SANGGUNIANG PANLUNGSOD

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Authorized by: Councilor ANTONIO R. ESPIRITU, Councilor LORENA NATIVIDAD-BORJA and Councilor MARLON PAULO C. ALEJANDRINO

WHEREAS, Ordinance No. 13, Series of 2011 was enacted by the Sangguniang Panlungsod ng Valenzuela to regulate internet cafes and similar establishments to protect minors from excessive on-line playing and exposure from violence and pomography;

WHEREAS, Ordinance no. 92, Series of 2013 was enacted by the Sangguniang Panlungsod ng Valenzuela created Task Force Disiplina to enforce all Ordinances in Valenzuela City;

WHEREAS, there is a need to revisit the provisions of the said Ordinance to ensure proper and efficient implementation of the same and that the spirit and intent of the ordinance is being met;

NOW, THEREFORE, be it ORDAINED as it is hereby ORDAINED by the Sangguniang Panlungsod ng Valenzuela, in session duly assembled hereby ordained the following:

- Section 5 of Ordinance No. 13, Series of 2011 is hereby modified and amended to read as follows:

> "Section 5. POLICY/APPLICATION – The following rules, regulations and guidelines must strictly observed in the operation of the establishments referred to in Section 2 hereof, to wit:

PROHIBITED ACT:

a) Engaging or cause to engage, performing or cause to perform, exhibiting or cause to exhibit, any sexual, immoral or obsence act, which are offensive to moral, decency and good customs in front of a digital camera, computer video camera, camera equipped-mobile phones, webcams and the likes.

b) Knowingly and intentionally producing, distributing and transmitting images or videos, which are immoral, obsence act, evil and violence.

c) Offering, allowing or cause to allow the surfing of websites, which contain pornographic, satanic, evil and/or violent acts, material or those that advertise or promote prostitution and violence.

d) Using, engaging or cause to engage the trade prohibited drugs, intoxicating liquor, beverage, cigarettes inside the establishment.

e) Engaging or cause to engage, allowing or cause to allow either direct or indirect gambling on-line betting among customers inside the above described establishment.

f) Using or allowing the use of closed cubicies with doors in the operation of the above mentioned establishments

g) Engaging and/or operating without prior business requirements or license permit from concerned agencies.

REGULATED ACT:

a) Any person below eighteen years of age shall be restricted to enter the internet cafes or computer rental shops/computer gaming shops or centers during school hours from 6:00 AM to 4:00 PM, provided that students may be allowed to enter the premises to do research work/school during their vacant/free hours.

For the purpose of this Ordinance, any student of minor age who shall enter internet cafes or computer rental shops/ computer gaming shops or centers must present his ID and class schedule duly signed by the School Principal. The class schedule must be issued by the Principal's Office.

b) Any person below eighteen years of age, are allowed to enter internet cafe or computer rental shop/computer gaming shops or center and/or play computer games from 4:00 PM to 10:30 PM on weekdays

c) Restrictions imposed by item (a) and (b) shall not be applicable during weekends, regular and special holidays, semestral break and vacations.

Barangay imposed curfew on minor shall be adhered to by all internet cafes or computer rental shops/computer gaming shops or centers at all times.

d) In others cases, any person whose age is not covered by the aforementioned prohibitions shall be allowed to enter internet cafes or computer rental shops/computer gaming shops or centers subject to Section 4 hereof."

- Section 6 of Ordinance No. 13, Series of 2011 is hereby modified and amended to read as follows:

a) Criminal Penalty – The owner, proprietors or managers of internet cafes or computer rental shops/computer gaming shops or centers who violated Section 5 shall be penalized by a fine of not more than Php5,000.00 and/or imprisonment of not more than one year at the discretion of the court; and

b) Administrative Fine – The following administrative penalty shall be imposed to owners, proprietors or managers of internet cafes or computer rental shop/computer gaming shops or centers who are found violating

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Section 5 shall be fined in the following manner:

FIRST OFFENSE Fine of Php 3,000.00

SECOND OFFENSE Fine of Php 5,000.00 and confiscation of units

THIRD OFFENSE Fine of 10,000.00 plus closure of establishment and confiscation of units

- Section 7 of Ordinance No. 13, Series of 2011 is hereby modified and amended to read as follows:

> "Section 7. Business Requirement – As regulatory measures, in securing business license and permit, any person(s) who shall establish and operate an internet cafes or computer rental shops/computer gaming shop are required to submit the following documents:

a) Barangay Clearance;

b) Other requirements as may be required by the BPLO;

c) Certificate of Membershio from any government accredite association of internet cafes of computer rental shops/computer gaming shops or centers owners or any duly accredited NGO;

Providing that a grace period of six (6) months from the effectivity of this Ordinance, shall be given to owners of internet cafes or computer rental shops/computer gaming shops or center, within which to comply therewith;

Provided, Further that no part of this Ordinance shall be construed as a prohibition to create and/or organize new association of internet cafes or computer rental shops/ computer gaming shops or center owners.

d) Any computer shops or similar establishments shall comply with the following:

1) All windows including the front door of the establishment shall be provided by clear glass.

2) Posting of any obstruction materials such as poster and the likes in the said clear glass shall not be allowed.

3) Must provided an alarm system/.

4) Within one (1) year, the computer shop owner must provide surveillance camera or any type or camera that can monitor and secure the operation of the establishment."

- Section 8 of Ordinance No. 13, Series of 2011 is hereby modified and amended to read as follows:

> "Section 8. Implementing Agency – This Ordinance shall be implemented by the Task Force Disiplina created

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> under Ordinance No. 92 series of 2013 and the Business Permit and Licensing Office of the City Government of Valenzuela. Further, the Office of the City Mayor thru the Legal Department shall provide the implementing rules and regulations of this Ordinance."

- Setion 11 of Ordinance No. 13, Series of 2011 is hereby modiefied and amended to read as follows:

> "Section 11. Effectivity – This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation."

ENACTED.
JUNE 29, 2015.
VALENZUELA CITY, METROPOLITAN MANILA.

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Councilor
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(President, League of Barangays)

ATTESTED:

(Sgd.) FLAVIO C. DIAZ
Secretary

CERTIFIED CORRECT:

(Sgd.) HON. CITY VICE MAYOR ERIC M. MARTINEZ
Presiding Officer

APPROVED:

(Sgd.) HON. REXLON T. GATCHALIAN
City Mayor
Date Signed: _____

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