



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF ILOILO  
MUNICIPALITY OF PAVIA  
-oOo-  
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON SEPTEMBER 25, 2023 AT 9:00 A. M. IN THE SESSION HALL, MUNICIPAL BUILDING, PAVIA, ILOILO.

PRESENT

- |                                   |   |
|-----------------------------------|---|
| 1. Hon. Edsel G. Gerochi          | - Municipal Vice-Mayor<br>Presiding Officer |
| 2. Hon. Ariel B. Gerada           | - Municipal Councilor                       |
| 3. Hon. Jose Maria D. Trimañez    | - -do-                                      |
| 4. Hon. Leonardo L. Belasa        | - -do-                                      |
| 5. Hon. Roy H. Gorriceta, Sr.     | - -do-                                      |
| 6. Hon. Joshua Philippe B. Gumban | - -do-                                      |
| 7. Hon. Hanson H. Guyos           | - Liga President, Ex-Officio Member         |
| 8. Hon. Jeff Moises M. Hontoria   | - SK Fed. President, Ex-Officio Member      |

ON SICK LEAVE

- |                              |                       |
|------------------------------|-----------------------|
| 1. Hon. Jo Jan Paul J. Peñol | - Municipal Councilor |
| 2. Hon. Rhia B. Sotomil      | - Municipal Councilor |

ON VACATION LEAVE

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| 1. Hon. Daniel S. Fajardo, II | - Municipal Councilor |
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MUNICIPAL ORDINANCE 2023-33

ORDINANCE DECLARING THE AREA BETWEEN PAVIA AUDITORIUM AND THE PAVIA VETERANS' FEDERATION MONUMENT WITHIN PAVIA PLAZA, PAVIA, ILOILO AS FREEDOM PARK IN THE MUNICIPALITY OF PAVIA, PROVINCE OF ILOILO.

WHEREAS, Section 2. Declaration of Policy, of Batas Pambansa Blg provides that, "The constitutional right of the people to peaceably assemble and petition the government for redress of grievances is essential and vital to the strength and stability of the State. To this end, the State shall ensure the free exercise of such right without prejudice to the rights of others to life, liberty and equal protection of the law";

**WHEREAS**, Section 15, Freedom Parks of B.P. 880, provides that, "Every city and municipality in the country shall within six (6) months after the effectivity of this Act establish or designate at least one suitable "freedom park or mall in their respective jurisdictions which as far as practicable shall be centrally located within the Municipality where demonstrations and meetings may be held at any time without the need of prior permit";

**WHEREAS**, the Department of Interior and Local Government Memorandum Circular No. 2006-4 directed to all City and Municipal Mayors, Sangguniang Panlungsod/Bayan members, DILG Regional Directors and others concerned, states that "freedom parks or plazas must be established or designated, through an ordinance, in their respective areas, as mandated by the said Act, otherwise known as "The Public Assembly Act of 1985" duly signed by DILG Secretary Ronaldo V. Puno, and in compliance with the directive of the Supreme Court sustaining the constitutionality of B.P. 880;

**WHEREAS**, all public parks or plazas are deemed freedom parks where no prior permit of whatever kind shall be required to hold an assembly thereat, except only for written notices at least two (2) days before the activity to the police and office of the mayor to allow proper coordination, and orderly activities, if the city government fails to designate freedom park;

**WHEREAS**, AREA BETWEEN PAVIA AUDITORIUM AND THE PAVIA VETERANS' FEDERATION MONUMENT WITHIN PAVIA PLAZA, PAVIA, ILOILO AS FREEDOM PARK IN THE MUNICIPALITY OF PAVIA, PROVINCE OF ILOILO can be best considered or classified as freedom park and an ideal place to hold public assemblies in the Municipality of Pavia due to its accessibility and conspicuity;

**NOW THEREFORE, BE IT ORDAINED**, by the Sangguniang Bayan in session duly assembled the following:

**SECTION 1.** Title. This Ordinance shall be known as the Freedom Park within the jurisdiction of the Municipality of Pavia.

