



OFFICE OF THE SANGGUNIANG BAYAN

Explanatory Note

Pursuant to DILG MC 2019-121, there is a need to enact this Ordinance purposely to return to the public the use of all public places such as roads, sidewalks and the like that have been appropriated for private use in the municipality.

ORDINANCE NO. 2019-145

AN ORDINANCE PROHIBITING AND PENALIZING ANY PERSON, NATURAL OR JURIDICAL, FROM CAUSING OBSTRUCTIONS ON STREETS, SIDEWALKS, AVENUES, ALLEYS, BRIDGES, PARKS AND OTHER SIMILAR PUBLIC PLACES IN THE MUNICIPALITY OF SANTOL, LA UNION, AND PROVIDING PENALTIES THEREOF.

BE IT ORDAINED by the Sangguniang Bayan of Santol, La Union that:

SECTION 1. TITLE. This Ordinance shall be known and cited as the "Anti-Obstruction Ordinance of the Municipality of Santol, La Union.

SECTION 2. SCOPE OF APPLICATION. This Ordinance covers all kinds of obstructions on the streets and other public places in the Municipality of Santol committed by individuals, entities and companies other than those obstructions committed by persons while driving or operating motor vehicles and all forms of conveyances.

SECTION 3. PROHIBITION. It is prohibited and considered unlawful for any person or group of persons, entity or company to obstruct the free flow of people, goods and vehicles through the Municipality's road network by using, utilizing or otherwise appropriating any street, sidewalk or pedestrian walkway, avenue, alley, bridge, park and public place or portion thereof for commercial or personal purposes. The prohibition includes all kinds of obstructions and is not limited to the following:

- a. To utilize as shop, working area, warehouse, office or for any other purpose related to the conduct of his/its business;
- b. To utilize as extension in the conduct of any business undertaking;
- c. Vending or selling of foods (kakanin, taho, junk foods, mineral water, peanuts, candies and hard boiled eggs, fruits), magazines, newspapers, cigarettes, flowers, brooms watches or jewelries, shoes and other footwear, and/or any other items;
- d. Conduct of shoe-shine occupation;
- e. Seeking of alms or solicitation of funds for whatever activity;
- f. Stationing of Persons with Disabilities or PWDs e.g. blind with guitar, cripple with a crutch, mother with a baby and the like to beg/ask for charity;

- g. Conduct of family gatherings/celebration, picnics or parties and merry-making activities, and drinking alcoholic or intoxicating beverages;
- h. Doing household chores such as washing clothes, hanging clothes and/or bathing;
- i. Vehicle garage and/or vehicle repair;
- j. To utilize for the conduct of other activities related to transport, i.e. barkers/call boys inviting passengers to board for-hire vehicles and as terminal of for-hire vehicles;
- k. Garbage dumping site;
- l. Setting up basketball court/goal; playing basketball or scheduling a seasonal competition;
- m. Use of sidewalk to strap/hitch animals, fowls and the like, with or without cage/pen;
- n. Storing softdrinks or wine/liquor bottles and cases (empty or not);
- o. Storing of junks, motor vehicles and/or parts and other recyclable materials;
- p. Use of sidewalk for storage of construction materials for sale (pipes, tubings, lumber, cement and the like);
- q. House extension or stall/store extension, including installation of roofs or awnings;
- r. Installation of permanent or picket fence;
- s. Use of sidewalk for plants, trees and plant boxes;
- t. To place stones/rocks/cement slabs/hollow blocks and/or car tires;
- u. To utilize roads for palay drying;
- v. To place barricades in school zones;
- w. To place wood or iron structure, especially those mark with "no parking" sign; and
- x. Signs or signboards of a business placed on or above sidewalks and detached from the establishment.

Conduct of religious activities, such as preaching, processions or holding of a wake or other community affairs like fiestas, games/amusement activities should be coordinated with the Barangay Council concerned and the Traffic and Parking Management Office.

All items, goods and structures found on or along roads, streets, avenues, alleys, sidewalks, bridges, parks and other public places shall be confiscated by the Municipal Government without prior notice. The same shall be treated as common or ordinary garbage and shall be disposed of as such.

Provided, that food commodities may be given to the Bureau of Jail Management and Penology as food of prisoners or street children. The Municipal Government shall be held liable for any damage arising from the removal, confiscation or disposal of the said items.

SECTION 4. it shall be unlawful for owners of residential and commercial establishments which are located along Provincial and Municipal roads to allow sidewalk vendors to use the street frontage of their establishments to sell their goods and other merchandise or to give consent to the use of an area inside their establishments in order to avoid being apprehended by enforcers on sidewalk vendors.

