



**ORDINANCE NO. 14296-2022**

**AN ORDINANCE ESTABLISHING THE COMPREHENSIVE AND INTEGRATED PREVENTION, TREATMENT, AND REHABILITATION PROGRAM; ADOPTING THE CITY-WIDE ANTI-DRUG ABUSE CAMPAIGN; PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES**

*Whereas*, it is the policy of the State to promote and protect the welfare and well-being of its people against the deleterious effects of dangerous drugs which undermines the holistic development of the human person;

*Whereas*, Section 16 of the Local Government Code of 1991 provides that Local Government Units shall pursue undertaking to improve public morals responsibility and maintain peace and order among other equally significant concerns;

*Whereas*, the Department of the Interior and Local Government (DILG) Memorandum Circular No. 2009-09 gives emphasis to the primary responsibility of local authorities and the efforts to address illegal drugs and others substances;

*Whereas*, the City Government is mandated to prepare plans and programs to deter the use of dangerous drugs by the officers and employees in the offices of Local Government and of the eighty (80) Barangays and in the business establishments within the City;

*Whereas*, the Cagayan de Oro City Oro Citizen's Wellness Center (Oro Wellness) is the primary treatment and rehabilitation arm in the Cagayan de Oro City government's campaign against drug use and abuse and there is a need to increase the capacity of the Oro Wellness to better serve its constituents.

*Whereas*, Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002," as well as the other related issuances of various agencies such as the Department of Labor and Employment (DOLE), Department of Education (DEPED), Commission on Higher Education (CHED), and Dangerous Drugs Board (DDB), in relation to the effort to reduce and eliminate the use and selling of illegal drugs and other substances, are hereby recognized;

*Whereas*, in light of the developments, current issues, persistent problems and emerging concerns involving illegal drugs and other substances, there is a need to strengthen and codify the existing local legislation to ensure a Drug Cleared Cagayan de Oro City.

**NOW, THEREFORE:**

**BE IT ORDAINED** by the 19<sup>th</sup> City Council (Sangguniang Panlungsod) of Cagayan de Oro in its session assembled that:

**ARTICLE I**  
**GENERAL PROVISION**

**SECTION 1. Title** – This ordinance shall be known as the "**Cagayan de Oro City Anti-Drug Abuse Code of 2022**".

**SECTION 2. Declaration of Policy** – It is the policy of the State to promote and protect the welfare and well-being of the citizenry against the deleterious effects of dangerous drugs which poses a serious and imminent threat against the total and holistic development of the human person.

To attain this end, the City Government, cognizant of its mandate to promote the general welfare, must provide a human-rights centered approach in the prevention, treatment, and rehabilitation of persons who use drugs as well as recognize drug use as primarily a health-related concern.



**SECTION 3. Definition of Terms** – The following terms shall be defined as:

- a) **Abstinence** – Refraining from use of an addictive drug;
- b) **Accreditation** – A formal authorization issued by the Department of Health and other National Government Agencies to an individual, partnership, corporation or association in compliance with all licensing and accreditation requirements. It can also refer to CDOCADAC's recognition and accreditation of partner NGOs;
- c) **Action Group** – Is a composite team of persons tasked to perform specialized functions or activities related to the anti-drug campaign. These Action Groups shall be, but not limited to, the following:
  - i) **Law Enforcement Coordination Group** – Composed of personnel who will coordinate with the law enforcement group that shall conduct regular intelligence and surveillance activities and in flagrante delicto arrests, investigation and recommendations for prosecution.
  - ii) **Education and Information Dissemination Group** – Composed of civilian employees, including specially-trained faculty members who are tasked to undertake activities, such as, but not limited to: community-wide and institutional preventive education; information dissemination and training; in-take and referrals, intervention, follow-up and after-care; community outreach service and volunteer services; research, counseling, evaluation and documentation.
- d) **Administer** – Any act of introducing any dangerous drug into the body of any person, with or without their knowledge, by injection, inhalation, ingestion, or other means, or of committing any act of indispensable assistance to a person administering a dangerous drug to themselves unless administered by a duly licensed practitioner for purposes of medication;
- e) **After Care** – Also known as continuing care, is a stage that occurs after completion of a treatment program; during this stage clients no longer require the level of services provided during treatment and are generally able to function in the community, with limited interaction with professionals;
- f) **ASSIST** – Alcohol, Smoking and Substance Involvement Screening Test ("ASSIST") is an eight-item test developed by World Health Organization (WHO) to be used in primary health care setting where harmful substance use often go undetected;
- g) **Authorized Drug Test** – The testing done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. It shall employ, among others, two (2) testing methods, screening and confirmatory tests. The examination of a person's urine specimen to determine the presence of dangerous drugs shall be done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by DOH;
- h) **Benzoylmethylecgonine** - or commonly known as "cocaine", "crystal", "snow", or "crack" which refers to a white crystalline alkaloid found in the leaves of the coca bush (*Erythroxylon coca*), including its salt, compound or derivative and any salt, compound, isomer, derivative, or preparation which acts as stimulant on the central nervous system;
- i) **Cagayan de Oro City Anti-Drug Abuse Council ("CDOCADAC")** – is the multi-sectoral council asked to formulate plans and implement local anti-drug abuse programs, projects, and activities;
- j) **Cannabis or commonly known as "Marijuana" or "Indian Hemp" or by its any other name** - embraces every kind, class genus, or species of the plant *Cannabis sativa* L. including, but, limited to, *Cannabis Americana*, hashish, bhang, guaza, churrus and ganjab, and embraces every kind, class and character of marijuana, whether dried or fresh and flowering, flowering or fruiting tops, or any part or portion of the plant and seeds thereof,



and all its geographic varieties, whether as a reefer, design, extract, tincture or in any from whatsoever;

- k) **Clandestine Laboratory** - Any facility used for illegal manufacture of any dangerous drugs and/or controlled precursor and essential chemical;
- l) **Community Based Treatment** - holistic model treatment in the community provides a continuum of care outreach through including maintenance pharmacotherapy, and coordination of services and assistance from a number of health, non-health specialist to meet the PWUD needs;
- m) **Community Based Rehabilitation and Care Services**- it is a consolidated model of treatment in the community with services ranging from general intervention to relapse prevention. The program involves the coordination of various services which shall cater to meet the client's needs;
- n) **Confirmatory Test** - Any analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test;
- o) **Control Precursor and Essential Chemicals** - Include those listed in Table I and II of the 1988 UN Convention Against Illicit Traffic in Narcotics Drugs and Psychotropic Substances, which is an integral part of this Code;
- p) **Cultivate or Culture** - Any act of knowingly planting, growing, raising or permitting the planting, growing or raising of any plant which is a source of dangerous drug;
- q) **Dangerous Drugs** - Include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Scheduled annexed to the 1971 Single Convention on Psychotropic Substances which is an integral part of this Code;
- r) **Deliver** - Any act of knowingly passing a dangerous drug to another, personality or otherwise, and by many means, with or without consideration;
- s) **Den** - A place where any Dangerous Drugs and or controlled precursor and essential chemical is administered, delivered, stored for illegal purposes, distributed, sold or used in any form;
- t) **Dispense** - Any act of giving a way, selling or distributing medicine or any dangerous drug with or without the use of prescription;
- u) **Drug Dependence** - As based on the World Health Organization's definition, it is a cluster of psychological, behavioral, cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and the difficulties in the controlling substance- taking behavior in terms of its onset, termination or level of use;
- v) **Drug Dependency Examination** - A procedure conducted by a DOH- Accredited physician to evaluate the extent of drug abuse of a person and determine whether he or she is a drug dependent or not, which includes history taking, intake interview, determination of the criteria for drug dependency, mental and physical status and the detection of dangerous drugs in body specimens through laboratory procedures;
- w) **Drug Syndicate** - Any organized group of two (2) or more persons, forming or joining together, with the intension committing any offense prescribed by the Republic Act 9165 and other anti-drug related laws, rules and regulations;
- x) **Drug Watch list** - a list of names issued by the Philippine Drugs Enforcement Agency (PDEA) allegedly involved in illegal drug activities;
- y) **Employees of Den** - Caretakers, Helper watchmen, look-outs and other persons working in the Den, dive or resort, employed by the maintainer, owner and or operator where any dangerous drug and or controlled precursor and essential chemical is administered,





