

REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 02-033

AN ORDINANCE REPEALING KAUTUSANG BAYAN BILANG 88-09 AND 88-09-A AND PROVIDING THE SCOPE OF COVERAGE OF "OBSTRUCTING TRAFFIC" ON ALL STREETS AND SIDEWALKS WITHIN THE CITY OF MUNTINLUPA, AND INCREASING PENALTIES FOR VIOLATION THEREOF.

- Sponsored by:
- Hon. Lucio B. Constantino*
 - Hon. Francis Ian T. Bagatsing*
 - Hon. Rufino B. Joaquin*
 - Hon. Mamerto T. Sevilla, Jr.*
 - Hon. Melchor R. Teves*
 - Hon. Patricio L. Boncayao, Jr.*
 - Hon. Victor L. Ulanday*
 - Hon. Nicanor L. Echavez, MD*
 - Hon. Allan Rey A. Camilon*
 - Hon. Raul R. Corro*
 - Hon. Icasiano M. Dela Rea*
 - Hon. Elmer S. Espeleta*
 - Hon. Rene Carl S. Cayetano*
 - Hon. Mario E. Bulay, Jr.*
 - Hon. Artemio A. Simundac*

WHEREAS, Section 458 (5) (v) (vi) of Republic Act 7160, otherwise known as the Local Government Code of 1991 empowers the Sangguniang Panlungsod to approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities, and in addition to said services and facilities, shall:

(v) Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and approve the improvement and maintenance of the same; establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles which serve the public; regulate garages and the operation of conveyances for hire; designate stands to be occupied by public vehicles when not in use; regulate the putting up of signs, signposts, awning and awning posts on the streets;

(vi) Regulate traffic on all streets and bridges; prohibit encroachments or obstacles thereon and, when necessary in the interest of public welfare, authorize the removal of encroachments and illegal constructions in public places;

WHEREAS, Section 458 (2) (vi) of the Code also authorizes the Sangguniang Panlungsod "to prescribe reasonable limits and restraints on the use of property within the jurisdiction of the city;

WHEREAS, the big volume of vehicles traversing everyday within the City of Muntinlupa makes the implementation of Kautusang Bayan Blg. 88-09 and 88-09-A no longer efficient and effective at present times, as traffic congestion continuous to be a rampant problem;

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Handwritten signatures of the council members at the bottom of the page.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 2
Ordinance No. 02-033

WHEREAS, there is an urgent need to repeal the old Kautusang Bayan in order to invite more investors to come in and to be at pace with the continuing development of the City;

NOW, THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the Sangguniang Panlungsod of Muntinlupa that:

Section 1. SCOPE OF THE ORDINANCE. This Ordinance prohibits any obstruction on all streets or sidewalks within the City of Muntinlupa.

For this purpose, the Muntinlupa Traffic Management Bureau (MTMB), the Traffic Environment and Discipline (TED) and any person deputized by the Local Chief Executive are hereby authorized to fully implement the provisions of this Ordinance after proper notice and publication to all concerned, and to prepare the necessary implementing guidelines within thirty (30) days after the passage of this Ordinance.

Section 2. DEFINITION OF TERMS. As used in this Ordinance, the following terms are hereby defined as follows:

a. **OBSTRUCTING TRAFFIC-** any vehicle, material, equipment, goods, displays or other activities that hinder, impede or obstruct the free passage or flow of vehicles or pedestrians on all streets, sidewalks, bridges, alleys, parks or other public places within the City of Muntinlupa, such as, but not limited to the following:

1. Soliciting employment or contribution from the vehicles or pedestrians;
2. Displaying or putting up of advertisements, billboards, signs, signposts, or awning and awning posts in public places;
3. Vending or offering goods or merchandise for sale from or on a vehicle or pedestrian;
4. Stopping a vehicle for the purpose of displaying products or goods, or for advertisement purposes;
5. Gambling along streets, alleys, sidewalks and other public places;
6. Construction materials, supplies, equipments or goods placed or found on sidewalk or street;
7. Construction materials placed or found on sidewalks;
8. Repair of vehicles on sidewalk or street;
9. Car washing on sidewalk or street;
10. Placing of pushcart on sidewalk or street;
11. Unauthorized or illegal construction of any structure;
12. Other activities as may be deemed proper to mean obstruction;

b. **MTMB-** Muntinlupa Traffic Management Bureau;



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 3
Ordinance No. 02-033

c. TED- Traffic Environment and Discipline;

Section 3. EXEMPTION. This Ordinance shall not apply in any of the following cases:

- a. In times of emergency or force majeure, such as earthquake, flood, fire, terrorism attacks, funeral parade, religious procession/mass and the likes;
- b. When stalls constructed or to be constructed is part of the livelihood program of the City;
- c. When construction is part of the government projects;
- d. When displaying or putting up of advertisements, billboards, signs, signposts or awning and awning of posts is permitted or authorized by law or ordinance;
- e. And other activities upon authority of the Chief Executive.

