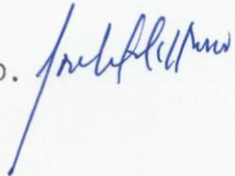




Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
City Government of Naga

ORDINANCE NO. 2022-077  
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**AN ORDINANCE PROHIBITING DRONE OPERATION WITHIN ONE HUNDRED (100) METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES:-**

Author: COUNCILOR JOSELITO S.A. DEL ROSARIO, Ph.D. 

**EXPLANATORY NOTES**

Remotely Piloted Aircraft System (RPAS) or drones, by their nature, can be used as a tool for gathering information via recording or photographs and there is a growing use of drones today and its areas of applications have expanded overtime;

Drones could be used in transporting illegal drugs, deadly weapons, and other contraband, as well as in the surveillance of jail facilities and premises, which could very well compromise the safety and security of the jail facilities;

Under Philippine Civil Aviation Rules 11 and Civil Aviation Authority of the Philippines (CAAP) 21-14, no person may operate small UAV or RPA in a populous area. Pursuant to this rule, jails are considered populous and congested areas;

The Bureau of Jail Management and Penology (BJMP), pursuant to regulations issued by the Civil Aviation Authority of the Philippines (CAAP), prescribes a Standard Operating Procedure for the detection, prevention, and handling of Remotely Piloted Aircraft System (RPAS) or Unmanned Aerial Vehicles (UAV), aimed at maintaining the safety and security of jail facilities of this City;

Under the Local Government Code of 1991, local government units are mandated to enact ordinance that will promote peace and order so as to enhance, in this case, the physical security of the jail facilities and guarantee the safety and security of this City and its constituents.

**NOW, THEREFORE,** BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF NAGA, in session duly assembled, that:

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**SECTION 1. TITLE.** This ordinance shall be known as "AN ORDINANCE PROHIBITING DRONE OPERATIONS WITHIN 100 METERS FROM JAIL FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES"

**SECTION 2. PURPOSE.** This ordinance is enacted to ensure and promote public health safety and security by prohibiting the operation of drones within one hundred meters (100 m) of jail facilities within the territorial jurisdiction of the City of Naga.

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**SECTION 3. DEFINITION OF TERMS.** As used in this Ordinance the following terms shall be construed to mean as follows:

- a. UNMANNED AERIAL VEHICLE (UAV) COMMONLY KNOWN AS DRONE - is an aircraft without a human pilot aboard, UAVs are a component of an unmanned aircraft system (UAS); which includes a UAV, a ground-based controller, and a system

of communications between the two. The flight of UAVs may operate with various degrees of autonomy; either under remote control by human operator or autonomous by onboard computers.

- b. JAIL FACILITIES - a place for the confinement of people accused or convicted of a crime.

**SECTION 4. SCOPE.** This ordinance shall apply to all persons, who shall willfully operate drone within 100-meter radius of jail facilities in the City of Naga.

**SECTION 5. EXEMPTION.** This ordinance shall not cover law enforcement agencies, emergency management offices, and those duly authorized by the LGU with coordination to the Jail Management.

**SECTION 6. PENALTIES.** Violation of this Ordinance shall be meted the penalty of:

- a. First Offense - A fine of Two Thousand Pesos (Php 2,000.00);
- b. Second Offense - A fine of Three Thousand Pesos (Php 3,000.00);
- c. Third Offense- A fine of Five Thousand Pesos (Php 5,000.00) or imprisonment for a period of not more than two (2) months or fine and imprisonment at the discretion of the court.

**SECTION 7. IMPLEMENTING AGENCY.** The Philippine National Police (PNP) and Public Safety Office, as well as responsible officer/s in the barangay which has territorial jurisdiction over the facilities, together with the BJMP personnel, shall ensure the strict and faithful enforcement or implementation of this Ordinance.

The Jail Management shall cause the posting of the sign "DRONE NO-FLY ZONE WITHIN 100 METERS FROM JAIL FACILITY" conspicuously outside of the jail facility.

The Barangay/s where existing jail facilities are situated are also required to post the same notice in their respective barangays.

**SECTION 8. IMPLEMENTING RULES AND REGULATIONS (IRR).** The Public Safety Office, the concerned barangay/s which has territorial jurisdiction over the jail facilities in the City, in coordination with the BJMP and PNP shall formulate the necessary Implementing Rules and Regulations (IRR) within thirty (30) days from the approval of the Ordinance, subject to the approval of the City Mayor and concurrence of the Sangguniang Panlungsod among others, the following are to be considered:

8.1 Guidelines in Securing Permit for the Operation of Drone within Jail Facility

8.1.1 Any person or group of persons who want/s to use or operate drone within or near the jail facility should first secure a permit from the LGU;

8.1.2 Once the permit has been obtained it will be presented to BJMP personnel.

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**SECTION 9.** All ordinances or any section or provision or a part thereof which are contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

**SECTION 10.** If for any reason, any section of provisions of this Ordinance is declared illegal or unconstitutional, the other provisions which are not affected thereby shall in full force and effect.

**SECTION 11.** This ordinance shall take effect upon approval and publication in a newspaper of local circulation.

Enacted: September 27, 2022

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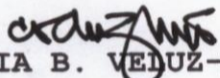
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**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.



**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

  
**CECILIA B. VELUZ-DE ASIS**  
City Vice Mayor &  
Presiding Officer

APPROVED:

  
**NELSON S. LEGACION**

City Mayor 9/30/22