delivered, distributed, sold or used, with or without compensation, in connection with the operation thereof;

- z) **Financer** - any person who pays for, raises or supplies money for, or underwrites any of the illegal activities prescribed under this act;
- aa) **Illegal Trafficking** - the illegal cultivation, culture, delivery administration, dispensation, manufactured, sale, trading, transportation, distribution, importation, exportation, possession of any dangerous drug and/or controlled precursor and essential chemical;
- bb) **Instrument** - Anything that is used in or intended to used, in any manner, in the commission of illegal drug trafficking and/or related offenses;
- cc) **Laboratory Equipment** - The paraphernalia, apparatus, material or appliances when used, intended for use or designed for use manufactured of any dangerous drug and/or controlled precursor and essential chemical, such as reaction vessel, preparative/purifying equipment, fermenters, reparatory funnel, flask, heating mantle, gas generator, or their substitute;
- dd) **Manufactured** - The production, preparation, compounding or processing of any indirectly or by extraction from the substances of natural origin, of independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, and shall include any packaging repackaging of such substances, design or configuration of its form, or re-labeling of its container, except that such terms do not include the preparation, compounding, packaging or labeling of a drug or other substances by a duly authorized practitioner as an incident to their administration or dispensation of such drug or substance in the course of their professional practice including research. Teaching and chemical analysis of dangerous drugs or such substance or not that are not intended for sale or for other purpose;
- ee) **Methylenedioxymethamshetaumine (MDMA) or commonly known as "Ecstasy", or by its any other name such as but not limited to paper acid** – refers to the drug having such chemical composition, including any of its isomers or derivatives in any form whatsoever;
- ff) **Methamphetamines Hydrochloride or commonly known as "Shabu", "Ice", "Meth", or by its any other name** - refers to the drug having such chemical composition, including any of its isomers or derivatives in any form;
- gg) **Opium Poppy** - refers to any part of the plant of the species *Papaver somniferum* L. and *Papaver rhoeas*, which include the seeds, straws, branches, leaves or any part thereof, or substances derived therefrom, even floral, decorative and culinary purposes;
- hh) **Person Who Uses Drugs (PWUD)** - individual who has used, abused, or is dependent on a dangerous drug.
- ii) **Philippine Drug Enforcement Agency ("PDEA")**– Refers to the implementing arm of the Dangerous Drugs Board, the government's policy-making and strategy formulating body in the planning and formulation of policies and programs on drugs prevention and control;
- jj) **Person** – Any entity, natural or juridical, including among others, a corporation, partnership, trust or estate, joint stock company, association, syndicate, joint venture or other unincorporated organization or group capable of acquiring rights or entering into obligations;
- kk) **Planting of Evidence** – The willful act by any person of maliciously and surreptitiously inserting, placing, adding or attaching directly or indirectly, through any overt or covert act, whatever quantity of any dangerous drug and/or controlled precursor and essential chemical in the person, house, effects or in the immediate vicinity of an innocent individual for the purpose of implicating, incriminating or imputing the commission of any violation of this Code;



- ll) **Protector/ Coddler** - Any person who knowingly and willfully consents to the unlawful acts provided for in this Code and RA 9164 and uses their influence, power, or position in shielding, harboring, screening or facilitating the escape of any person they know, or has reasonable grounds to believe on or suspects, has violated the provisions of this Code in order to prevent the arrest, prosecution and conviction of the violator;
- mm) **Pusher** - Any person who sells, trades, administers, dispenses, delivers or gives away to another, on any terms whatsoever, or distributes, dispatches in transit or transports dangerous drugs or who acts as a broker in any such transactions, in violation of this Code;
- nn) **Random Drug Testing** - conduct of a drug test, using the approve methodologist, the timing which is not announced, or is unknown to a PWUD;
- oo) **Random System Audits** - is a quality management system tool intended to mitigate further commission of lapses in the implementation of policies, procedures, standards and guidelines in relation to safety, quality and competencies of facilities and personal. This is conducted at random and choice of area for audit shall be decided by monitoring and evaluation team prior to the audit;
- pp) **Rehabilitation** - a dynamic process or intervention emphasizing on aftercare and follow-up treatment, directed towards attaining change in physical, psychological, social, and spiritual life of PWUD;
- qq) **Rehabilitation Center** - Refers to the treatment and rehabilitation center for drugs dependents also referred to in this Code as the Oro Wellness Center;
- rr) **Relapse** - the recurrence of drug use after apparent recovery;
- ss) **Rugby** - refers to the common market name of a liquid chemical compound used as adhesive in making, repairing shoes/furniture and other purposes with an odor akin to petroleum products which can alter the state of mind when sniffed;
- tt) **Screening** - is a process of identifying presence of problems related to substance use and indicate series that are needed;
- uu) **Sell** - Any act of giving away any dangerous drug and/or controlled precursor and essential chemical whether for money or any other consideration;
- vv) **Solvent** - is a liquid or gas that dissolves a solid, liquid or gaseous salute, resulting in a solution. A solvent is a material, usually a liquid, which is capable of dissolving another chemical. Chemicals commonly called solvents can dissolve many different chemicals. Common solvents are water, ethanol, rugby, acetone, hexane, and toluene;
- ww) **Surrenderer** - a person who voluntarily submitted himself or herself to authorities and admitted involvement in the use of illegal drug and/or trade;
- xx) **Sustainability Program** - designed as preparatory program for PWUDs who are undergoing the community -based rehabilitation treatment program to be productive member of the family and society;
- yy) **Trading** - Transactions involving the illegal trafficking of dangerous drugs and/or controlled precursors and essential chemicals using electronic devices such as, but not limited to, text messages, e-mail, mobile, and landlines, two-way radios, internet, instant messengers and chat rooms or acting as a broker in any such transactions whether for money or any other consideration in violation of this Code;
- zz) **Use** - Any act of injecting, intravenously or intramuscularly, of consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body, any of the dangerous drugs; and
- aaa) **Volatile Substances** - any liquid solid or mixed substances having the property of releasing toxic vapors or fumes containing one or more of the following chemical compounds: *Methanol, ethanol, isopropanol, ethyl acetate, n-propyl acetate, n-butyl acetate, acetone, methyl ethyl ketone, methyl butyl ketone, benzene, toluene, xylene, styrene, naphthalene, n-hexane,*



