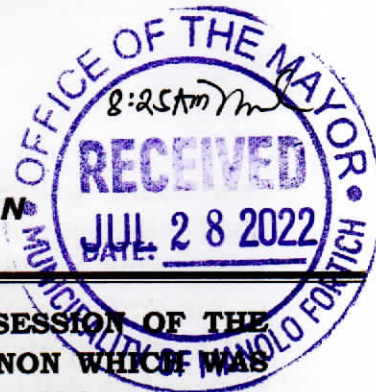




Republic of the Philippines  
Province of Bukidnon  
MUNICIPALITY OF MANOLO FORTICH  
**OFFICE OF THE SANGGUNIANG BAYAN**  
E-mail: sb@manolofortich.gov.ph



**EXCERPT FROM THE MINUTES OF THE 23<sup>rd</sup> REGULAR SESSION OF THE 19<sup>TH</sup> SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT SANGGUNIANG BAYAN SESSION HALL ON JUNE 24, 2022.**

**PRESENT:**

HON. MIGUEL D. DEMATA	Presiding Officer
HON. JUANITO I. QUIÑO	Municipal Vice Mayor
HON. RAUL S. MIÑOZA	Sangguniang Bayan Member
HON. ELIEZER S. ONAHON	Sangguniang Bayan Member
HON. JOY L. CORDOVEZ	Sangguniang Bayan Member
HON. CHRISTY L. SALABE	Sangguniang Bayan Member
HON. ALBERTO B. TINOY	Sangguniang Bayan Member
HON. ALEX D. PAYANGGA	IP Mandatory Rep.
HON. FLORAMAE D. PENASO	Liga ng mga Brgy. Rep.
HON. JOHN ANTHONY G. LEYSON	Temporary Majority Floor Leader
	SK Federation Representative

**ABSENT:**

HON. REYNALDO L. BAGAYAS, JR.	Sangguniang Bayan Member
	- On Official Business
HON. WARLEO A. GOAYAN	Sangguniang Bayan Member

**ORDINANCE NO. 2022-1646**  
(23<sup>rd</sup> Regular Session)

**AN ORDINANCE PRESCRIBING A FEE FOR ISSUANCE OF CERTIFICATION OF DETENTION FOR INMATES CONFINED IN BJMP-MANNED JAIL FACILITIES IN THE MUNICIPALITY OF MANOLO FORTICH, BUKIDNON.**

**WHEREAS**, Article X, Section (Local Government) of the 1987 Constitution provides that each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local autonomy. Such taxes, fees, and charges shall accrue exclusively to the local governments;

**WHEREAS**, Rule xxx, Part One, Art. 218 of the Implementing Rules and Regulation of R.A. 7160 specifically provides that consistent with the basic policy of local autonomy, each LGU shall exercise its power to create its own sources of revenue and to levy taxes, fees, and charges subject to the provisions of this Rule. Such taxes, fees, and charges shall accrue exclusively to the LGU;

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K. Dela Cruz  
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**WHEREAS**, Article 100, (a), (5), (XV) of the implementing Rules and Regulation of R.A. 7160 states that the Sangguniang Bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of the Code and in the proper exercise of the corporate powers of the municipality as provided in Rule IX of these Rules, and shall establish and provide for the maintenance and improvement of jails and detention center, institute sound jail management programs, and appropriate funds for the subsistence of detainees and convicted prisoners in the municipality:

**WHEREAS**, in comparison, under the Department of the interior and Local Government (DILG), the Philippine National Police (PNP) and the Bureau of Fire Protection (BFP) have ways and means of generating revenues for the National Treasury;

**WHEREAS**, the PNP collects fee for the issuance of police clearances, permits related to firearms use and regulation, and charges for the inspections and other regulatory fees for the operation of security agencies and similar security offices, while the BFP similarly issues paid permits and clearances to inspected commercial establishments on matters of fire prevention and protection,

**WHEREAS**, the BJMP is one of those organizations in government, specifically within the DILG, that do not have institutional ways and means of contributing to the national treasury nor to the local government units while charged with safekeeping inmates,

**WHEREAS**, to improve lives and living conditions of our less fortunate constituents detained in jails, a legislative fiat apposite to the augmentation of BJMP's meager operational resources particularly those not provided in the General Appropriation Act or expense items not provided in the national budget, is called for;

#### **NOW THEREFORE**

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

**SECTION 1. SHORT TITLE** This ordinance shall be called "**AN ORDINANCE PRESCRIBING A FEE FOR THE ISSUANCE OF CERTIFICATE OF DETENTION FOR INMATES CONFINED IN BJMP-MANNED JAIL FACILITIES IN THE MUNICIPALITY OF MANOLO FORTICH, BUKIDNON**".