SECTION 5. CREATION OF TASK FORCE TO CONDUCT OBSTRUCTION CLEARING OPERATIONS. The Task Force shall be composed of the following:

Chairperson - Municipal Mayor

PTP ROR MRD TOL RMD LAW OOM WOA ERM COG JOO MOO MAW ENA

- Co-Chairperson - Municipal Engineer
Members - SBM, Chairperson, Committee on Transportation and Communication
- SBM, Chairperson, Committee on Social Welfare and Community Development
- SBM, Chairperson, Committee on Public Works and Infrastructure
- SB, Chairperson, Committee on Environmental Protection, Human Ecology and Security
- Liga ng mga Barangay President
IP Mandatory Representative
Chief of Police
Municipal Planning and Development Coordinator
Municipal Social Welfare and Development Officer
Market Administrator
Business Permit and Licensing Officer
General Services Office Administrator
- Secretariat - MEO Staff

SECTION 6. DUTIES AND RESPONSIBILITIES. The following are the duties and responsibilities of the Task Force:

1. Create a clearing operation protocol;
2. Make a Plan of Action for the implementation of the clearing operations and related activities, to include the following:
 - a) Preparation of an inventory of all roads within the local jurisdiction;
 - b) Identification of areas to be affected and possible problems to be encountered;
 - c) Identification of the roles of concerned offices/agencies (i.e. social preparation, dialogues)
 - d) Identification of affected individuals and possible relocation site, employment, other assistance required.
3. Ensure immediate and effective implementation of road clearing operations including the:
 - a) Revocation of permits that give authority to private entities to occupy public roads, alleys and other thoroughfares;
 - b) Placement of street signs and signages to avoid exacerbating problems on obstructions;
 - c) Submission of weekly progress report to the Local Chief Executive and the Department of Interior and Local Government on this matter; and
 - d) Documentation, monitoring, evaluation of the clearing operations.

SECTION 7. SECRETARIAT. The Secretariat shall perform the following:

1. Assist in the meeting and consultations of the Task Force; and
2. Provide documentation of all activities related to the clearing operations and related activities

SECTION 8. PENALTIES. Violators of this Ordinance shall upon conviction be penalized as follows:

PPTP ROR MRD TAL RMD LAW OOM WOA ERM COG MOO MAW ENA

| | |
|-----------------------------|--|
| First Offense | Fine of Five Hundred Pesos (Php500.00) |
| Second Offense | Fine of One Thousand Pesos (Php1,000.00) |
| Third & Succeeding Offenses | Fine of Two Thousand Five Hundred Pesos (Php2,500.00) or imprisonment of one (1) month or both at the discretion of the Court. |

SECTION 9. If the offender is an organization, partnership or corporation, the penalty provided for under this Ordinance shall be imposed upon the President or General Manager or Managing Partner or the person-in-charge of the organization, partnership or corporation.

SECTION 10. REPEALING CLAUSE. All ordinances, executive orders, rules and regulations inconsistent or in conflict with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. If, for any reason or reasons any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 12. EFFECTIVITY CLAUSE. This ordinance shall take effect upon approval and publication in a newspaper of general circulation.

Approved.

=====

CARRIED BY THE VOTE OF:

ABSENT : None

AFFIRMATIVE : SBM Jojo O. Ominga, SBM Claudio O. Galos, Jr.,
SBM Editha R. Millares, SBM William O. Agtarap,
SBM Olympio O. Millares, SBM Loreto A. Wailan
SBM Roxanne M. Dangle, SBMTirso A. Ledda,
ABCP Mario R. Directo, SKFP Ronald Jake O. Rodriguez,
IPMR Pablito T. Puclay

NEGATIVE : None

DATE OF PASSAGE : October 7, 2019

COMMENTS : Enacted during the Third Reading

I HEREBY CERTIFY to the correctness of the above-quoted ordinance, which was enacted during the Third Reading.



ERLINDA N. ARELLANO
Secretary to the Sangguniang Bayan

ATTESTED BY:





JOJO O. OMINGA
Sangguniang Bayan Member




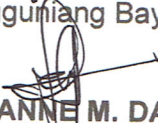
CLAUDIO O. GALOS, JR.
Sangguniang Bayan Member

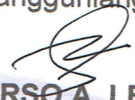

EDITHA R. MILLARES
Sangguniang Bayan Member

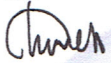

WILLIAM O. AGTARAP
Sangguniang Bayan Member


OLYMPIO O. MILLARES
Sangguniang Bayan Member

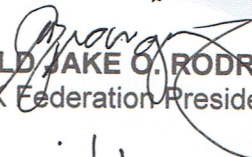

LORETO A. WAILAN
Sangguniang Bayan Member

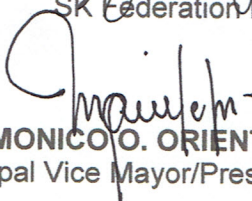

ROXANNE M. DANGLE
Sangguniang Bayan Member


TIRSO A. LEDDA
Sangguniang Bayan Member


MARIO R. DIRECTO
ABC President


PABLITO T. PUCLAY
Indigenous Peoples Mandatory Rep.


RONALD JAKE O. RODRIGUEZ
SK Federation President

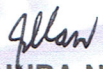

MONICO O. ORIENTE, JR
Municipal Vice Mayor/Presiding Officer

Approved this 18th day of October, 2019.


ENGR. MAGNO A. WAILAN
Municipal Mayor

CERTIFICATION

I HEREBY CERTIFY that a Public Hearing was conducted last October 1, 2019 on the above-mentioned ordinance.


ERLINDA N. ARELLANO
Secretary to the Sangguniang Bayan