

1 Republic of the Philippines
2 PROVINCE OF ILOCOS NORTE
3 2900 Laoag City

4
5 **OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

6
7 Draft Provincial Ordinance No. 2008-04-044
8

9 Sponsored by Kristian R. Ablan, Rudys Caesar G. Farinas I
10 and the Committee on Youth and Sports Development

11
12 **AN ORDINANCE PREVENTING GRAFFITI**
13 **VANDALISM BY REGULATING THE SALE OF**
14 **AEROSOL SPRAY PAINT AND WIDE-TIPPED**
15 **MARKERS TO MINORS, AND FOR OTHER**
16 **PURPOSES**

17
18 **WHEREAS**, graffiti vandalism is a public nuisance and destructive of the
19 rights and values of property owners as well as the entire community;


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21 **WHEREAS**, acts of graffiti vandalism are more often than not committed by
22 minors, while the most common medium used by graffiti vandals are aerosol spray
23 paint and wide-tipped markers;

24
25 **WHEREAS**, unless the province acts to aid in the removal of graffiti from
26 public and private property, the graffiti tends to remain, thus, other properties
27 become the target of graffiti, and entire neighborhoods are affected and become
28 less desirable places in which to be, all to the detriment of the province;

29
30 **WHEREAS**, there is a need to provide additional enforcement tools to
31 protect public and private property from acts of graffiti vandalism and defacement
32 by regulating the sale of aerosol spray paint and wide-tipped markers to minors;

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34 **NOW, THEREFORE**, Be it Ordained, that:

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36 **SECTION 1. Title.** This ordinance shall be known as the "**Graffiti**
37 **Prevention and Control of Aerosol Spray Paint & Wide-Tipped Markers**
38 **Ordinance of 2008.**"



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2 **SECTION 2. Definition of terms.**

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4 (A) "SPRAY PAINT" means any container, regardless of material from
5 which it is made, which is made or adapted for the purpose of spraying paint.

6 (B) "WIDE-TIPPED MARKERS" means any indelible marker or similar
7 implement with a tip which, at its broadest width, is ¼ inch or greater.

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9 **SECTION 3. Sale and Display of Aerosol Spray Paint.** (A) No person
10 other than a parent, guardian or other adult person acting in their place, shall sell
11 or otherwise provide aerosol spray paint or wide-tipped markers to any person
12 under 18 years of age and no person under the age of 18 years shall buy or
13 attempt to buy any aerosol spray paint or wide-tipped markers. A driver's license or
14 any other similar identification card shall be prima facie proof of age.

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16 (B) Any person who owns, manages or operates a place of business selling
17 aerosol spray paint and/or wide-tipped markers shall store or cause such spray
18 paint or marker to be stored either:

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20 1. In the line of sight of one or more work stations that are normally
21 continuously occupied during business hours, or

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23 2. In an area viewable by the public but not accessible to the public in the
24 regular course of business without employee assistance, pending legal sale or
25 disposition of such spray paint or marker.

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27 (C) Any person who owns, manages or operates a place of business wherein
28 aerosol spray paint and/or wide-tipped markers are sold shall conspicuously post:

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30 1. At or near the aerosol spray paint display, in clear public view, a sign
31 stating:

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33 'GRAFFITI IS A CRIME. THE DEFACING OF PUBLIC OR
34 PRIVATE PROPERTY IS PUNISHABLE BY A FINE OR
35 IMPROSONMENT',

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37 2. At or near the aerosol spray paint display, in clear public view, a sign
38 stating:


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2 **'NO SPRAY PAINT OR WIDE-TIPPED MARKER SOLD TO**
3 **MINORS. SELLING SPRAY PAINT OR WIDE-TIPPED MARKER**
4 **TO OR PURCHASE OF SPRAY PAINT OR WIDE-TIPPED**
5 **MARKER BY PERSON UNDER 18 YEARS OF AGE IS AGAINST**
6 **THE LAW. VIOLATORS CAN BE FINED UP TO PHP 5,000.00'**
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8 3. At each cash register or other point of customer payment, in clear view of
9 the person accepting customer payment, a sign stating:

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11 **'NO SPRAY PAINT OR WIDE-TIPPED MARKER SOLD TO**
12 **MINORS. THE LAW FORBIDS SELLING SPRAY PAINT OR**
13 **WIDE-TIPPED MARKERS TO PERSONS UNDER 18 YEARS OF**
14 **AGE. WHEN IN DOUBT, ASK FOR PROOF OF AGE. ACCEPT**
15 **ONLY IDENTIFICATION ISSUED BY THE NATIONAL,**
16 **PROVINCIAL OR CITY/MUNICIPAL GOVERNMENT.'**
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18 **SECTION 4. PENALTIES.** Any person or establishment violating this
19 ordinance shall be imposed with the following penalties, upon the discretion of the
20 courts.

21 **1st Offense** – a fine of PhP 1,000.00;

22 **2nd Offense** – a fine of PhP 2,500.00; and

23 **3rd and any** – a fine of PhP 5,000.00 and cancellation of Governor's

24 **Succeeding** Permit, if applicable.

25 **Offense**

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27 **SECTION 5. REPEALING CLAUSE.** Any ordinance, executive order, rules
28 or regulation contrary to or inconsistent with the provisions of this Ordinance is
29 hereby repealed, modified or amended accordingly.
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31 **SECTION 6. EFFECTIVITY.** This ordinance shall take effect upon posting or
32 publication, whichever comes first.
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34 Approved,

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