*n-neptane, methylene, chloride, trichlorodifluoromethane, tetrachloroethylene, nitrous oxide, dichlorodifluoromethane, chlorodifluoromethane, isoamyl nitrate, ether or chloroform or any other chemical substances which when sniffed, smelled, inhaled, or introduced into the physiological system of the body which produces or induces a condition of intoxication, inebriation, excitement, stupefaction, dulling of the brain or nervous system, depression, giddiness, paralysis or irritational behavior or any manner changing, distorting or disturbing the auditory, visual or mental processes.*

**ARTICLE II**  
**CONFISCATION, FORFEITURE, DISPOSITION OF PROCEEDS OR**  
**INSTRUMENTS OF ILLEGAL DRUGS ACTIVITIES, AND INFORMANT**  
**AND WITNESS PROTECTION**

**SECTION 4. Disposal** - All dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instrument/paraphernalia and/or laboratory equipment, which may be determined to have economic value shall be disposed of in accordance with Section 20 of RA 9165.

For this purpose, the CDOCADAC may establish and implement mutually acceptable terms and conditions with the Dangerous Drugs Board for the equitable sharing of the proceeds thereof which may be used to pay for expenses incurred in the proceedings for the confiscation, forfeiture, custody and maintenance of the property pending disposition, cost of litigation, including reasonable expenses for the Information and Education Campaign programs of the CDOCADAC.

**SECTION 5. Incentives** - it is hereby established that an incentive system may be granted, as determined by CDOCADAC, to any person who will be able to provide information leading to the arrest, prosecution and conviction of any person, natural or juridical, committing any of the unlawful acts defined under this code and R.A. No. 9165.

**ARTICLE III**  
**CAGAYAN DE ORO CITY ANTI-DRUG ABUSE COUNCIL**

**SECTION 6. Organization** – The Cagayan de Oro City Anti-Drug Abuse Council (CDOCADAC) shall be composed of the following organizations and officials:

- a) City Mayor, Chairperson
- b) City Director of COCPO, Vice-chairperson
- c) City Vice Mayor
- d) Chairperson, Committee on Police, Fire and Public Safety
- e) Chairperson, Committee on Education
- f) Chairperson, Committee on Social Services
- g) Chairperson, Committee on Health
- h) Chairperson, Committee on Games and Amusement
- i) Office Head, City Information Office
- j) Department Head, City Social Welfare and Development Department
- k) City Director, Department of the Interior and Local Government
- l) City Prosecutor, City Prosecutor's Office
- m) Regional Director, Philippine Drug Enforcement Agency
- n) City School Division Superintendent, Department of Education
- o) City Health Officer, City Health Office
- p) Director, Commission on Higher Education
- q) Provincial Director, TESDA
- r) Administrator, DOH -Treatment and Rehabilitation Center 10
- s) City Legal Officer, City Legal Office
- t) Representative, 10th Judicial Region
- u) Chief Parole and Probation Officer
- v) Chief Bureau of Jail and Penology



- w) Regional Director, NBI Region X
- x) Youth Development Officer, Oro Youth Development Council
- y) Media Representative
- z) 3 - Representatives from Interfaith Organizations
- aa) 3 - Representatives from Civil Society Organizations advocating for anti-drug abuse and rehabilitation

**SECTION 7. Meetings of the Council** – The CDOCADAC shall meet quarterly or as often as necessary at the discretion of the Chairperson or at the call of a majority of the members of the council. The presence of a majority of the members of the Council shall constitute a quorum.

**SECTION 8. Duties and Functions of the Council** - The CADAC shall advocate and help promote an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation and enforcement of anti-drugs policies, programs and projects.

The CADAC shall have the following functions:

- a) Formulate a comprehensive action plan, including the adoption of the necessary education and formation-drive programs to help address the problem of drug-abuse and illegal drug trade within the jurisdictional boundary of Cagayan de Oro City;
- b) Conduct consultation meetings and/or symposia among various non-government and people's organizations (NGOs and POs) for the effective implementation of the city anti-drug abuse program;
- c) Organize and capacitate the Barangay Anti-Drug Abuse Councils (BADAC) in the 80 barangays of the city to help ensure the sustainability and consistency of the city anti-drug abuse program in coordination with their respective Barangay Councils;
- d) Advocate for the continuous improvement of this Code;
- e) Formulate the effective mechanisms and measures to obtain funding support in efforts to make available facilities and technical expertise needed to re-integrate victims of drug abuse into the mainstream society;
- f) The CADAC may create committees and technical working groups for the effective and efficient implementation of its mandate. It may likewise enlist other government agencies, non-government organizations, and individuals to participate and contribute to the implementation of the programs of CADAC;
- g) Accredite NGOs for the delivery of community-based rehabilitation services and other allied services;
- h) Upon recommendation of the CDOCADAO, issue Implementing Rules and Regulations including client flow and other related procedures mandated by this ordinance and pertinent laws and consistent with the guidelines promulgated by the DOH, DBB, and other allied agencies;
- i) Prepare and submit to the Local Finance Committee such amount as may be necessary to implement the provisions of these Code and shall be recommended for inclusion in the annual Appropriations Ordinance of the City.

**SECTION 9. Executive Committee** - There shall be an Executive Committee composed of the following members: (1) COCPO (2) PDEA (3) ORO WELLNESS (4) DILG (5) Member, Sangguniang Panlungsod (6) CITY LEGAL (7) CSWD, which shall be chaired by the CADAC Chairperson and who shall meet once a month or at any date as need arises.

The Executive Committee may act, by majority vote of all its members, on such specific matters within the competence of the CADAC, as may be delegated to it. Particularly, the executive committee shall:





- a) Supervise the organization and operation of the Barangay Anti-Drug Abuse Councils (BADAC) including its preparation of Action Plans as well as ensuring proper compliance with the budgetary requirements allocated for BADAC as required by law and regulation;
- b) Organize Community – Based Managers to serve as focal persons for the Community-Based Rehabilitation Program (CBRP) and to facilitate, coordinate, document and handle communications in line with the CBRP to supervise the operation of the community-based managers;
- c) Prepare the necessary documents for the processing of the payroll of the community-based managers;
- d) Act upon urgent matters which is within the competence of the CADAC; and
- e) Regularly report to the CADAC.

**SECTION 10. Secretariat** – The Secretariat shall be headed by the Division Head of the City Anti-Drug Abuse Division, who shall be the Secretary of the Council and Administrative Officer of its secretariat, and shall perform other duties that may be assigned to him/her.

**SECTION 11. Oversight Function** – The CDOCADAC shall exercise oversight function over the implementation of all the drug- related ordinances, in aid and legislation.

