



**Republic of the Philippines
City of Bago
Office of the Sangguniang Panlungsod**

ORDINANCE NO. 21-05

ORDINANCE PROVIDING SUPPORT TO STRENGTHEN ANTI-ILLEGAL DRUG AWARENESS CAMPAIGN AND SUCH OTHER RELATED LGU STRATEGIES, PROGRAMS AND BUDGET TO CURB ANTI-ILLEGAL DRUG ACTIVITIES.

Explanatory Note:

WHEREAS, pursuant to R.A. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, it is a declared policy of the State that "government shall pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs, and projects";

WHEREAS, Section 16 of the Local Government Code of 1991 provide that Local Government Units shall ensure and support the maintenance of peace and order, to improve public morals and such other significant concerns;

WHEREAS, pursuant to DILG Memorandum Circular No. 2009-09 it is the primary responsibilities of the local authorities to support overall government efforts to address illegal drugs and other substances;

WHEREAS, as required under Section 51 to 53 of R.A. 9165, Local Chief Executives and Sangguniang Members must ensure the mandatory inclusion of the Local Annual Budget a substantial appropriation that can adequately assist in or enhance the enforcement of R.A. 9165 giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents and cause the enactment of an Ordinance complementing the Comprehensive Dangerous Drugs Act of 2002.

WHEREAS, the damaging effects of illegal drugs to family life, community peace and harmony, and the increasing use of illegal drugs had significantly contributed to the proliferation of heinous crimes.

NOW THEREFORE, on motion of SP Member Jorge Agustin A. Araneta, unanimously seconded by SP Members present, BE IT ORDAINED by the Sangguniang Panlungsod of Bago City in session assembled, that:

SECTION 1. TITLE: This ordinance shall be known and cited as an Ordinance Providing Support to Strengthen the Anti-illegal Drug Awareness Campaign in Bago City.

SECTION 2. DEFINITION OF TERMS: As used in this ordinance the following acronyms shall have their corresponding meaning:

- A. CADAC - City Anti-Drug Abuse Council
- B. BADAC - Barangay Anti-Drug Abuse Council
- C. PWUD- Person Who Used Drugs
- D. BAT – BADAC Auxilliary Team
- E. ADAC-RS – Anti Drug Abuse Council Reporting System
- F. IDM RIS – Integrated Drug Monitoring and Reporting Information System

SECTION 3. SCOPE AND COVERAGE. -This ordinance shall be enforced within all barangays of the City of Bago.

SECTION 4. INSTITUTIONALIZATION. The Bago City Anti-Drug Abuse Council is hereby created with the following composition:

City Mayor - Chairman
City Chief of Police - Vice-Chairman

Members:

1. Department of the Interior & Local Government (DILG) - CLGOO
2. Department of Education (DEPED) Division Superintendent
3. DOJ City Prosecutor
4. Regional Trial Court Judge
5. City Health Officer
6. City Social Welfare and Development Officer
7. Sangguniang Kabataan (SK) Federation President
8. City Information Officer
9. Liga ng mga Barangay President
10. At least two (2) CSO/NGO Representatives
11. Religious Sector Representatives
12. Probation and Parole Officer

Head Secretariat (City Social Welfare Development Officer (CSWDO))

SECTION 5. RESPONSIBILITIES, ROLES AND FUNCTIONS. The following are the Roles and Responsibilities of the CADAC:

- a) The CADAC, through its Chairman, shall attest the certification declaring the “drug-cleared” status of a given barangay, certified by the Local Chief of Police and validated by the PDEA Regional Director;
- b) Monitor the BADAC and BADAC Auxiliary Team’s names, address and other pertinent information, and on the basis of which, prepare a report and furnish the same to the DILG Field Office. It shall also enjoin all barangays to submit the same report within ten (10) days from the creation of BADAC and BAT;
- c) Receive the consolidated information report from BADAC Chair;
- d) Review the consolidated reports of cluster leaders for final consolidation and submission to PDEA;
- e) Maintain a list of endorsement or referral of Barangay Duty Officers on drug dependents for screening using the Alcohol, Smoking and Substance Involvement Screening Test (ASSIST);
- f) Establish one-stop-shop facilities where assessment, interview, counselling, referral, and/or processing of applications for petitions for confinement of drug dependents and PWUD who surrendered for treatment and rehabilitation and other allied processes may be undertaken;
- g) Designate a focal person who shall ensure the compliance and enforcement of DDB Regulations on Voluntary Surrender of Drug Users and Dependents and coordinate with the appropriate service provider to ensure compliance with the prescribed intervention;
- h) Ensure that PWUDs who surrendered shall undergo screening to determine their level of risk and/or co-morbidities and refer them to the appropriate agency for intervention, if needed;
- i) Designate personnel as the authorized representatives to the DDB who shall process and file petitions for confinement of drug dependents and PWUDs who surrendered for treatment and rehabilitation before the Regional Trial Court pursuant to Sections 54 and 61 of RA 9165;
- j) Organize the CADAC Drug Reformation Committee and adopt the Program of Instructions for Drug Reformation Program
- k) Provide for the Community-Based Rehabilitation Program;
 - (1) In coordination with other members of the network of LGU, lead in the formulation of the plan of action for community-based treatment and support services to promote and prevent drug abuse in communities;
 - (2) In collaboration with concerned government agencies, monitor all IEC materials on the campaign, “Sa DROGA Talo Ka, ACHIEVE ang PAGBAGBAGO!” to be adapted by primary care facilities in advocating for the prevention of drug abuse in communities;

- (3) Submit the reports of data on community-based treatment and rehabilitation, and aftercare of drug dependents thru the Anti-Drug Abuse Council Reporting System (ADAC-RS) as integrated in the Integrated Drug Monitoring and Reporting Information System (IDMRIS) of DDB. The ADAC-RS focal persons shall:
- (i) Encode the necessary information on PWUD who surrendered in accordance with the Community-Based Treatment and Rehabilitation Monitoring Form;
 - (ii) Ensure the monthly submission of reports;
 - (iii) Ensure the accuracy and confidentiality of data;
 - (iv) Ensure that data of all PWUD who surrendered to authorities be encoded in the system;
 - (v) In case there is no person who surrendered for the month, report the same to the DDB through e-mail;
 - (vi) Report problems encountered in the ADAC-RS by filling out the Issue Report Form.
- l) Conduct advocacy and/or seminars on drug prevention, which shall give emphasis to the role of parents and children in the anti-drug campaign, its ill-effects and consequences. For this purpose, it shall conduct lectures on the proper procedures on the rehabilitation of drug dependents and PWUDs who surrendered, and facilitate counselling program for families with drug dependents and PWUDs to cope up with the trauma; and
- m) Designate a CADAC Secretariat, that shall collate all reports and maintain periodic statistics on barangay drug-clearing operations for evaluation/analysis and continuing enhancement of process and procedures. The CADAC Secretariat shall submit all quarterly reports to the PADAC not later than the 10th day of the ensuing quarter, furnishing copy thereof to the local Peace and Order Council and DILG Field Office.

SECTION 6. ORGANIZATION AND COMPOSITION OF BADAC. All barangays in Bago City shall institutionalize their BADACs and ensure its functionality. It shall take an active role in the implementation of anti-illegal drugs programs, projects and activities such as but not limited to the following: conduct of drug clearing operations, information, education and campaign, Masa Masid Program, Rehabilitation or treatment of drug dependents/CBRP, Balay Silangan, Community Support, Aftercare and Reintegration (CSAR)/Yakap Bayan, and such other anti-illegal drugs prevention and campaign activities.

