

Telephone no. 861-0181/Fax: 862-6473 Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO. 2021-256

AN ORDINANCE REQUIRING/MANDATING ALL TELECOMMUNICATION COMPANIES, SERVICE PROVIDERS, AND OTHER SIMILAR ENTITIES THAT USE OVERHEAD WIRES AND/OR CABLES OPERATING WITHIN THE CITY OF MUNTINLUPA TO INSTALL AND/OR RELOCATE WIRE AND CABLE SYSTEM UNDERGROUND

Sponsored by:

Hon. Coun. Engr. Mamerto T. Sevilla, Jr.

Hon. Coun. Atty. Raul R. Corro

Hon. Coun. Alexson V. Diaz

Hon. Coun. Paty Katy C. Boncayao

Hon. Coun. Louisito A. Arciaga

Hon. Coun. Allan Rey A. Camilon

Hon. Coun. Hon. Coun. Ting Niefes

Hon. Coun. Stephanie G. Teves - via zoom

Hon. Coun. Ivee Rhia A. Tadefa - via zoom

Hon. Coun. Engr. Marissa C. Rongavilla - via zoom

Hon. Coun. Francis Ian T. Bagatsing - via zoom

Hon. Coun. Mark Lester M. Baes

Hon. Coun. Engr. Arlene D. Hilapo

Hon. Coun. Cornelio M. Martinez

Hon. Coun. Walter A. Arcilla - via zoom

Hon. Coun. Kenichi D. Takagi, Jr. - via zoom

WHEREAS, Section 16 of the Local Government Code of 1991 states that, Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.;

WHEREAS, it is necessary to protect the residents from the hazardous effects of overhead lines in the event of earthquakes, heavy rain or thunderstorms;

WHEREAS, an underground cabling system will serve the purpose of having a sustainable, safe, and clean aesthetic view of power lines to respond to the changing needs of technology which are likewise less susceptive to mechanical damages;

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 9th Sangguniang Panlungsod of the City of Muntinlupa in session assembled that:

SECTION 1. Short Title - This Ordinance shall be known as the "Underground Gabling Ordinance of City of Muntinlupa,"

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SECTION 2. Definition of Terms-

- a) Telecommunication Company/ Service Providers any company, private corporation or business entity which has a franchise to operate a system of transmission of signs, signals, messages, words, writings, images and sounds or information of any nature by wire, radio, optical or electromagnetic systems;
- b) Wires refer to electrical and telecommunicating wires;
- c) Cables insulated conductor or group of conductors protected by a waterproof coat that are uninstalled aerial or underground;
- d) Telecommunications any process which enables a telecommunications entity to relay and receive voice, data, electronic messages, written or printed matter, fixed or moving pictures, words, music or visible or audible signals or any control signals of any design and for any purpose by wire, radio or other electromagnetic, spectral, optical or technological means. (Section 3, RA 7925).
- e) Undergrounding is the replacement of overhead cables providing electrical power or telecommunications, with underground cables. It demonstrates the higher technology in developed countries for fire prevention and to make the power lines less susceptible to outage during high wind thunderstorms or heavy snow or ice storms. An added benefit of undergrounding is the aesthetic quality of the landscape without the power lines. Undergrounding can increase the initial costs of electric power transmission and distribution but may decrease operational costs over the lifetime of the cables (Wikipedia).

SECTION 3. Scope - This Ordinance shall cover all telecommunication companies, service providers, and other similar entities which use overhead wires and cables located within the territorial jurisdiction of the City of Muntinlupa. Power utilities which are granted congressional franchise such as Manila Electric Company (MERALCO), shall be subject to the provision of Section 5 thereof.

SECTION 4. *Implementation* - The Covered Entities are required to install and/or relocate underground their overhead wire and cabling system found within the territorial jurisdiction of the City of Muntinlupa in accordance with the following table:

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	Timeline	Coverage	Project Implementation	
	Within three (3) years from the effectivity of this ordinance	Overhead Wires, cables, and other accessories located in: 1. Whole stretch of the National Road from Barangay Sucat to Barangay Tunasan including West and East Service Road.	Should cover at least up to the riser	
		Whole stretch of Alabang Zapote Road located within the jurisdiction of Muntinlupa City. Whole stretch of Meralco Road, Barangay Sucat; Whole stretch of Susana	pole or before the distribution section. If there is a need for the distribution line to cross any street	
	Within four (4) years	Avenue, Barangay Tunasan.	from the riser pole to the subscriber,	
	Within four (4) years from the effectivity of this Ordinance.	Overhead wires, cables, poles, and other accessories located in the whole stretch of the city road or T.M. Road from Barangay Sucat to Barangay Tunasan.	the design of the City Engineering Office shall be followed.	
	Within five (5) years from the effectivity of this Ordinance.	Overhead wires and cables located in the whole stretch of the city road from all secondary streets in all the barangays in City of Muntinlupa: 1. Espeleta Road, Barangay Buli	Tollowed.	
1		 Montillano Road, Barangay Alabang Molino Street, Barangay 		
		Alabang 4. Bautista Street, Barangay Bayanan		
1		5. Bruger Street, Barangay Putatan		
		6. Estanislao Street, Barangay Putatan 7. Roman Cruz Avenue		
		8. Kapihan Street, Barangay Poblacion		
		9. Sto. Niño Street, Barangay Poblacion 10. Rizal Street, Barangay		
		Poblacion 11. Quezon Street, Barangay		
		Poblacion 12. Rodriguez Street, Barangay Tunasan		