In addition, the CDOCADAC shall exercise direct supervision and coordination over the establishment, creation, operation and implementation of the programs and activities for the eighty (80) Barangays and ensure the adoption and implementation of the anti – drug abuse related programs and activities at the community level in coordination with the CDOCADAO.

**SECTION 12. Creation of Action Groups** – the CDOCADAC is authorized to create and constitute action groups to assist the former in the discharge of its functions, including but not limited to: preventive education, Information dissemination and training; intake and referrals intervention, follow up and aftercare; treatment and rehabilitation; community outreach, service and volunteer services; coordination with law enforcement, surveillance and intelligence, and; research, evaluation and documentation.

**SECTION 13. Information Dissemination** – The CDOCADAC shall coordinate with the Cagayan de Oro City Information Office for Information dissemination of Anti- illegal drug prevention education campaigns.

#### **ARTICLE IV**

#### **CAGAYAN DE ORO CITY ANTI-DRUG ABUSE DIVISION**

**SECTION 14. Creation of a Division.** There shall be created the Cagayan de Oro City Anti-Drug Abuse Division under the Office for Community Affairs.

**SECTION 15. Functions.** The functions of the Cagayan de Oro City Anti-Drug Abuse Division shall be the following:

- a) Implement the comprehensive action plan, to help address the problem of drug-abuse and illegal drug trade within the jurisdictional boundary of Cagayan de Oro City;
- b) Manage the implementation of the integrated prevention, treatment, and rehabilitation program of the City;
- c) Serve as the secretariat of the CDOCADAC;
- d) Provide technical and administrative support services to the CDOCADAC; and
- e) Perform other functions as may be prescribed by CDOCADAC, an ordinance, or law;





**SECTION 16. Staffing Pattern, Compensation and Qualification Standards** – The Cagayan de Oro City Anti-Drug Abuse Division shall be composed of the following personnel pattern in accordance with the rules and regulations promulgated by the Civil Service Commission:

For this purpose, the following two (2) plantilla positions shall be transferred from the City Social Welfare and Development Office to the Cagayan de Oro City Anti-Drug Abuse Division of the Office for Community Affairs.

ITEM NO.	POSITION	SG	EMPLOYEE/S
82	Health Education and Promotion Officer IV (Division Chief)	22	Rhyselle Bernadette M. Descallar (held since October 1, 2021)
84	Social Welfare Officer I	11	Cherryl de la Cruz

In addition, there shall be created under this Division, the following positions to ensure performance of its mandates:

No/s of Positions	Proposed Position/SG	QS-Education	Training	Experience	Eligibility
1	Nurse I/15	Bachelor's degree in Nursing	None required	None required	RA 1080-Nurse
1	Legal Assistant I/10	BS Legal Management, AB Paralegal Studies/Law/ Political Science or other allied courses	None required	None required	CS Prof/ 2 <sup>nd</sup> Level Eligibility
1	Administrative Aide IV/4	Must be able to read and write/Elementary school graduate/High School graduate/Completion of two years studies in college or High school graduate with relevant vocational/trade course	None required	None required	Relevant MC 10 s. 2013/CS Sub-prof/First Level Eligibility
1	Social Welfare Officer/11	BS Social Work	None required	None required	RA 1080-Social Worker
2	Administrative Aide VI (Audio-Visual Aids Technician I)	High school graduate or Completion of relevant vocational/trade course	None required	None required	Audio Visual Operator (CSC MC 10 s. 2013-Cat. II)

**SECTION 17. Budget Preparation** – The Division Chief shall prepare and submit to the CDOCADAC an annual financial and budgetary work plan or program to finance the operations and implementation of rehabilitation and treatment programs. Appropriation for the operations and maintenance of the division shall be included in the annual executive budget of the City Government.

**SECTION 18. Reporting System** – The Division Chief shall prepare and submit a regular quarterly report on the status of its operations, state of health and the progress of confined PWUDs financial reports and such other relevant matters that must be brought to the attention and action of the CDOCADAC. In addition, it shall submit an annual report to the City Mayor, the CDOCADAC



and the City Council its operations, achievements and other relevant matters, and aid of its policymaking and recommendation functions.

**ARTICLE V**  
**CAGAYAN DE ORO CITIZEN'S WELLNESS AND DEVELOPMENT**  
**CENTER (ORO WELLNESS)**

**SECTION 19. Cagayan de Oro Citizen's Wellness and Development Center (Oro Wellness)**

- Treatment and rehabilitation of PWUDs whether on voluntary or compulsory confinement, shall be conducted at the Cagayan de Oro Citizen's Wellness and Development Center (Oro Wellness), and such other centers which may hereinafter be established and operated by the City Government. The Center shall be a Section under the City Anti-Drug Abuse Division.

**SECTION 20. Administrator** – The Oro Wellness shall be managed by an administrator who shall possess knowledge, training and experience, including administrative and management skills, three (3) years supervisory experience in any of following fields: law enforcements, law, medicine, criminology, psychology, social work or business management and administration. The Administrator shall have a rank and salary equivalent to a Section Head. The Division Head shall exercise control and supervision over the Oro Wellness.

**SECTION 21. Functions** – The Oro Wellness is the primary treatment and rehabilitation arm of the Cagayan de Oro City government in its fight against drug abuse. It is a dynamic and responsive client-centered drug treatment and rehabilitation facility with dedicated and caring professionals as change agents geared towards healing and shaping maladaptive behaviors of PWUDs to be responsible and productive members of the community.

The Oro Wellness will serve each Cagayan de Oro City resident patient with utmost care and to provide a menu of programs and services tailor- fitted to their specific needs using the Therapeutic Community approach. It is a stand-alone Center that caters to PWUDs without discrimination as to age, sex, sexual orientation, gender identity and expression, political beliefs, and ethnicity.

The functions of Oro Wellness Program are the following:

- a) To help individuals afflicted with drug dependencies through Therapeutic Community as the mode of treatment program
- b) To equip their clients with needed tools and skills to cope with life's stresses;
- c) To tailor fit a treatment program suited to each client's need;
- d) Educating and empowering families in co-dependency in order for them to get themselves out of the co – occurring disease of addiction in the family;
- e) To assist in the provision of the CBRP
- f) To design and implement an Aftercare Program.
- g) To provide enabling expertise to the center's rehabilitation practitioners through a personnel development program making them efficient and effective health a personnel development program making them efficient and effective health providers.
- h) To provide services as a halfway clinic in accordance with existing protocols and procedures and guided by the Universal Health Care program.

**SECTION 22. Benefits** – The Oro Wellness is a specialized section, it shall enjoy the full benefits of a "Public Health Worker" as stated in the "Magna Carta for Public Health Workers." Should any employee of the Oro Wellness be permitted to work or suffered for work more than eight hours working day on account of local disaster or emergency, as may be declared by the competent authority, they shall be entitled to overtime pay and night shift differential pay of not more than ten percent (10%) of their regular wage for each hour of work per.



## **ARTICLE VI**

### **TREATMENT, REHABILITATION AND CONFINEMENT OF PWUD**

**SECTION 23. Voluntary Confinement** – A PWUD may by himself/herself or through his/her parent, spouse, guardian or relative within the fourth (4<sup>th</sup>) degree of consanguinity or affinity, apply to the Oro Wellness, for treatment and rehabilitation of the drug dependency. Upon such application, the Oro Wellness shall facilitate the PWUD's application for the issuance of a Court Order. The requisites for voluntary confinement shall be provided for in the Implementing Rules and Regulations.

