



Republic of the Philippines

CITY OF BACOR

Province of Cavite

OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. CO 7-2015

Series of 2015

AN ORDINANCE REQUIRING THE MANDATORY DISPLAY OF CONDOMS AND WRITTEN WARNINGS ON THE DANGERS OF UNPROTECTED SEX IN ALL THE ROOMS OF ALL THE MOTELS, INNS, AND SIMILAR ESTABLISHMENTS IN THE CITY OF BACOR.

Sponsored by: **Hon. Roberto Javier**

Co-Sponsored by: **Hon. Miguel N. Bautista, Hon. Rowena M. Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Hernando C. Gutierrez, Hon. Victorio L. Guerrero, Jr., Hon. Gaudencio P. Nolasco, Hon. Reynaldo D. Palabrica and Hon. Avelino B. Solis.**

WHEREAS, a study released by the National Epidemiology Center of the Department of Health (DOH) this year shows that out of 186 countries, the Philippines is one of the nine countries with the highest increase in reported HIV cases among people 15-49 years old from 2001-2011.

WHEREAS, the same report also shows that there has been a 532% increase in new reported HIV cases in the Philippines between 2008 to 2012.

WHEREAS, the said report also show that as of August 2013, thirteen (13) new HIV cases per day are reported in the Philippines.

WHEREAS, 13% of all reported HIV cases in the Philippines come from Region IV-A. Alarmingly, the City of Bacoor registered the highest number of new reported HIV cases in Region IV-A.

WHEREAS, the same study shows that what puts a person at risk of contracting HIV are the following:

- a) Unprotected anal sex between males;
- b) Unprotected sex with sex workers;
- c) Unprotected sex with multiple sex partners;
- d) Injecting drug with used needles.

WHEREAS, the above-mentioned facts show that the use of condoms during sex is still the best and most affordable means of curtailing the spread of HIV and other sexually transmitted diseases.

WHEREAS, promoting public health is among the primary responsibilities of the city government.

Protected Sex Ordinance of Bacoor (City Ordinance No. CO 7-2015)

16 February 2015

District I:
HON. AVELINO B. SOLIS
City Councilor

HON. EDWIN G. GAWARAN
City Councilor

HON. MIGUEL N. BAUTISTA
City Councilor

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HON. LEANDRO A. DE LEON
City Councilor

HON. ROBERT R. JAVIER
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor - ABC Pres.

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

Absent

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor



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WHEREAS, Section 11, paragraph 4, sub-paragraph (iv) of Republic Act No. 10160 empowered the Sangguniang Panlungsod to regulate the establishment, operation and maintenance of restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses and other similar establishments, including tourist guides and transports.

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the Sangguniang Panlungsod in regular session assembled, that:

Section 1. Short Title. This Ordinance shall also be known as the "**Protected Sex Ordinance of the City of Bacoor**".

Section 2. Scope. All motels, inns, other business establishments offering lodging to the public on an hourly or daily basis operating within the City of Bacoor are covered by this Ordinance.

Section 3. Mandatory Distribution of Condoms. The distribution and display of at least three (3) pieces of condom in every room of every motel, inn, and other business establishments offering lodging to the public on an hourly or daily basis operating within the City of Bacoor is hereby made mandatory. Each of the said condoms shall be placed near the bed, and in the restrooms if any, of every room of the said establishments. The cost of the said prophylactic agents shall be included in the room rates or service rates of the said establishments.

Section 4. Mandatory Display of Written Warnings. The owners, proprietors, supervisors of the business establishments concerned shall prominently post the following written warning near the bed/s in every room of the various establishments covered by this ordinance:

"Ang hindi paggamit ng condom ang pinakamalaking dahilan sa paglaganap ng AIDS at STD. Huwag makipag-talik sa hindi mo asawa kung walang condom.—isang paalala mula sa **STD/AIDS Prevention Council of the City of Bacoor**"

Section 5. Design/Appearance of Written Warnings. The said written warnings shall be printed and shall use a font size of at least 24 regardless of the font style. The establishments concerned shall shoulder the cost of printing the said signs. The design of the said signs shall be subject to the review and approval of the City Health Office to ensure their readability

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and the compliance of the establishments concerned with this Ordinance.

Section 6. Inspection. The establishments covered by this Ordinance shall be subjected to random inspections by the personnel of the City Health Office or by the duly-deputized representatives of the city's STD/AIDS Prevention Council which was created by virtue of City Ordinance No. 2013-6 which took effect on 4 March 2013.

Section 7. Notice of Violation. The city's STD/AIDS Prevention Council or the City Health Office shall send a written Notice of Violation to the owner, president, manager, or supervisor of the establishment found to be violating this ordinance. The said notice shall specify the number of rooms inspected, the date and time of inspection, and the number of violations committed by the establishment concerned. The notice shall also give the owner, president, manager, or supervisor of the said establishment ten (10) days from his/her receipt of the notice within which to correct the said violation/s. The failure of the said establishments to comply with this ordinance within the ten-day period mentioned above shall render the said establishment liable to the imposition of the penalties appearing hereunder.

Section 8. Penalties. The following penalties shall be imposed against the owner, president, manager, or supervisor of the establishment found to be violating this ordinance:

First Offense: Fine of One Thousand Pesos (PhP 1,000.00) for every room found not to contain the condoms and written warnings mentioned in Sections 3 and 4 hereof.

Second Offense: Fine of Two Thousand Pesos (PhP 2,000.00) for every room found not to contain the condoms and written warnings mentioned in Sections 3 and 4 hereof.

Third Offense: Fine of Five Thousand Pesos (PhP 5,000.00) for every room found not to contain the condoms and written warnings mentioned in Sections 3 and 4 hereof and closure of the establishment until after it has complied with the provisions hereof.

Section 9. Separability Clause. - The provisions of this ordinance are hereby declared to be separable and in the event one or more of such provisions are held

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Sangguniang Panlungsod Secretary
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Absent
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City Vice Mayor/Presiding Officer
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HON. STRIKE B. REVILLA
City Mayor



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unconstitutional, the validity of the other provisions shall not be affected thereby.

Section 10. Repealing Clause. - Any existing ordinance or any of its provision or provisions, which are inconsistent with this Ordinance, shall be deemed repealed, amended or modified accordingly.

Section 11. Effectivity. - This ordinance shall take effect immediately upon its approval.

ENACTED this 16th day of February 2015 by the Sangguniang Panlungsod of the City of Bacoor, Cavite.

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VOTING RECORD

IN FAVOR	Hon. Miguel N. Bautista, Hon. Rowena M. Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Hernando C. Gutierrez, Hon. Victorio L. Guerrero, Jr., Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, and Hon. Avelino B. Solis.
DISSENTING	None
ABSTAINED	None

ATTENDANCE RECORD

PRESENT	13
ABSENT	Hon. Catherine S. Evaristo
LEAVE	

I HEREBY CERTIFY to the correctness of the foregoing ordinance and that it has been duly approved in accordance with law.

Certified by:

HON. REYNALDO D. PALABRICA
City Councilor/ Acting Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA, PhD
City Mayor

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ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

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Absent
HON. CATHERINE S. EVARISTO
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Approved by:
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