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SECTION 5. *Present overhead wiring and cabling system* - The foregoing notwithstanding, the Manila Electric Company (MERALCO) shall be allowed to maintain its overhead wiring and cabling system found within the territorial jurisdiction of the City of Muntinlupa, subject only to the following restrictions:

a. The minimum height of the overhead wires and cables which will cross any street shall be as follows:

Secondary Streets and TM Roads Five (5) meters

National Road Eight (8) meters

- b. All overhead wires and cables shall be properly bundled, where feasible.
- c. All cables or wires crossing any street should have a minimum distance of one hundred (100) meters.

Compliance with the foregoing requirements shall be completed within three (3) years from the effectivity of this Ordinance.

SECTION 6. Safety Standards – All wires and cables must be safe and of high quality. Wires and cables shall be properly and systematically relocated and insulated to assure public safety of the residents. In areas where wires and cables are located, warning signs and labels must be placed for public safety and information. These areas must also have a protective strip that must be kept free from deep-rooting trees and shrubs, where buildings are not allowed to be built. Coordination with the Muntinlupa City Engineering Office shall always be observed so that all installation guidelines and safety standards will be followed.

SECTION 7. Liability for Damages - In addition to the provisions of the New Civil Code of the Philippines and other relevant laws, all Covered Entities, as well as MERALCO, shall be liable for any damage caused to any person or properties which may arise from the faulty design, installation, and maintenance of the wires and cables.

SECTION 8. *Periodic Inspection* - All Covered Entities shall be under the supervision of the City Engineering Office which shall conduct mandatory periodic inspection of the underground installations to ensure strict compliance for safety standards and regulations under this Ordinance and existing laws.

SECTION 9. Obligations in The Interim - Pending completion of the project implementation in accordance with Section 4 of this Ordinance, it is the obligation of the Covered Entity to ensure that all its existing facilities, along with its accessories, are properly maintained to prevent any danger and/or hazard to the general public. Hence, during the timeline given, covered entities shall ensure the bundling/wadding/gathering of its wires and cables. Violation of this obligation shall be a ground for the outright denial of the Covered Entity's future project or permit application with the City of Muntinlupa.

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SECTION 10. *Penal Provision* - Any Covered Entity which will violate the provisions of this Ordinance shall be penalized as follows:

OFFENSE/S	FENSE/S FINES		
First	Php 5,000.00		
Second	(a) Revocation of business permit and license to operate within the City of Muntinlupa; and		
	(b) Removal and destruction, at the instance and expense of the offending Covered Entity, of all its wires, cables, poles, and		
	accessories within the City of Muntinlupa.		

SECTION 11. *Implementing Rules* – Within sixty (60) days from the effectivity of the ordinance, the following offices shall jointly create the implementing rules and guidelines for its efficient and effective execution:

- a. City Engineering Office
- b. City Building Office
- c. City Planning and Development Office and;
- d. City Zoning Administration Office;

SECTION 12. Separability Clause – If, for any reason/s, any part or provisions of this ordinance shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. Repealing Clause – All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

SECTION 14. *Effectivity Clause* – This Ordinance shall immediately take effect immediately upon approval and in accordance with the publication and posting requirements of the Local Government Code and applicable laws, rules, and regulations.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 2nd day of August 2021, on its 108th Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. RAUL R. CORRO

Member

COUN. PATY KANY C. BONCAYAC

Member

COUN. ALLAN REY A. CAMILON

Member

COUN. TING MEFES

ALEXSON B. DIAZ

COUN. LOUISITO A. ARCIAGA

Member

Member

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COUN. STEPHANIE G. TEVES

Member

VEE RHIA A. TADEFA Member

DISTRICT II:

COUN. ENGR/MA RISSA C. RONGAVILLA

Member

COUN. FRANCIS IAN T. BAGATSING Member

COUN LESTER M. BAES

Member

(ABSENT)

COUN. MA. DHESINEE G. AREVALO

Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.

Member

COUN. ENGR. ARLENE D. HILAPO

Member

Member

COUN. WALTER A. ARCILLA

President

Sectoral Representative

Association of Barangay Captains

COUN. KENICHI D. TAKAGI, JR.

President

Sectoral Representative

Samahan ng Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing engined Ordinance.

Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC

City Vice-Mayor

APPROVED:

ATTY. JAIME K. FRESNEDI
City Mayor

Date: 10 AUG 2021

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