



MUNICIPAL ORDINANCE NO. 2023-04

“REQUIRING ALL CONVENIENCE STORES TO ENGAGE SERVICES OF SECURITY GUARDS DURING THEIR HOURS OF OPERATIONS PROVIDING PENALTIES FOR VIOLATION AND FOR OTHER RELATIVE PURPOSES.”

Authored by:

Honorable Virgilio S. Paglinawan
ABC President

and

Honorable Martin SJ. Angeles
Vice Mayor and
Presiding Officer of the Sangguniang Bayan

WHEREAS, Section 16 of the Local Government Code of 1991 or Republic Act No. 7160, also known as the General Welfare Clause, provides in part that every local government unit shall exercise powers necessary for its efficient and effective governance and those which are essential to the promotion of general welfare;

WHEREAS, Sections 447 of the of said Republic Act 7160 provide in part, the Sangguniang bayan shall enact ordinances for the general welfare of the municipality and its inhabitants pursuant to the above mentioned Section 16 of said law, and in this regard, enact and approve ordinances relative to the: (i) maintenance of peace and order in the municipality, (ii) suppression of lawlessness therein, and (iii) authorization of the assurance of permits or licenses upon conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality, regulating thereby any business which does not require government examination within the municipality and the conditions under which the license for aid business may issue or revoked;

WHEREAS, law enforcement agencies in the country have already proven that on-site security guards among the most effective tools in crime deterrence, prevention and detection;

TANGGAPAN NG SANGGUNIANG BAYAN

BAKURAN NG BAHAY PAMAHALAANG BAYAN NG BUSTOS, BULACAN

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WHEREAS, the Philippine National Police have recorded several cases of robbery committed in several convenience stores in the Municipality;

WHEREAS, IN ORDER to intensify the Municipality's drive to deter, prevent, detect, and solve criminality.

NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN A SESSION DULY ASSEMBLED THAT:

Section 1. Short title. – This ordinance shall be known for brevity as “Convenience Store Crime Prevention Ordinance of Bustos”.

Section 2. Definition of Terms. – for purposes of this ordinance the word and phrases used here in shall be constructed and understood based on their meaning as used commonly in the society. However, the following words shall be defined as:

- a. **Convenience stores** – business establishments that are part of a national chain or have several branches in other parts of the country engaged in retail trade directly to consumers or public, selling common and everyday items such as coffee, groceries, snack foods, confectionery, soft drinks, ice creams, tobacco products, etc.
- b. **Security guard/s** – person/s employed or deployed by the owner of the establishment with the specific duty of protecting the safety of the store and all articles inside the store, its personnel and customers.

Section 3. Engaging services of security guards. – Owners of convenience stores are hereby by mandated to secure or engaged services of security guards to be deployed on their convenience store and must be physically present and visible in the establishment while it is open to public.

Section 4. Exemption. – Convenience stores with the existing security guards on duty while their store is open to public are exempted from the mandate of Section 3 hereof.

Section 5. Application to existing convenience stores. – All convenience stores already existing prior to the effectivity of this Ordinance shall have a period of six (6) months from effectivity of this Ordinance to engage services of security guards.

Section 6. Monitoring and inspection. – the Business Licensing Office and the Philippine National Police-Bustos shall conduct monitoring and inspection of all convenience stores and recommend issuance of Notice of Violation.

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Section 7. Issuance of Notice of Violation. – the Municipal Mayor or his/her duly authorized officer may issue Notice of Violation to erring establishment upon recommendation of the Business Licensing Officer or the Philippine National Police-Bustos.

Section 8. Penalty. – owners of convenience store with no security guards deployed in accordance with his Ordinance shall be penalized by the following:

1. *First Offense* – fine of Five Hundred pesos (PhP500.00);
2. *Second Offense* – fine of One Thousand Five Hundred Pesos (PhP1,500.00) or imprisonment of one (1) day to ten (10) days at the discretion of the Court;
3. *Third Offense* – fine of Two Thousand Five Hundred Pesos (PhP2,500.00) or imprisonment of eleven (11) day to twenty (20) days at the discretion of the Court.

Section 9. Application of penalty to juridical personality. – In case the owner of the erring convenience store is a juridical person, the penalty herein provided may be imposed to the corporation and/or to its president, managers and/or other officers who are responsible to procure services of security guards.