Section 4. PENALTIES.

- a. **FIRST OFFENSE** – a fine of Five Hundred Pesos (Php500.00) or an imprisonment of five (5) days, or both, at the discretion of the court;
- b. **SECOND OFFENSE** – a fine of One Thousand Pesos (Php1,000.00) or an imprisonment of ten (10) days, or both at the discretion of the court;
- c. **THIRD OFFENSE** – a fine of Three Thousand Pesos (Php3,000.00) or an imprisonment of one (1) month, or both, at the discretion of the court;

The fines imposed under this Ordinance must be paid within five (5) days from the issuance of Ordinance Infraction Receipt (OIR), otherwise, the case shall be filed with the court.

Exposed materials, equipments, supplies, goods, products, effects, items and/or freights recovered in the prohibited places shall be considered as garbage and shall be confiscated and destroyed. Illegally constructed stalls or unauthorized signages, advertisements or billboards shall be demolished or destroyed or confiscated.

Section 5. SEPARABILITY CLAUSE. If for any reason, any part or provision of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 6. REPEALING CLAUSE. All ordinances or part or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 7. EFFECTIVITY CLAUSE. This Ordinance shall take effect after publication in any newspaper of general circulation of the City.



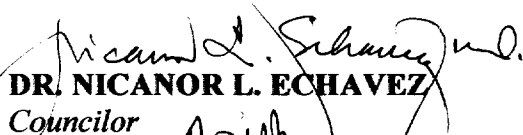
REPUBLICA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

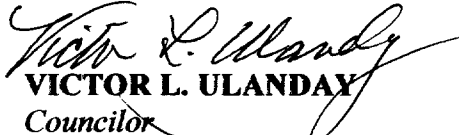
Sangguniang Panglungsod


Page 4
Ordinance No. 02-033

APPROVED by the *Sangguniang Panlungsod of Muntinlupa* this 17th day of January 2002, on its 18th Regular Session.


CONCURRED:

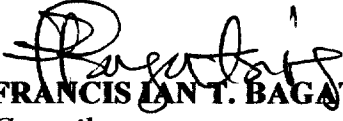

DR. NICANOR L. ECHAVEZ
Councilor


VICTOR L. ULANDAY
Councilor


ATTY. PATRICIO L. BONCAYAO, JR.
Councilor


ELMER S. ESPELETA
Councilor


ALLAN REY A. CAMILON
Councilor

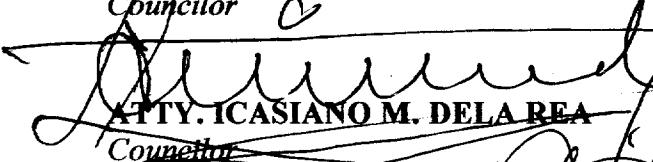

FRANCIS IAN T. BAGATSING
Councilor


ATTY. RAUL R. CORRO
Councilor


RENE CARL S. CAYETANO
Councilor


MELCHOR R. TEVES
Councilor



LUCIO B. CONSTANTINO
Councilor


ATTY. ICASIANO M. DELA REA
Councilor


MARIO E. BULAY, JR.
Councilor


MAMERTO T. SEVILLA, JR
Councilor


RUFINO B. JOAQUIN
Councilor


ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 5
Ordinance No. 02-033

ABSENT:

ALDRIN L. SAN PEDRO
Councilor

BAL NIEFES
Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing ordinance.

[Signature]
ATTY. ISIDORO L. SORIANO, JR.
Secretary
SANGGUNIANG PANLUNGSOD

ATTESTED:

[Signature]
ATTY. JO JASON T. ALCARAZ pbs, jr.
Vice-Mayor/Presiding Officer

APPROVED:

[Signature]
ATTY. JAIME R. FRESNEDI
City Mayor
Date: _____

LITO B. SALAMAT, JR/090401
Nory/

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