



Republic of the Philippines  
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Province of Davao del Norte  
Municipality of Braulio E. Dujali  
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BEFORE THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 39<sup>TH</sup> REGULAR SESSION OF THE 8<sup>TH</sup> SANGGUNIANG BAYAN OF BRAULIO E. DUJALI, DAVAO DEL NORTE AND HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON OCTOBER 9, 2017.

PRESENT:

|   |                                  |
|---|----------------------------------|
| HON. DONNA MAE ALDONADO-BERNADAS, ED.D. | - Vice Mayor & Presiding Officer |
| HON. GREGORIO S. FACULA, MDMG           | - Sangguniang Bayan Member       |
| HON. MELFAR C. AGUILUZ                  | - Sangguniang Bayan Member       |
| HON. ATTY. YASMIN V. CAMPION, REA, REB  | - Sangguniang Bayan Member       |
| HON. RICKY T. DELCO                     | - Sangguniang Bayan Member       |
| HON. NELSON C. BAER, RA                 | - Sangguniang Bayan Member       |
| HON. ANNA C. CAGULADA                   | - Sangguniang Bayan Member       |
| HON. ANGELITO P. ORILLOSA               | - ABC Pres/Ex. Officio Member    |
| HON. FRANCISCO D. BUCADON               | - IPMR/Ex. Officio Member        |

ON OFFICIAL BUSINESS:

NONE

ABSENT:

HON. ADHEM F. FUNA - Sangguniang Bayan Member

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RESOLUTION NO. 2017-173

Sponsor: Hon. Nelson C. Baer

Co-Sponsors: Hon. Melfar C. Aguiluz, Hon. Yasmin V. Campion, Hon. Ricky T. Delco, Hon. Gregorio S. Facula, Hon. Anna C. Cagulada, Hon. Francisco D. Bucadon, Hon. Angelito P. Orillosa

RESPECTFULLY REQUESTING THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF DAVAO DEL NORTE TO RECONSIDER ITS FINDINGS IN MUNICIPAL ORDINANCE NO. 2017-197 OTHERWISE KNOWN AS, "THE NEW COMPREHENSIVE ANTI-SMOKING ORDINANCE OF THE MUNICIPALITY OF BRAULIO E. DUJALI, DAVAO DEL NORTE"

WHEREAS, the Sangguniang Panlalawigan of the Province of Davao del Norte returned Municipal Ordinance No. 2017-197 of the Sangguniang Bayan of Braulio E. Dujali otherwise known as "The New Comprehensive Anti-Smoking Ordinance of the Municipality of Braulio E. Dujali, Davao del Norte" for modification;

WHEREAS, the Sangguniang Panlalawigan in its Resolution, recommended that Municipal Ordinance No. 2017-197, must go along with Provincial Ordinance No. 2015-002 otherwise known as, "The Comprehensive Anti-Smoking Ordinance of the Province of Davao del Norte", particularly on the imposition of stiffer penalties to violators, however this LGU cannot go beyond what Republic Act 7160 known as, "The Local Government Code of 1991", Section 447, (1), (iii), which provides that the Sangguniang Bayan shall **"Approve ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance"**;

WHEREAS, reconsideration of the findings of said ordinance is hereby necessary;

WHEREFORE, on motion of Hon. Nelson C. Baer, and duly seconded by all members present, it is hereby;

RESOLVED TO RESPECTFULLY REQUEST AS THIS BODY HEREBY RESPECTFULLY REQUESTS THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF DAVAO DEL NORTE TO RECONSIDER ITS FINDINGS IN MUNICIPAL ORDINANCE NO. 2017-197 OTHERWISE KNOWN AS, "THE NEW COMPREHENSIVE ANTI-SMOKING ORDINANCE OF THE MUNICIPALITY OF BRAULIO E. DUJALI, DAVAO DEL NORTE"

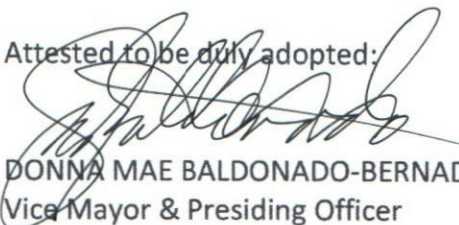
CARRIED.

I HEREBY CERTIFY to the correctness of the foregoing resolution.



TEOFISTA FACULA-BACLAAN  
Senior Administrative Assistant I  
Secretary Designate

Attested to be duly adopted:



DONNA MAE BALDONADO-BERNADAS, ED.D.  
Vice Mayor & Presiding Officer