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of the
**SANGGUNIANG
BAYAN**
MONCADA, TARLAC



EXCERPT FROM THE MINUTES OF THE 12th REGULAR SESSION OF THE 11th SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2023 HELD ON THE 17th DAY OF APRIL 2023 AT THE SB SESSION HALL, NEW SB-ABC-SK BUILDING.

PRESENT:

HON. RAMON BENITO M. AQUINO	..VICE MAYOR / PRESIDING OFFICER
HON. JANIUS M. YASAY	..MEMBER
HON. RODOLFO C. ESPEJO, JR.	..MEMBER
HON. ALBERTO C. MARZAN, JR., MD	..MEMBER
HON. THELMAFLOR A. ESPEJO	..MEMBER
HON. CELESTE A. AYSON	..MEMBER
HON. GEORGE MICHAEL P. AGUILAR	..MEMBER
HON. CONSTANTE NESTOR A. FAVIS	..MEMBER
HON. DEAN MICHAEL V. DUQUE	..MEMBER
HON. GEORGE R. CUCHAPIN, MD	..LnB PRESIDENT

ABSENT:

HON. EZEKIEL C. RIVERA ..SKF PRESIDENT (Official Business)

MUNICIPAL ORDINANCE NO. 08
Series of 2023

PROHIBITING GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC PLACES IN THE MUNICIPALITY OF MONCADA, TARLAC AND PENALIZING VIOLATORS THEREOF

Author: Coun. Alberto C. Marzan, Jr, MD
Sponsor: Coun. Janius M. Yasay

WHEREAS, gender-based sexual harassment is a form of violence against women and girls that violates their human rights and dignity;

WHEREAS, gender-based sexual harassment can take many forms, including physical, verbal, and nonverbal conduct that is unwelcome and has the purpose or effect of creating a hostile or intimidating environment;

WHEREAS, gender-based sexual harassment can occur in a variety of settings, including public places such as streets, parks, transportation facilities, and other areas that are accessible to the public;

WHEREAS, the Municipal Government of Moncada recognizes the need to protect the safety, welfare, and dignity of all persons, especially women and girls, in streets public places;

WHEREAS, the Philippine Constitution and various international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), mandate the elimination of all forms of violence against women and girls, including gender-based sexual harassment;





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WHEREAS, the Local Government Code of 1991 empowers local government units to enact ordinances for the general welfare of their constituents and to regulate activities that may be detrimental to the public interest;

NOW, THEREFORE, on motion by Coun. Janius M. Yasay, duly seconded;

BE IT ENACTED by the Sangguniang Bayan of Moncada, Tarlac, in session assembled, that:

SECTION 1. Title. This Ordinance shall be known as the "Moncada Safe Spaces Ordinance."

SEC. 2. Scope. This Ordinance shall apply to all public places in the Municipality of Moncada, Tarlac, including but not limited to streets, parks, transportation facilities, business establishments, and other areas that are accessible to the public.

SEC. 3. Prohibition. Gender-based sexual harassment is hereby prohibited in all streets and public places in the Municipality of Moncada, Tarlac. No person shall engage in any conduct that has the purpose or effect of creating a hostile or intimidating environment for another person based on their gender.

Gender-based sexual harassment shall include, but not limited to the following acts:

- a) Making derogatory or offensive comments, jokes, or language about a person's gender or sexuality, including the use of slurs.
- b) Making unwanted sexual advances or propositions towards a person based on their gender.
- c) Engaging in unwelcome physical touching or contact, such as touching a person's body without their consent.
- d) Engaging in lewd or offensive behavior in front of a person based on their gender, such as exposing oneself or making sexual gestures, or displaying sexually suggestive or explicit materials in a public area or workplace where others can see them.
- e) Singling out a person based on their gender for unfair treatment, such as excluding them from social activities or professional opportunities.
- f) Making threats or engaging in bullying behavior towards a person based on their gender.
- g) Intentionally misgendering a person by using the wrong pronouns or referring to them by a name or title they do not identify with.

SEC. 4. Penalties. Any person who violates the provisions of this Ordinance shall be penalized with a fine of not more than two thousand five hundred pesos (P 2,500.00) or imprisonment of not less than one (1) month nor more than six (6) months, or both, at the discretion of the court.

SEC. 5. Implementation. The Municipal Government of Moncada, Tarlac, through the Municipal Social Welfare and Development Office (MSWDO) and Philippine National Police (PNP) shall be responsible for the implementation of this ordinance. The Office of the Mayor shall issue the necessary implementing rules





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and regulations to ensure the effective enforcement of this Ordinance and likewise with the applicable provisions of RA 7877 (Anti-Sexual Harassment Act) and RA 11313 (Safe Spaces Act) as operationalized by DILG-PCW Joint Memorandum Circular No. 2020-001 dated December 7, 2020.

SEC. 6. Repealing Clause. All ordinances, rules, and regulations or parts thereof that are inconsistent with this ordinance are hereby repealed or modified accordingly.

SEC. 7. Effectivity. This ordinance shall take effect fifteen (15) days after its posting in at least three (3) conspicuous places in the municipality and on social media platforms of the LGU.

ENACTED, this 17th day of April, 2023 at Moncada, Tarlac.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance which was enacted on Third and Final Reading by the 11th Sangguniang Bayan of Moncada during its Regular Session held on the aforementioned date and place.

VICTOR SANDINO S. MOLINA
Secretary, Sangguniang Bayan

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**

RAMON BENITO M. AQUINO
Vice Mayor & Presiding Officer

APPROVED BY HER HONOR, THIS 19th DAY OF April, 2023.

ESTELITA M. AQUINO
Municipal Mayor

