Majority Floor Leader

HON. CHRISTY L. SALABE

Sangguniang Bayan Member

HON. ALBERTO B. TINYO

Sangguniang Bayan Member

HON. NELSON S. BINAYAO

Liga ng mga Brgy. Representative

HON. JOHN ANTHONY G. LEYSON

SK Federation Rep.

ABSENT:

HON. WARLEO A. GOAYAN

Sangguniang Bayan Member

HON. ALEX D. PAYANGGA

IP Mandatory Rep.

- On Official Business

ORDINANCE NO. 2021 - 1565

(49th Regular Session)

AN ORDINANCE REGULATING THE OWNERSHIP AND OPERATION OF DRONES BY PRIVATE PERSONS IN THE MUNICIPALITY OF MANOLO FORTICH, BUKIDNON.

BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Manolo Fortich, Bukidnon in session that;

SECTION 1. DECLARATION OF POLICY. – It is the policy of the municipality to regulate the ownership and operation of drones by private persons in order to ensure public safety.

SECTION 2. COVERAGE. – This Ordinance shall regulate only drones as defined herein, purchased, owned and operated by private persons, whether used for hobbyist or commercial purposes. The use of drones by the Government shall not be subject to this Ordinance.

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SECTION 3. DEFINITION OF TERMS. – As used in this Ordinance, the following terms shall mean:

1. **Drone** – shall refer to unmanned aerial vehicle (UAV) or any component of an unmanned aerial system (UAS) that has no pilot and is controlled by an operator on the ground.
2. **Private Persons** – shall refer to natural or juridical persons not employed by or part of the Government.
3. **Commercial Drone Use** – the use of drone in connection with a business of profession for the sake of profit, whether the profit is the primary purpose of the drone use or merely an incidental result.
4. **Hobbyist Drone Use** – the use of drones for recreational purposes where no profit is made from the use of drones.

SECTION 4. REGISTRATION AND PERMIT TO OPERATE. – All drone owners, whether the drones are for hobbyist or commercial use, are hereby required to register their drones with the Local Business Permit and Licensing Office (BPLO) or Local Disaster Risk Reduction and Management Office (LDRRMO).

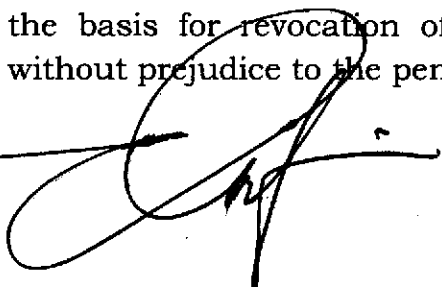
Only a registered drone can be applied for a permit to operate, which shall be issued five (5) days prior to operation.

The Permitting Office may collect processing fees for the permit. Permits shall be specified with corresponding period or time of operation.

SECTION 5. ESTABLISHMENT OF NO-DRONE ZONES – The LGU, in coordination with the AFP/PNP will determine the areas to be declared as NO-DRONE ZONE for both hobbyist or commercial or both, within the Municipality of Manolo Fortich, whether permanently or for a designated period of time, subject to notice that must be published at least one (1) newspaper of general circulation.

The notice must clearly state the NO-DRONE ZONE and must be published at least three (3) weeks prior to the effectivity of the prohibition.

SECTION 6. GENERAL SAFETY REGULATIONS AND RESTRICTION OF DRONE USAGE. – The LGU shall periodically update and publish safety regulations and restrictions of drone usage, the violation of which shall be the basis for revocation of permit to operate and confiscation of drone, without prejudice to the penalties provided in this ordinance.



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These safety regulations and restrictions include:

1. Requiring all drones, whether for hobbyist or commercial use, to be clearly marked with the name, contact number, and address of the owner;
2. Prohibiting the use of drones as a means to violate constitutional rights, including the right to privacy;
3. A prohibition of flying drones above 400 feet;
4. A prohibition on flying drones near aircraft, particularly near airports;
5. The prohibition of flying drones over groups of people, public events, subject to exception to be crafted by the LDRRMO.
6. The prohibition of flying drones near emergencies, such as fires;
7. For recreational drone use, requiring the operator to keep the drone within the operator's line of sight

SECTION 7. FINES AND PENALTIES. – Failure to register a drone shall result in the confiscation of the drone.

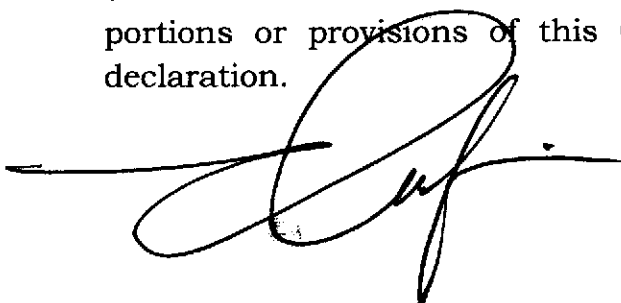
Operating a drone for commercial purposes without a permit shall result in the confiscation of the drone and a fine not less than P1,000.00 but not more than P2,500.00.

Drones operating within the No-Drone Zone may be dealt with a use of force or other means necessary which may result to damage to the drone.

SECTION 8. IMPLEMENTING RULES AND REGULATIONS. – The LGU shall issue the necessary rules and regulations for the effective implementation of this ordinance not later than 90 days from the effectivity of this Ordinance.

SECTION 9. RETROACTIVE CLAUSE. – This Ordinance shall have a retroactive effect. All drone owners who have not yet registered their drones or obtained permits to operate their drones are given 90 days from the effectivity of the Implementing Rules and Regulations of this Ordinance to register and obtain permits without fear of sanction.

SECTION 10. SEPARABILITY CLAUSE. – If any portion or provision of this ordinance is declared void or unconstitutional, the remaining portions or provisions of this Ordinance shall not be affected by such declaration.

A large, stylized handwritten signature in black ink, appearing to be a cursive representation of a name, possibly 'Luis' or 'Luisa', with a long horizontal line extending to the left.A simple handwritten mark consisting of a single vertical line with a small hook at the top, resembling a stylized '9' or a checkmark.A small, handwritten mark or signature in the bottom right corner, consisting of a few loops and a vertical line.

SECTION 11. REPEALING CLAUSE. – All laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 12. EFFECTIVITY CLAUSE. – This Ordinance shall take effect 15 days after its complete publication.

This Ordinance was enacted on motion of Hon. Reynaldo L. Bagayas, Jr. and unanimously seconded by the members present.


ENACTED: December 1, 2021.

CERTIFIED CORRECT:

FOR AND IN THE ABSENCE OF THE
SECRETARY TO THE SANGGUNIANG:


MILA M. BARRIENTOS
Board Secretary II

CERTIFIED AND ATTESTED TO HAVE
BEEN ENACTED ON DECEMBER 10, 2021:


MIGUEL D. DEMATA
Presiding Officer
Municipal Vice Mayor

APPROVED:


CLIVE D. QUIÑO
Municipal Mayor