



Republic of the Philippines
MUNICIPALITY OF BALAOAN

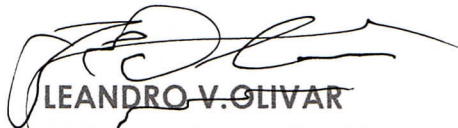
Province of La Union
Telefax No. (072) 607-0070
E-mail Address: balaoan_2517@yahoo.com.ph

Office of the Sangguniang Bayan

1st Endorsement

December 09, 2020

Respectfully forwarded to the Office of the Sangguniang Panlalawigan, Province of La Union, the herein attached **MUNICIPAL ORDINANCE NO. 18 S. 2020-"AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 03-2008 ENTITLED "AN ORDINANCE TO CURTAIL THE SALE, RENTAL, TRANSFER, DISTRIBUTION, MANUFACTURE, AND/OR PRODUCTION OF PIRATED, COUNTERFEIT, OR FAKE GOODS, ARTICLES, OR SERVICES, AND FOR OTHER PURPOSES".;** for their review and appropriate action.


LEANDRO V. OLIVAR
OIC Secretary to the SB



Republic of the Philippines
MUNICIPALITY OF BALAOAN
Province of La Union

OFFICE OF THE SANGGUNIAN BAYAN

Excerpts from the Minutes of the Weekly Regular Session of the Sangguniang Bayan held on December 09, 2020 at the SB Session Hall.

Present: HON. CARLO CASTOR U. CONCEPCION - Mun. Vice-Mayor/Presiding Officer
HON. JOANNA KATRINA L. LEDDA - Sangguniang Bayan Member
HON. ROGELIO O. CONCEPCION - Sangguniang Bayan Member
HON. ROGELIO E. OPINALDO - Sangguniang Bayan Member
HON. MICHAEL D. MARRON - Sangguniang Bayan Member
HON. ROSIE M. IS-ISA - Sangguniang Bayan Member
HON. EMILIANA P. PORTACIO - Sangguniang Bayan Member
HON. MARIFE C. HERMOSURA - Sangguniang Bayan Member
HON. AMIEL JOHN U. CONCEPCION - ABC President

ABSENT: HON. HERMINIA M. ORDINARIO - Sangguniang Bayan Member
HON. ZHOREN ELRICK R. ORDINARIO - SKMF President

MUNICIPAL ORDINANCE NO. 18 S. 2020

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 03-2008 ENTITLED "AN ORDINANCE TO CURTAIL THE SALE, RENTAL, TRANSFER, DISTRIBUTION, MANUFACTURE, AND/OR PRODUCTION OF PIRATED, COUNTERFEIT, OR FAKE GOODS, ARTICLES, OR SERVICES, AND FOR OTHER PURPOSES".

Authored by: SBM Joanna Katrina L. Ledda
SBM Marife C. Hermosura

WHEREAS, the Municipality of Balaoan adheres to the policy of the national government to curb the proliferation and introduction into commerce of pirated, counterfeit, or fake goods, articles or services, and the commission of other acts that violate intellectual property rights as protected by law;

WHEREAS, several agencies of the government have been changed and stricter rules have been enforced by the national government against piracy and therefore brings about the need to amend the existing municipal ordinance pertaining to the curtail the sale, rental, transfer, distribution, manufacture, and/or production of pirated, counterfeit, or fake goods, articles, or services

NOW THEREFORE, Be it ordained by the Sangguniang Bayan, in session duly assembled:

Section 1. Section 1 of Municipal Ordinance No. 03-2008 should now be read as follows:

"Section 1. All business licenses and permits issued by the Municipality of Balaoan shall be issued with prior requirement of an Optical Media

Board Clearance/Certificate to those engaged in the business or activities of importation, exportation, acquisition, sale or distribution of optical media, manufacturing equipment, parts and accessories and manufacturing used or intended for use in the mastering, manufacture or replication of optical media, pursuant to Section 13 of Republic Act No. 9239 (The Optical Media Board Act).

All business licenses and permits issued by the municipal government shall carry the express condition that the licensee shall not engage in the sale, rental, transfer, distribution, manufacture or production of pirated, counterfeit, or fake goods, articles or services, nor shall permit other persons to commit said acts within the licensee's business establishments or premises.

For this purpose, any stall, table, or equivalent contraptions for devices within two (2) meters from the door, window or any opening leading to the licensee's establishment shall be deemed included in the term "premises".

Section 3 of the said ordinance shall also be amended, to wit:

"Section 3. In the cases covered under Sections 1 and 2, the respondent may move to reconsider said order/s, within twenty-four (24) hours from notice of an order to suspend or cancel the business license or permit to take custody of pirated, counterfeit, or fake goods, articles or services. The Municipal Mayor shall decide the said motion within fifteen (15) days from receipt.

The notice of suspension or cancellation of the business license or permit shall be issued by the Mayor after an inspection of the business establishment concerned is conducted. The inspection may be on occasion of a general inspection regularly conducted by the Municipality, or for such purpose only upon receipt of a complaint or information that the license is engaged in the sale, rental, transfer, distribution, manufacture and/or production or pirated, counterfeit, or fake goods, articles, or services.

The LGU may seek the assistance or coordination of the Philippine National Police (PNP), the National Bureau of Investigation (NBI), the Optical Media Board (OMB) and/or other law enforcement agencies, in conducting the inspection in securing the goods seized during the conduct of enforcement operations to maintain peace and order."

Section 2. REPEALING CLAUSE. All order, issuances, and memoranda issued inconsistent are either deemed repealed and modified accordingly.

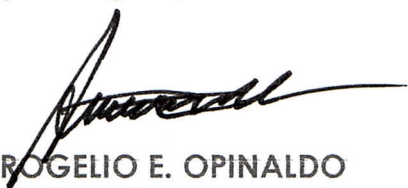
Section 3. SEPARABILITY CLAUSE. If any provisions or parts thereof is held invalid/ unconstitutional, the remainder of this Ordinance not otherwise affected, shall remain in force and effect.

Section 4. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon approval and after mandatory posting and publication.

“UNANIMOUSLY APPROVED.”


HON. JOANNA KATRINA L. LEDDA
Sangguniang Bayan Member


HON. ROGELIO O. CONCEPCION
Sangguniang Bayan Member


HON. ROGELIO E. OPINALDO
Sangguniang Bayan Member


HON. MICHAEL D. MARRON
Sangguniang Bayan Member

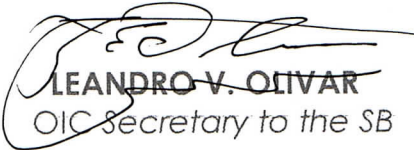

HON. ROSIE M. IS-ISA
Sangguniang Bayan Member


HON. EMILIANA P. PORTACIO
Sangguniang Bayan Member


HON. MARIFE C. HERMOSURA
Sangguniang Bayan Member


HON. AMIEL JOHN U. CONCEPCION
ABC President

I hereby certify to the correctness of the foregoing.


LEANDRO V. OLIVAR
OIC Secretary to the SB

ATTESTED:


HON. CARLO CASTOR U. CONCEPCION
Municipal Vice-Mayor/Presiding Officer

APPROVED:


ATTY. ALELI U. CONCEPCION
Municipal Mayor