The BADAC shall be composed of the following:

Punong Barangay - Chairman
 Sangguniang Barangay (Committee on peace and order) - Vice Chairman
 Sangguniang Barangay (Committee on Women and Family) - Member
 SK Chairperson - Member
 Public School Principal or Representative - Member
 Barangay Chief Tanod - Member
 CSOs/NGO's (Representative) - Member
 Parent Teachers Association President - Member
 Faith- Based /Religious Organization Representative - Member
 City Chief of Police or Representative – Adviser

The Barangay Secretary shall function as the BADAC Secretariat

SECTION 7. POWERS AND FUNCTIONS OF BADAC. The BADAC shall have the authority and responsibility to perform the following:

1. Plan, strategize, implement and evaluate programs on drug abuse prevention in the barangay;
2. Organize the BADAC Auxiliary Team and orient them of their roles and functions in formulating a plan of action to address the drug problem;
3. Educate Barangay Tanods and BADAC Auxiliary Team on their roles and functions in the campaign against street level illegal drug trade thru seminars or trainings;

4. Coordinate and collaborate with other institutions that implement programs and projects on drug abuse prevention;
5. Conduct information, education and communication campaign activities on illegal drug demand reduction;
6. Conduct regular and consultative meetings at least once a month and call for special meetings with organizations in the barangay, if needed;
7. Strengthen the family in the barangay by promoting family affairs and conduct values formation on parental care and guidance in coordination with other peoples' organization and concerned agencies;
8. Maintain a record of the names and other personal information of actual residents of the barangay as well as all drug related incidents and its effects on the peace and order situation in the barangay which shall include the lists of suspected drug users, dependents and pushers;
9. Identify drug affected house clusters, work places, streets, puroks and sitios and immediately report the same to PNP or PDEA;
10. Conduct an inventory of drug personalities who are involved in illegal drug activities and maintain a record of those who were brought to both government and/or private rehabilitation facilities and community-based rehabilitation centers for rehabilitation;
11. Refer suspected drug users and dependents who voluntarily surrendered to the barangay duty officer and CADAC for proper assessment;
12. Conduct periodic monitoring of persons undertaking rehabilitation process in facilities/centers or under the community-based rehabilitation program;
13. Empower and encourage the community to report drug-related cases through an award/commendation system;
14. Extend assistance to law enforcement agencies during the conduct of drug clearing operations at the barangay level;
15. Enact local ordinances and policies in support of the barangay drug clearing program;
16. Set quarterly targets to reduce level of drug affectation and ultimately achieve and maintain drug-cleared status;
17. Submit monthly report on the progress of the barangay drug clearing program to the CADAC furnishing copy thereof the DILG City field office;
18. Monitor the progress and disposition of drug-related cases filed before the courts;
19. Ensure the safety of the community and extend such other necessary assistance to the operating units during the conduct of anti-drug operations; and
20. Perform other related functions.

SECTION 8. FUNCTIONS OF BADAC HEAD. The Punong Barangay as head of BADAC shall perform the following functions:

1. Identify drug affected house clusters, work places, streets, puroks and sitios where the delivery, sale or use of illegal drugs are being conducted and to report the same immediately to the PNP or the Philippine Drug Enforcement Agency (PDEA);
2. Coordinate with CADAC on all activities and programs which the BADAC intends to conduct;
3. Monitor, identify, document and reports to CADAC all information relative to illegal use and activities within the barangay;
4. Extend assistance and cooperation to PDEA and the PNP from operations up to prosecutions drug cases;
5. Organize and appoint within the BADAC the following Committees/Cluster/Team : BADAC Committees (Committee on Operation and Advocacy) , BADAC Auxiliary Team and Barangay House Cluster Leaders;
6. Establish and appoint the Barangay Duty and Referral Rehabilitation Desk;
7. Perform such other duties and functions as the CADAC may direct.

SECTION 9. TERM OF OFFICE OF CADAC & BADAC MEMBERS. Members of CADAC & BADAC, as the case may be, are co-terminus with the appointing authority.

SECTION 10. CADAC/BADAC SECRETARIAT. The Secretariat of both CADAC and BADAC shall handle the administrative and technical activities of the Council. Specifically, it shall:

- a. Prepare plans and programs for the consideration of the Council;
- b. Supervise, direct and monitor for the council implementation of approved policies, plans and programs;
- c. Undertake the coordination of activities with appropriate agencies of the government; and
- d. Provide a forum for inter-disciplinary dialogue and deliberation of major issues and problems affecting anti-drug abuse problems.

