



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 730, S-2019

ORDINANCE AMENDING ORDINANCE NO. 671, S-2017 ENTITLED:
AN ORDINANCE REGULATING THE USE, SALE, DISTRIBUTION
AND ADVERTISEMENT OF CIGARETTES AND OTHER
TOBACCO PRODUCTS IN CERTAIN PLACES,
IMPOSING PENALTIES FOR VIOLATIONS THEREOF
AND PROVIDING FUNDS THEREOF, AND OTHER PURPOSES

BE IT ENACTED by the Sangguniang Panlungsod of Mandaluyong, in session assembled:

SECTION 1. SECTION 4. DEFINITION OF TERMS – is hereby amended by deleting C.2 (a-h) and letter d as this Ordinance shall not have any enclosed area provisions for a Designated Smoking Area (DSA). Enclosed areas as DSA have been removed.

SECTION 2. SECTION 8. PENALTIES – is hereby amended as follows:

A. VIOLATION OF SECTION 5 (A), (B) and SECTION 6

FIRST OFFENSE	Two Thousand Pesos (P2,000.00)
SECOND OFFENSE	Three Thousand Pesos (P3,000.00)
THIRD AND SUBSEQUENT OFFENSES	Four thousand Pesos (P4,000.00) or imprisonment for a period not less than three (3) months but not more than six (6) months or both at the discretion of the Court. Suspension or revocation of business license or permit (in case of a business entity or establishment), if applicable.

SECTION 3. SECTION 21. FUNDING – is hereby amended as follows:

An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance and Tobacco Control Program of the City of Mandaluyong in the amount of Five Million Pesos (P5,000,000.00) shall be sourced from the fund of the City Government, and is hereby allocated. Every year thereafter, at least Five Million Pesos (P5,000,000.00) shall automatically be included in the Annual Budget of the City for the implementation and enforcement of this Ordinance and the City's Tobacco Control Program.

The initial funding, annual budget appropriated for this purpose, and funds generated from other sources, such as, but not limited to the proceeds from administrative penalties, shall be placed in a Trust Fund, specifically intended to defray expenses and operationalize activities of this Ordinance and the City's Tobacco Control Program. The Task Force shall be empowered to determine how the Trust Fund is to be utilized in furtherance of this Ordinance, subject, however, to the usual government accounting and auditing procedures.

The above expenses include, but are not limited to:

- a. Cost of printing copies of this Ordinance, the OVR, and information, education and communication materials pertaining to tobacco control;
- b. Cost of regular or periodic meetings of the Smoke Free Task Force;
- c. Cost of inspection and enforcement by the Smoke Free Task Force including allowances for meals and transportation, the amounts of which shall be set by the Office of the Mayor;
- d. Remuneration for the apprehending enforcer's share of the proceeds from penalties paid;
- e. Institutional and operating expenses of the Smoking Cessation Program and facility;
- f. Other expenses associated with the implementation and enforcement of this Ordinance.

SECTION 4. ADDITIONAL SECTION.

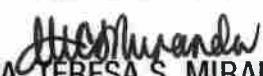
SECTION 22. APPLICATION FEE AND INSPECTION FEE. There shall be an annual fee of Ten Thousand Pesos (Php10,000.00) for the application of constructing a Designated Smoking Area in any existing establishment.

There shall be a fee of Ten Thousand Pesos (Php10,000.00) for an inspection to any Designated Smoking Area, prior to the declaration of a DSA Compliance.

SECTION 5. EFFECTIVITY. This Ordinance shall take effect upon approval and after publication in a newspaper of general circulation in Metro Manila.

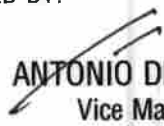
ENACTED on this 18th day of March, 2019 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:

APPROVED:


ANTONIO DLS. SUVA
Vice Mayor &
Presiding Officer


CARMELITA A. ABALOS
City Mayor

Date: **27 MAR 2019**



CHARISSE MARIE ABALOS-VARGAS
Councilor



ALEXANDER C. STA. MARIA
Councilor

OFFICIAL BUSINESS
AYLA ALIM-BALDUEZA
Councilor



FRANCISCO O. ESTEBAN
Councilor



GRACE MARIE V. ANTONIO
Councilor



JESUS C. CRUZ
Councilor



LUISITO E. ESRINOSA
Councilor



ROEHL B. BACAR
Councilor



RODOLFO M. POSADAS
Councilor



CHERRY LYNN PABLO-SANTOS
Councilor



BRANDO P. DOMINGUEZ
Councilor



FERNANDO S. OCAMPO
Councilor



DARWIN A. FERNANDEZ
LrB President



AEROL SEDRICK A. MANGALIAG
SK President