Section 10. Compliance period; filing of case on court. – Upon findings or discovery of failure to deploy security guards to a specific convenience store, before resorting the judicial action, the Municipality shall grant the erring owner of convenience store a period of sixty (60) days to engage services of security guards. Thereafter, the municipality may commence necessary court action to prosecute the offender.

Section 11. Voluntary payment of fine. – Violating persons or any entities may voluntarily pay the fine in accordance with the provision of this Ordinance. In such case, the Municipality may no longer file a case in court for the particular violation.

Section 12. Separability Clause. – If for any reason, any section of this ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

Section 13. Repealing Clause. – All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed, provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

Section 14. Effectivity Clause. – This ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the province of Bulacan.

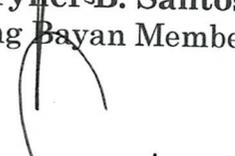
APPROVED and ADOPTED, 6th of March, 2023 by the Sangguniang Bayan at the Amado Raymundo Session Hall.

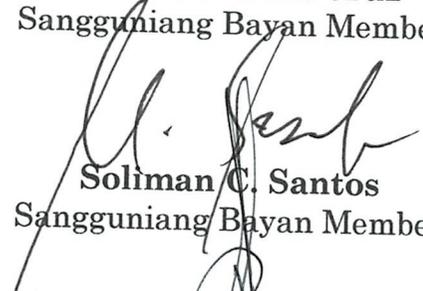

Marie Niña Nikkie Perez, MA
Sangguniang Bayan Member

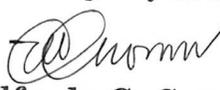

Leo T. Santos
Sangguniang Bayan Member


Phillip Wryner B. Santos
Sangguniang Bayan Member

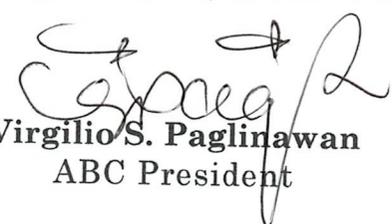

Juliet DJ. Dela Cruz
Sangguniang Bayan Member

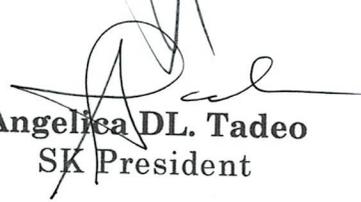

Aljhaneal E. Quiñones
Sangguniang Bayan Member


Soliman C. Santos
Sangguniang Bayan Member

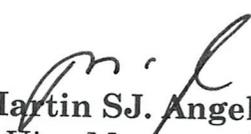

Wilfredo G. Canaza
Sangguniang Bayan Member


John Erick L. Perez
Sangguniang Bayan Member


Virgilio S. Paglinawan
ABC President

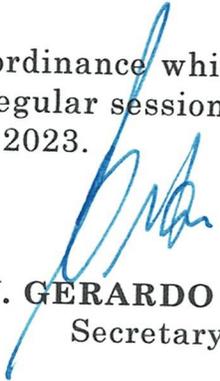

Angelica DL. Tadeo
SK President

ATTESTED:


Martin SJ. Angeles
Vice Mayor and
Presiding Officer of the Sangguniang Bayan

— ■ —
CERTIFICATION:

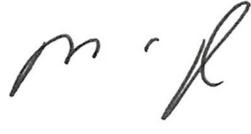
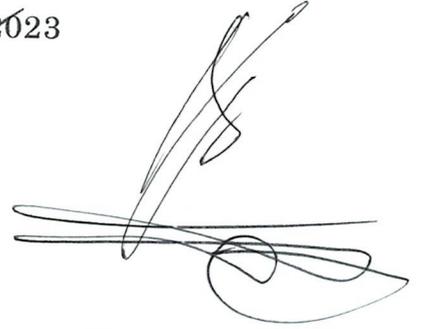
I HEREBY CERTIFY that the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held at the Amado Raymundo Session Hall on 6th of March, 2023.


ATTY. GERARDO S. BRIASA
Secretary

Attested:

Signed today, 03 of April 2023

~~FRANCIS ALBERT G. JUAN
Municipal Mayor~~



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