**SECTION 24. Compulsory Submission of a PWUD Charged with an Offense to Treatment and Rehabilitation**- The Oro Wellness shall provide for procedures in treating PWUDs charged with an offense for compulsory submission for treatment and rehabilitation consistent with pertinent laws and the Rules of Court.

**SECTION 25. Plea Bargaining Framework and Drug Cases** – In cases where plea bargaining is allowed, Oro Wellness, in partnership with other agencies or entities, shall provide for the drug dependency test and drug testing to all accused who are residents of Cagayan de Oro City who avail the Plea Bargaining. Oro Wellness shall likewise develop a Plea-Bargaining framework and process flow for the guidance of the Courts in relation to which program, center, or entity PWUDs or the accused be referred.

**SECTION 26. Confidentiality of Records**- The records of a PWUD who has undergone treatment and rehabilitation, shall be confidential and shall not be used against them for any purpose. Oro Wellness shall develop and data privacy policy consistent with the Data Privacy Act of 2012.

## **ARTICLE VII**

### **TREATMENT AND CARE SERVICES**

**SECTION 27. Objective**- The Oro Wellness shall establish clear guidelines and procedures in treating and caring for PWUDs consistent with international and national guidelines.

**SECTION 28. Guidelines of Client Flow for Wellness and Recovery** - The Oro Wellness shall adopt guidelines on the intake and assessment of PWUDs, the procedure in determining the appropriate intervention, and other related protocols as provided by existing DOH and/or DBB guidelines.

## **ARTICLE VIII**

### **COMMUNITY-BASED REHABILITATION PROGRAM (CBRP)**

**SECTION 29. Guiding Principles.** A community-based drug rehabilitation program should be guided by the following principles:

- a. The entire continuum of care from outreach, basic support, and mitigating the harm from drug use to social reintegration should be present;
- b. Services should be delivered in the community, as close as possible to where the users live;
- c. It should cause minimal disruption of social links and employment; d. It should be reintegrated into existing social and health services; e. Community resources should be maximized, and families should be involved; f. Approaches should be comprehensive, taking into account different needs of the users relative to their health, family, education, employment, and housing; g. There should be loose collaboration between civil society, law enforcement, and the health sector;
- d. Interventions should be evidence-based; and
- e. The possibility of relapse should be considered and prepared for.



**SECTION 30. Designation or Appointment of Community – Based Managers.** The CDOCADAC, through the Executive Committee, shall designate or appoint Community- Based Managers in every barangay who shall serve as focal persons for the Community-Based Rehabilitation Program (CBRP). They shall facilitate, coordinate, document and handle communications in line with the CBRP. A monthly honorarium shall be provided for the Community Based Managers under existing rules and accounting procedures.

**SECTION 31. Supervision.** The CDAO shall exercise direct supervision over the Community-Based Rehabilitation Programs including their managers in all eighty (80) barangays of the City. In coordination with the BADAC, it shall formulate rules and regulations for the access and delivery of services consistent with the guiding principles as well existing regulations, set criteria and qualifications for community-based managers, improve program implementation, and other related activities. It shall likewise supervise private entities who are conducting the CBRP in partnership with the Barangay.

#### **ARTICLE IX BALAY SILANGAN**

**SECTION 32. Establishment of the Balay Silangan –** The Balay Silangan is hereby established as a component service within the Oro Wellness.

**SECTION 33. Functions and Programs -** The Balay Silangan shall be the primary reformatory rehabilitation center with the end goal of reforming persons who are not violators of Section 15 of the Act. The program shall be independent from interventions being undertaken by PWUDs in the Drug Abuse Treatment and Rehabilitation Centers.

**SECTION 34. Intervention Process –** The Oro Wellness shall adopt guidelines on the intake, assessment, and the procedure in determining the appropriate intervention, and other related protocols as provided by existing DOH or/and DILG guidelines.

#### **ARTICLE X CAGAYAN DE ORO DRUG FREE WORKPLACE AND SCHOOLS**

##### **I. CAGAYAN DE ORO CITY GOVERNMENT**

**SECTION 35. Coverage –** All officials and employees in the offices of the Cagayan de Oro City Government and its eighty (80) Barangays without distinction as to rank, employment status or salaries and shall cover all stages of employment.

**SECTION 36. Who may Conduct Drug Testing -** The drug test that shall be administered by the PDEA or DOH accredited laboratories or authorized government agencies with Class D laboratories. Class D laboratories are those that are capable of performing with competence, preliminary examinations or screening tests of dangerous drugs in body fluids, such as urine.

**SECTION 37. Creation of the Drug-free Workplace Assessment Committee -** The Drug-free Workplace Assessment Committee is hereby established which shall formulate and put in place to City's Drug Testing Program which shall be in accordance with the pertinent provisions of R.A. NO. 9165 and this Code. This Committee shall be chaired by the City Human Resource and Management Office. The program must be made known to all employees and officers stressing the fact that the purpose is not to harass but rather to prevent the entry of illegal drugs and the abuse thereof. The program to be implemented must be developed through a process where consensus is achieved regarding its contents. The committee shall be composed of the following:

- a. The City Mayor or his Authorized Representative;
- b. The Chairperson of the CDOCADAC;
- c. Head of the Personnel Department or his Representative;
- d. Head of Oro Wellness





- e. Representative from the Dangerous Drugs Board accredited physician
- f. The President of the Liga ng mga Barangay.

**SECTION 38. Duties and Functions of the Committee.** The Committee shall undertake the following duties and responsibilities:

- a) To oversee the formulation and implementation of the drug abuse policy in the agency;
- b) Initiate retreat programs for department heads for the implementation of the drug-resistant workplace;
- c) Initiate continuing education and awareness program for the employees; and
- d) Initiate and adopt values formation, family enhancement and such other related and relevant programs.

**SECTION 39. Drug Tests Methods-** the following methods are defined above, are adopted as the authorized drug testing methods of Cagayan de Oro City.

- a. Screening Drug Test
- b. Confirmatory Drug Test

**SECTION 40. Mandatory Drug Testing-** Drug testing is mandatory in the following cases:

- a. Pre-employment;
- b. Person in high-risk/decision-making positions;
- e. Discovery of dangerous Drugs paraphernalia;
- f. Detention by police/filing of charged in court for drug related cases;
- g. As a requirement for promotion; and
- h. Employees reporting to work after undergoing treatment and rehabilitation.

**SECTION 41. Random Drug-Testing** – Random drug test may be done without prior notice of the day and venue of the drug test as determined by the Drug Free Workplace Assessment Committee. It shall formulate a random selection process or procedure for this purpose.