The Secretariat of the CADAC shall be headed by the City Social Welfare Development Officer and shall be assisted by at least two staff and an encoder to be identified by the City Mayor. The CSWDO as the Head Secretariat will also be in charge of the "One-Stop Processing Desk" for the speedy processing of documents for rehabilitation of drug dependents.

SECTION 11. MEETINGS. The Council shall meet regularly at least once in every quarter or as often as may be necessary upon the call of the CADAC or BADAC Chairman.

SECTION 12. LGUs ROLE IN THE ENFORCEMENT OF R.A. 9165. The City of Bago shall assist in the enforcement of Sec. 51, Article VII of RA 9165 or the "Comprehensive Dangerous Drugs Act of 2002". As such, it shall appropriate a substantial portion of its Annual Budget for anti-illegal drugs prevention programs and activities giving priority to preventive or educational aspect and the rehabilitation and treatment of drug dependents/ CBRP, CSAR/Yakap Bayan, Balay Silangan and drug clearing operations. Funds may also be taken from its Peace and Order allocation and Contingency fund.

The city shall also enforce abatement of drug related public nuisances. Any place or premises which have been used on two or more occasions as the site of the unlawful sale or delivery of dangerous drugs shall be declared to be a public nuisance by reason of public necessity, and thus, may be abated, pursuant to the following procedures:

- (1) Creation of administrative board to hear complaints on the nuisances to be composed of the following: Chairman, Vice Chairman, and 3 Members to be appointed by the City Mayor;
- (2) Any person or resident of the city may bring a complaint before the Board which shall notify the respondent of the same giving him/her a written notice of such complaint with a directive to file his/her verified answer not later than three (3) days from receipt thereof; and
- (3) With or without the Respondent's answer shall schedule a hearing on the complaint and shall consider any and all evidence which may include general reputation of the place or premises. During the hearing, the Respondent shall have an opportunity to present evidence in his/her defense and thereafter, the Board shall pass a decision.

SECTION 13. STRENGTHENING OF THE ANTI-ILLEGAL DRUGS PROGRAM. In compliance with DILG Memoranda, technical and financial support shall be extended by CADAC and the City to the BADACs, particularly on the following activities:

1. Organization of the BADACs in all barangays based on DILG Memorandum Circular No. 2015-63, DILG Memorandum Circular No. 2012-94, DILG Memorandum Circular 2009-09 and DILG ,DBM Memorandum Circular No. 2018-01;
2. Conduct of regular CADAC and BADACs meetings;
3. Approved CADAC and BADAC Plan and Budget and provision of funds for BADAC activities;
4. Enabling Policies (Executive Order, Department/Office Order, Resolution and such other local policies related to Anti-Illegal Drugs Campaign);
5. Initiate the formulation and implementation of drug prevention and rehabilitation programs;
6. Conduct of citywide information, education & campaign through conduct of symposia, dialogues and quad media campaign including but not limited to conduct of Celebration Observance of International or National Campaign against illegal drugs;
7. Incentive/Reward for Drug Cleared barangay;
8. Drug Free Workplace in government and private offices;

9. Establishment of Pagbag-o Wellness Program under the CBRP and Community Support, Aftercare and Reintegration (CSAR) /Yakap Bayan Program and Balay Silangan Program;
10. Conduct drug clearing operations;
11. Monitoring and reporting of Accomplishment Reports;

SECTION 14. REPEALING CLAUSE. - All provisions of local ordinances, orders and resolutions which are inconsistent with this Ordinance are hereby repealed and/or modified accordingly.

SECTION 15. SEPARABILITY CLAUSE.- If for any reason any portion of this ordinance is declared unconstitutional or invalid other parts hereof which are not affected shall be in full force and effect.

SECTION 16. EFFECTIVITY. - This ordinance shall take effect after its approval and publication.

Enacted February 17, 2021.

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Panlungsod during its Regular Session held on February 17, 2021.

VICENTE D. MESIAS
City Environment and Natural Resources Officer II
Secretary to the Sangguniang Panlungsod-Designate

ATTESTED:

RAMON D. TORRES
City Vice Mayor-Presiding Officer

Approved _____ 2021.

NICHOLAS M. YULO
City Mayor