**SECTION 2. PURPOSE AND GENERAL COVERAGE.** This ordinance is in line with the provisions of the Local Government Code and its implementing Rules and Regulations concerning common revenue-raising powers, power to create sources of revenue of a Local Government Unit (LGU) and the duties and functions of the Sangguniang Bayan. This shall cover BJMP-manned jail(s) in a Local Government Unit.

**SECTION 3. DECLARATION OF POLICY.** Consistent with the Local government's commitment to improve the lives and living conditions of our less fortunate constituents who are detained in jails, providing means for the BJMP to



generate revenue will in directly contribute to the easement of operational requisites for the realization of objectives that are intended for such purposes.

#### **SECTION 4. SCOPE**

**4.1** This ordinance shall govern the issuance of Certificate of Detention for all inmates confined in a jail situated within the jurisdiction of Manolo Fortich and other concerned individuals who wish to secure a copy for whatever legal purpose it may serve.

**4.2** This ordinance shall be enforced by the warden or by his/her authorized representative in the municipality.

#### **SECTION 5. DEFINITION OF TERMS:**

**5.1. Municipality** refers to the Municipality of Manolo Fortich, Bukidnon.

**5.2. BJMP-Manned Jail Facility** refers to jail facility managed and supervised by the Bureau of Jail Management and Penology (BJMP) within the territorial jurisdiction of the Municipality of Manolo Fortich, Bukidnon

**5.3. Certificate** of Detention refers to the certificate issued to the Person Deprived of Liberty (PDL) after actual and physical detention.

**5.4. Person Deprived of Liberty (PDL)** refers to a person charged of an offense by virtue of which he is physically detained in a jail/detention facility. This term includes persons serving sentence by final judgment.

**5.5. Fee** refers to the amount collected by the municipal government from the PDL for the Issuance of Certificate of Detention.

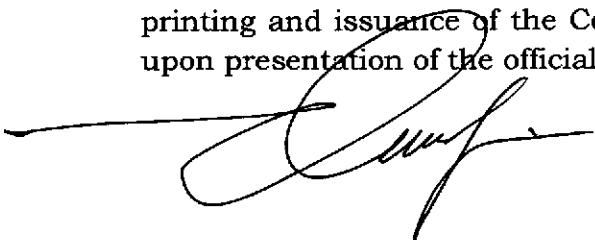
#### **SECTION 6. PROCEDURES**

**6.1** A person deprived of liberty (inmate) or his representative or any other party who wish to secure a certificate of detention or an authenticated copy thereof, for any legal purposes shall first seek from the warden or his/her authorized representatives a verification slip that indicates the inmate whose certificate is being sought was actually or is presently confined/detained in the said facility

**6.2** After securing the verification slip, payment shall be made at the Treasurer's Office, which shall issue an Official Receipt as proof of payment.

**6.3** The cost of Certificate of Detention shall be Sixty Pesos (Php 60.00). Payment shall be made at the Treasurer's Office of the Municipality of Manolo Fortich.

**6.4** The Jail Warden or his/her Authorized Representatives shall cause the printing and issuance of the Certificate of Detention for the concerned inmate, upon presentation of the official receipt issued by the treasurer's office.



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**6.5** An inmate so declared by the court as indigent shall avail of the Certificate of Detention free of charge.

**SECTION 7. SEPARABILITY CLAUSE.** If for any reason or reasons, any part or provisions of this ordinance shall be held unlawful or invalid, other parts of provision thereof shall continue to be in full force and effect.

**SECTION 8. REPEALING CLAUSE.** All Ordinances, Rules or Regulations or parts thereof in conflict with or inconsistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.

**SECTION 9. EFFECTIVITY.** This Ordinance shall take effect upon its approval.

This Ordinance was enacted on motion of Hon. Eliezer S. Onahon and unanimously seconded by the members present.

ENACTED: June 24, 2022.

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CERTIFIED CORRECT:



**LYDIA O. LASTIMOSA**

Secretary to the Sanggunian

CERTIFIED AND ATTESTED TO HAVE  
BEEN ENACTED ON JUNE 24, 2022:



**MIGUEL D. DEMATA**

Presiding Officer

Municipal Vice Mayor

APPROVED



**CLIVE D. QUINO**

Municipal Mayor