**SECTION 42. Procedure of the Conduct of the Random Drug Test in the Workplace-** The following procedure shall apply in case of random drug testing:

- a) The Drug-Free Workplace Assessment Committee will notify the randomly selected officials or employees to go for a urine test to the City Health Office who in turn, will accompany them to the place where the test will be conducted.
- b) The selected officials/employees must immediately report for the drug test.
- c) The test shall only be conducted by any government Drug Testing laboratory or by any drug testing laboratory duly authorized and accredited by the Department of Health (DOH) for the screening test. The procedure to conduct such tests shall be derived from existing regulations.

**SECTION 43. Action on Negative Results** - Should the drug test yield a negative result for the official or employee tested, no further action is needed other than the issuance of a Drug Test Certificate.

The Drug Test Certificate, which should be free of charge, is good for (1) year and could be used for other purposes.

**SECTION 44. Procedure in the Handling a Positive Result after Confirmatory test-** Should the drug test yield a positive result for the official or employee tested, the following procedures shall apply:



- a) Upon discovery that a urine sample is tested positive for dangerous drugs after confirmatory test, such result shall immediately be made known to the Chairman of the Drug-Free Work Place Assessment Committee and the Office of the City Mayor or his duly authorized representative.
- b) After receipt of such information, the same shall be made known to the employee/official.
- c) The Office of the City Mayor shall then take the appropriate action in accordance with Civil Service and other related guidelines.
- d) All records must strictly be held confidential in accordance with Republic Act No. 9165 and the Data Privacy Act of 2012.

**SECTION 45. Responsibilities of the Cagayan de Oro City Government** - The Office of the City Mayor thru the Human Resources and Management Department in coordination with the CDOCADAC, mandates the following Responsibilities of the Office/Agency under the Policy, to wit:

- a) Adopt a continuing and sustainable substance abuse awareness program to inform its employees about:
  - i) Its policy of maintaining a drug-free workplace;
  - ii) The dangers posed by the abuse of dangerous drugs;
  - iii) The availability of employees' assistance program; and
  - iv) The consequences, penalties and administrative sanctions in violation thereof;
- b) Distribute a copy of IEC Materials to each employee;
- c) To display a billboard message at a strategic place/s in the office with the words: "This is a Drug-Free Workplace. Let's Keep It That Way".

**SECTION 46. Policies governing the Employees and the Officials** - The officials and employees shall have the following responsibilities:

- a) All officials or employees must never possess and/or use dangerous drugs and other substances of abuse.
- b) All officials or employees must not directly sell, give, provide or administer any dangerous drugs and/or other substance of abuse to his/her co-employees or others and/or to commit or abet/aid in the commission of any unlawful acts penalized under R.A. No. 9165.
- c) The officials and employees must faithfully abide by the terms of this code as a condition for their continued employment.
- d) The officials or employees must voluntarily seek treatment and rehabilitation if they have problems related to dangerous drugs.
- e) The officials and employees must advocate against drug abuse.
- f) The officials and employees must help maintain a drug-free workplace.

**SECTION 47. Employees Assistance Program-** The Human Resources and Management Department is likewise mandated to establish the Employees Assistance Program which shall address the needs of officials or employees undertaking guidance counseling or rehabilitation as mandated by the provision of this Code. The Employees Assistance Program to be implemented must be developed through a process where consensus is achieved regarding its contents.

## **II. BUSINESS ESTABLISHMENT**

**SECTION 48. Cagayan de Oro City Business Establishments Drug Free Coverage-** This shall cover all establishments in the private sector, including their contractors and concessionaires within the territorial jurisdiction of Cagayan de Oro City.



**SECTION 49. Compliance Procedure** - The Business Permits and Licensing Office (BPLO) shall encourage those covered business establishments to submit their drug abuse prevention and control programs as requirements for the registration and/or renewal of their respective business permits (consistent with DOLE regulation). The BPLO shall also encourage the producers and/or organizers to submit the drug testing results of their entertainers and performers one (1) week before the show as a condition in the issuance of permits.

**SECTION 50. Advocacy, Education and Training** – Employers shall increase the awareness and education of their employees and clientele(s) on the adverse effects of dangerous drugs and monitor their employees and clientele(s) susceptible to drug use.

- a) Employers are encouraged to display a billboard or streamer in conspicuous places in the workplace with a standard message "THIS A DRUG FREE ESTABLISHMENT" or such other message of similar import.
- b) In the context of their Corporate Social Responsibility Programs, employers are encouraged to extend drug abuse prevention and advocacy to their workers' families and their respective communities.

**SECTION 51. Drug Testing Program for Officers and Employees** – Employers are encouraged to require their officers and employees to undergo a random drug test in accordance with the company's work rules and regulation for the purpose of reducing risk in the workplace. Strict confidentiality shall be observed with regard to screening procedure and results.

- a) Drug testing shall conform with the procedures as prescribed by the Department of Health (DOH). Only drug testing centers accredited by the DOH shall be utilized.
- b) Drug testing shall consist of both screening test and the confirmatory test; the latter to be carried out should the screening test turn positive. The employee concerned must be informed of the test results whether positive or negative.
- c) If the confirmatory test turns positive, the business establishment's assessment Team shall evaluate the results and determine the level of care and administrative interventions that can be extended to the concerned employee or refer the said confirmatory test result to the DOH-accredited center for evaluation and determination of the level of care and administrative interventions that can be extended to the concerned officer/s or employee/s.
- d) A drug test shall be valid for one (1) year. However, additional drug tests may be required as may deem necessary. All costs shall be borne by the employer.
- e) This procedure is without prejudice to the existing-prescribed rules and procedure as promulgated by DOLE and other related agencies.

**SECTION 52. Responsibilities.** The following are the responsibilities of the business establishment owners and the CDOCADAC to wit:

A. Business establishment owners –

- i) The employer shall ensure that the workplace policies and programs on the prevention and control of dangerous drugs, including drugs testing, are disseminated to all officers and employees. The employer shall obtain a written acknowledgement from the employees that the policy has been read and understood by them.
- ii) The employer shall maintain the confidentiality of all information of PWUDs in the workplace. Exceptions may be made only when required by law, in case of overriding public health and safety concerns, or where such exceptions have been authorized in writing by the person concerned.



- iii) The business establishment shall provide preventive mechanisms to its clientele to ensure that no prohibited dangerous drugs shall be brought and/or use in their place of business. Preventive mechanisms shall include, but not limited to, frisking, body search and bag inspection.
- iv) All business establishments are hereby encouraged to formulate policies in accordance with the provisions of R.A. No. 9165, otherwise known as the Comprehensive Dangerous Drug Act of 2002, in event that its officer/s employee/s are found positive after confirmatory test.

**B. CDOCADAC**

- i) Subject to its existing rules and regulations, it may facilitate intervention and rehabilitation program, through the Oro Wellness, for those who are found positive for illegal drug use.
- ii) It shall coordinate with the business establishment owners for the formulation of policies if its officer/s or employee/s are found positive after the confirmatory tests; and
- iii) It shall coordinate with the Philippine National Police in its intervention operations.

**III. SCHOOLS**

**SECTION 53. Drug free schools** - Schools referred herein shall cover secondary, tertiary, vocational and technical schools.

**SECTION 54. Healthy lifestyle.** - Schools are encouraged to develop mechanisms that promote healthy lifestyle such as but not limited to healthy diet, physical activities and no smoking and alcoholic drinking environment inside and outside the school campus as mandated by existing rules and regulations.