**SECTION 2.** Place. AREA BETWEEN PAVIA AUDITORIUM AND THE PAVIA VETERANS' FEDERATION MONUMENT WITHIN PAVIA PLAZA, PAVIA, ILOILO AS FREEDOM PARK IN THE MUNICIPALITY OF PAVIA, PROVINCE OF ILOILO

**SECTION 3.** Guidelines. The following guidelines shall be followed:

1. Upon receipt of a written notice for the holding of an assembly or rally in freedom parks, the municipal mayor shall, pursuant to his operational control over the local PNP, call upon the local chief of police for proper coordination and adoption of measures that would ensure the public safety, peace and order shall not be unduly and unnecessarily affected by the intended assembly/rally in freedom parks. If the written notice is received first by the local police chief, it is his duty to immediately coordinate with the Office of the Mayor to discuss proper coordination in attaining the purpose above stated.
2. The municipal mayor shall acknowledge the receipt of the written notice which, as may be necessary and imperative, may include the areas of coordination with the organizers of the assembly/rally, such as time and duration of the rally/assembly and such other limitations within the bounds of law, in order to ensure that public safety, peace and order will not be prejudiced.





3. The municipal mayor is directed to see to it that law enforcement agencies shall not interfere with the holding of public assembly. However, pursuant to Section 9 of B.P. 880, he shall provide an adequate PP contingent under the command of a responsible officer within the area, at least 100 meters away from the area of activity ready to maintain peace and order at all times, and to suppress any lawlessness or violations of law in order not to cause inconvenience to, or injure or harm the public.
4. Meeting in one place and then march to the freedom park is not within the coverage of the "no prior permit" rule. Accordingly, the activities made outside the freedom park for the purpose of converging and later on march in going to the freedom park would still require permit from the Office of the Mayor for the use of the public space for converging and use of public streets in going to the freedom park.
5. The PNP Ground Commander shall, upon the start of the rally, immediately coordinate with the rally organizer and to inform the latter the role of the PNP as protector of the safety of the rallyists.
6. Any police officer who, through plain view, sees that any rallyists or any person for that matter has in his possession any firearm or deadly weapon, should immediately accost the offender and bring the latter to the nearest police precinct for investigation. The rally organizer should be notified of the incident.
7. Should violation of laws and ordinances are committed, the police should immediately arrest such offender and bring the latter to the nearest police station with notice to the rally organizer.
8. Should there be impending violence or actual violence, the PNP Ground Commander shall act in accordance with Section 11 of B.P. 880 governing the dispersal of public assembly.
9. Any arrest/s made during a rally should be properly documented and reported to the Office of the Mayor and the Chief of Police.

**SECTION 4.** Penalty Clause-Oganizers of the rally conducted the event on areas not designated under this ordinance the following penalties shall apply

First offense- fine of 1,500.00 and immediate dispersal led by Philippine National Police Pavia and assisted of Pavia Public Safety, Order and Traffic Management

2<sup>nd</sup> offense- fine 2,000.00 and immediate dispersal led by Philippine National Police Pavia and assisted of Pavia Public Safety, Order and Traffic Management

3<sup>rd</sup> and Final offense-fine 2,500.00and immediate dispersal led by Philippine National Police Pavia and assisted of Pavia Public Safety, Order and Traffic Management

**SECTION 5.** Definition of Terms.

1. Freedom Park - refers to a place where public assembly is held.
2. Public Assembly - means any rally, demonstration, march, parade, procession or any other form of mass or concerted action held in a



public place for the purpose of presenting a lawful cause of expressing an opinion to the general public on any particular issue, or protesting or influencing any state of affairs whether political, economic or social or petitioning the government for redress of grievances.

3. Maximum Tolerance - means the highest degree of restraint that the military, police and other peace keeping authorities shall observe during a public assembly or in the dispersal of the same.
4. Modification of Permit - shall include the change of the place and time of the public assembly, rerouting of the parade or street march, the volume of loud speakers or sound system and similar changes.

**SECTION 6. Repealing Clause.** Any other ordinances, rules and regulations which are inconsistent with this Ordinance shall be repealed accordingly.

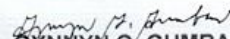
**SECTION 7. Effectivity Clause.** This Ordinance shall take effect upon its approval.

**BE IT ORDAINED FURTHER** to furnish copies of this ordinance to the Hon. Mayor, Laurence Anthony Gorricta, Vice Mayor, Edsel Gerochi, the 18 Barangays, Sangguniang Panlalawigan of the Province of Iloilo for review, DILG and other concerned agencies for their information and reference.

**ENACTED** this Ordinance 2023-33 this 25<sup>th</sup> day of September, 2023 at Pavia, Iloilo, Philippines.

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**I HEREBY CERTIFY to the correctness  
of the above-quoted ordinance:**

  
**GYNNYN G. GUMBAN**  
Secretary to the Sanggunian

**ATTESTED BY:**

  
**HON. EDESEL G. GEROCHI**  
Municipal Vice-Mayor/Presiding Officer

**APPROVED:**

  
**HON. LAURENCE ANTHONY G. GORRICETA**  
Municipal Mayor