**SECTION 55. Mandatory random drug testing** - All schools are encouraged to implement a mandatory random drug testing of their students, consistent with the implementing guidelines and other relevant rules and regulations, after observance of consultation and other similar requirements.

**SECTION 56. Confidentiality** - All schools must guarantee the strict confidentiality and integrity of the drug test results.

**ARTICLE XI**  
**ORGANIZATION OF BARANGAY ANTI-DRUG ABUSE COUNCIL (BADAC)**

**SECTION 57. Composition of BADAC -**

- a) Chairperson : Punong Barangay
- b) Vice-Chairperson : Sangguniang Barangay Member/Kagawad  
(Chairman of Peace and Order)
- c) Members : Sangguniang Barangay Member/Kagawad  
(Chairman of Women and Family)  
SK Chairperson  
Public School Principal or Representative  
Executive Officer/Chief Tanod  
Representative of Non-Government Organization (NGO)/Civic Society  
Representative of a Faith-Based Organization
- d) Adviser : District Director, CDOCPD





**SECTION 58. Powers and Functions of BADAC:**

- a) Plan, strategize, implement and evaluate programs on drug abuse prevention in the barangay;
- b) Organize the BADAC Auxiliary Team and orient them of their roles and functions in formulating a plan of action to address the drug problem;
- c) Equip Barangay Tanods and BADAC Auxiliary Team on their roles and functions in the campaign against street level illegal drug trade thru seminars or trainings;
- d) Coordinate and collaborate with other institutions implementing programs and projects on drug abuse prevention at the barangay level;
- e) Conduct an information Education Campaign on illegal drug demand reduction;
- f) Conduct regular and consultative meetings at least once a month and call for special meeting with organizations in the barangay, such as the Parents Teachers Community Association (PTCA), Youth Groups, Boy and Girl Scouts, religious organizations, senior citizens, homeowner associations, neighborhood associations, puroks and Tricycle Operators and Drivers Association (TODA) and other organizations existing in the community to get their commitment to assist in curbing the drug menace in the community whenever necessary;
- g) Strengthen the family in the barangay by promoting family affairs and conduct value formation on parental care and guidance in coordination with other people's organization and concerned agencies;
- h) Gather and update all drug related incidents and its effect on the peace and order situation in the barangay;
- i) Refer suspected PWUDs to the Oro Wellness and other institutions for corresponding counseling or rehabilitation;
- j) Refer PWUDs and dependents who voluntarily surrender to appropriate officer;
- k) Conduct periodic monitoring of those undertaking Community Based Drug Treatment and Rehabilitation through the conduct of random drug testing to patients who exhibit indication of using dangerous drugs;
- l) Empower the community in reporting drug related cases through an award/ commendation system;
- m) Create a favorable policy environment by enacting barangay ordinances and other legislative measure;
- n) Set quarterly targets to reduce the level of drug affection and ultimately achieved drug-cleared status and maintain the status of drug-cleared and unaffected barangays through the Anti-Drug Plan of Action;
- o) Submit a monthly report to the CDOCADAC copy furnished DILG Cagayan de Oro City Field Office;
- p) Monitor disposition and progress of drug-related cases filed;
- q) Recommend the drug testing of PWUDs undergoing treatment, counseling, after-care, rehabilitation of drug demand reduction program undertaken by the local government units as part of its validation process and subject to existing rules and regulations;
- r) Ensure the safety of the community and extend such other necessary assistance to the operating units during the conduct of anti-drug operations; and
- s) Perform other related functions as may be prescribed by CADAC, ordinance, or law.

**SECTION 59. Organization of BADAC Auxiliary Team (BAT)** – Each BADAC in all local government units shall create a BADAC Auxiliary Team (BAT) which shall have sufficient number of



members to monitor and patrol barangay streets, puroks, subdivisions or sitios. All members of the BAT should be residents of the barangay with good repute for probity and integrity.

The following are the functions of BAT:

- a) Identify and report to the BADAC, suspected pushers/illegal drug laboratories in his/her areas.
- b) Assist in the conduct of an information campaign against illegal drugs and its negative consequences.
- c) Help facilitate the preparation and distribution of information materials in collaboration with the school, neighborhood association, etc.
- d) Initiate the conduct of neighborhood activities to prevent drug addiction in his area of operation especially among children and youth.

The BADAC Auxiliary Team may elect their team coordinators, assistant coordinators and other officers to make the team more functional and effective. The Barangay Chairman shall report their expanded BADAC or BADAC Auxiliary Team and individual members to CDOCADAC copy furnished DILG Cagayan de Oro City Field Office.

**SECTION 60. Monitoring Mechanism of Anti- Drug Abuse Campaigns in Barangays; Policy Content and Guidelines** – The CDOCADAC shall regularly inform/ meet with the barangays for the policy directions and current programs and projects of CDOCADAC ensure the organization of Barangay Anti- Drug Abuse Council (BADAC), allocation of Substantial portion in the barangay budget; and the formulation of Barangay Peace and Order and Public Safety Plan and the Barangay Anti- Drug Plan of Action of all 80 barangays of Cagayan de Oro City such that all Punong Barangays should be directed to:

- a) Ensure the functionality of BADAC and its committees on operations and Advocacy and the BADAC auxiliary Team;
- b) Appropriate a substantial portion of their respective annual budget to assist in or enhance the enforcement of the law, giving priority to preventive or educational programs and the rehabilitation or treatment of PWUDs; and
- c) Formulate barangay Peace and Order and Public Safety Plan and Barangay Anti- Drug Plan of Action as its component.
- d) Report on Compliance – All the 80 Barangays are required to submit to the CDOCADAC within ten (10) days from the approval of their annual budget of the following calendar year, the following documents in summary form:
  - i) The BADAC Plan of Action with approval of the Executive Director of CDOCADAC;
  - ii) The compositions, including names, of the members of their BADAC; and
  - iii) Budget and expenditure of BADAC and its programs and activities.

**SECTION 61. Focal Persons** - Each BADAC Chairperson shall designate a focal person who shall ensure enforcement of and compliance with these guidelines and other rules and regulations enacted.

**SECTION 62. Confidentiality of Records** - The BADAC shall maintain a separate file of persons who voluntarily surrendered in their respective barangays. All information on surrenderers shall be confidential in nature.

**SECTION 63. Coordination for Livelihood, Training and Other Civic Activity Programs** - All 80 barangays shall coordinate with CDOCADAC and non- government organizations for the provision of livelihood and training programs to surrenderer. CDOCADAC shall liaise with the Technical Education and Skills Authority (TESDA), Department of Agriculture, Department of Education (Alternative Learning System), Commission on Higher Education (Alternative Learning System, Expanded Tertiary Education Equivalency and Accreditation Program, Open Distance



Learning) Department of Trade Industry, Department of Environment and Natural Resources and technical – vocational schools for the conduct of such programs.

**SECTION 64. Oversight Committee-** An Oversight Committee under the supervision of CDOCADAC shall be created to review, evaluate and validate all the necessary documents submitted by the barangays to the Department of the Interior and Local Government- Cagayan de Oro City Field Office (DILG-CDOCFO) and the Cagayan de Oro City Police Department (CDOC PD). The Steering Committee shall be composed of the following:

Chairperson:	Regional Director of Philippine Drug Enforcement Bureau Agency (PDEA) Or Representative
Vice Chairperson:	DILG Regional Director or Representative
Members:	PNP Representative DOH Representative

**SECTION 65. Duties and Functions of Oversight Committee:**

- The Oversight committee shall be responsible in declaring a barangay as DRUG-FREE after satisfying all the parameters of drug-cleared barangay.
- To ensure sustainability of the program and status of the drug cleared or unaffected barangays, the Oversight Committee shall conduct regular monitoring of the anti-drug initiatives of all local government units.
- The Oversight Committee shall likewise conduct quarterly validation on the status of all drug cleared barangays to ensure that the same is still drug free. However, in case, the Oversight Committee received reports of any drug related activities, investigation thereof shall be immediately conducted on the matter.
- During the conduct of validation visit, if the Oversight Committee observed/received report of the presence of illegal drug trade in the barangay, the committee shall direct the BADAC to conduct monitoring in the area. The BADAC shall submit a report to the CDOCADAC copy furnished DILG City/Municipal Field Office for monitoring purposes in support of the action taken on the matter.
- The Oversight Committee is also authorized to revoke all drug-free certificates through official notice in case a barangay fails to maintain all the requirements for a drug-free barangay.

**SECTION 66. Certifying the "DRUG-CLEARED" Status of Drug-Affected Barangay -** After conducting drug-clearing operations in affected barangays, the oversight committee, after the assessment and validation pertinent to the compliance with the afforested parameters, shall issue a certification declaring "DRUG-CLEARED" status of the affected barangay. The certificates shall be attested by the Chairman of the CDOCADAC, certified by the Chief of Police and validated by the PDEA Regional Director. The Barangays which are declared drug-free or drug-cleared have the responsibility to maintain the said status.

In the event that there are new reports of any illegal drug activities, the status of the concerned cleared barangay shall not be automatically reverted to a drug affected barangay. Upon validation of the Oversight Committee, the concerned barangay shall be given 30 days to take appropriate action. Failure of the BADAC to address the same shall be grounds to declare the concerned barangay as "drug-affected" and shall be subjected to barangay drug clearing operations. Further, non-compliance thereof shall be grounds for possible administrative case pursuant to Section 60 of the Local Government Code and Criminal case violation of Section 32 of RA 9165.

**SECTION 67. Periodical Assessment -** A periodical assessment shall be conducted on drug-cleared barangays. The drug-cleared barangays shall ensure continuing compliance with the expanded parameters provided by this code. Any barangay found not in continuing compliance thereto shall have the status as drug-cleared revoked.



**SECTION 68. Annual Recognition of Drug Cleared Barangay** – The CDOCADAC shall recognize the Drug Cleared Barangays and the best performing Barangay Anti-Drug Abuse Council during the regular the Flag Raising Activity at the Cagayan de Oro City Hall or during the Barangay Assembly/Day event. Monetary reward and Plaque of Recognition may also provide to all Drug Cleared Barangays which shall be used for their anti-illegal drugs campaign

## **ARTICLE XII PENALTIES**

**SECTION 69. Drug Free Workplace** – Any officer or employee found to have violated Article X of this Code may suffer any or a combination of the following sanctions:

- a) Any government official/employee, who, without any valid reason after being tested positive of drug use shall refuse to undergo the recommended rehabilitation program, will be administratively dealt with in accordance with the existing rules and regulations without prejudice to suspension or dismissal from the service as provided for under Section 36 (d) of Republic Act No. 9165;
- b) Any government official/employee, who refuses, without any valid reason, to submit themselves for random or mandatory drug test, whichever is applicable, will be administratively dealt with in accordance with the existing rules and regulations without prejudice to Section 32 of Republic Act No. 9165; and
- c) Officers or employees who for the second time have been detected to the using dangerous drugs after completion of their treatment and/or rehabilitation program or while undergoing treatment and/or rehabilitation may either be suspended or dismissed from the service, subject to the Civil Service laws, rules and regulations.

## **ARTICLE XIII FINAL PROVISIONS**

**SECTION 70. Transitory Provision.** - The CDOCADAC secretariat, which is the current Oro Wellness Center shall continue to exist until such time that the new plantilla positions are fully operational. The current Oro Wellness, including its services, shall continue to exist until such time that the new plantilla positions are fully operational.

**SECTION 71. Funding and Appropriation.** The CDOCADAC, shall prepare and submit to the Local Finance Committee such amount as may be necessary to implement the provisions of this Code and shall be recommended for inclusion in the annual Appropriations Ordinance of the City.

**SECTION 72. Supplementary Rules** - In cases of Vagueness or ambiguity of this Code, the provisions of Republic Act No. 9165 and Board Regulations issued by the Dangerous Drugs Board shall have supplementary effect.

**SECTION 73. Implementing Rules and Regulations.** - The CDOCADAC shall within ninety (90) days after the effectivity of this Code, formulate the necessary rules and regulation for its effective implementation, including the specific protocols and guidelines required by the Code.

**SECTION 74. Repealing Clause.** All Ordinances, Resolutions, Executive Orders, Memorandum Circular and Administrative Orders or parts thereof which are inconsistent with any provisions of this Code are hereby repealed or modified accordingly.

**SECTION 75. Separability Clause.** If any provision of this Code is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.





**SECTION 76. Effectivity.** This Code shall take effect after fifteen (15) days following its publication in a local newspaper of general circulation and posting of copies thereof in conspicuous locations within Cagayan de Oro City for a period of fifteen (15) days.

**UNANIMOUSLY APPROVED.**

AUTHOR: COUNCILOR ROMEO V. CALIZO

<u>Present:</u>	1 <sup>st</sup> District:	- Councilor Edna M. Dahino	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor Romeo V. Calizo
		- Councilor Lordan G. Suan	- Councilor Reuben R. Daba
2 <sup>nd</sup> District:	- Councilor Joyleen Mercedes L. Balaba	- Councilor Suzette G. Magtajas-Daba	
	- Councilor Maria Lourdes S. Gaane		
	- Councilor Ian Mark Q. Nacaya		
<u>On Leave:</u>	Ex-Officio:	- Councilor Jocelyn B. Rodriguez	
		- Councilor John Michael L. Seno	
		- Councilor Edgar S. Cabanlas	
<u>Absent:</u>		- Councilor George S. Goking ( <i>Indisposed</i> )	- Councilor Enrico D. Salcedo

**ENACTED** this 6<sup>th</sup> day of June 2022 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

Attested as duly enacted:

**ARTURO S. DE SAN MIGUEL**  
CITY COUNCIL SECRETARY

**RAINEIR JOAQUIN V. UY**  
CITY VICE-MAYOR  
PRESIDING OFFICER

Approved:

**OSCAR S. MORENO**  
CITY MAYOR

Attested:

**TEODORO A. SABUGA-A, JR.**  
ACTING CITY ADMINISTRATOR