



Sangguniang Panglungsod

ORDINANCE NO. 06-078

AN ORDINANCE REQUIRING ALL SHOPPING MALLS AND OTHER SIMILAR ESTABLISHMENTS OPERATORS TO INSTALL PROTECTIVE GLASS ON ESCALATORS TO ENSURE THE SAFETY OF THE PUBLIC AND IMPOSING PENALTIES THEREOF.

Sponsored by:

Hon. Allen F. Ampaya
Hon. Mario E. Bulay, Jr
Hon. Atty. Icasiano M. dela Rea
Hon. Francis Ian T. Bagatsing
Hon. Ma. Luisa Babaran-Echavez, M.D.
Hon. Atty. Raul R. Corro
Hon. Bal Niefes
Hon. Allan Rey A. Camilon
Hon. Melchor R. Teves
Hon. Elmer S. Espeleta
Hon. Marissa Cole-Rongavilla
Hon. Lucio B. Constantino
Hon. Joselito V. Arevalo
Hon. Artemio A. Simundac
Hon. Christian Glenn D. Lorica

WHEREAS, Article II, Section 5 of the 1987 Philippine Constitution provides that, "*the maintenance of peace and order, the protection of life, liberty and property and the promotion of the general welfare are essential for the enjoyment by all the people of the blessing of democracy*";

WHEREAS, Section 458 (a) of Republic Act 7160 otherwise known as the Local Government Code of 1991 provides that, "*the Sangguniang Panlungsod, as the Legislative body of the City shall enact an ordinances, xxx for the general welfare of the City and its inhabitants xxx*";

WHEREAS, the City of Muntinlupa is experiencing continuous commercial growth, particularly in the proliferation of shopping malls, commercial centers and similar establishments;

WHEREAS, Muntinlupa City residents and families, and even those from neighboring localities, frequent these malls, commercial center, etc., for relaxation, amusement, shopping, dining, and other similar activities, often in groups or families with small children in tow;

WHEREAS, due to the large number of people frequenting these establishments, there is an increasing incidence, albeit undocumented, of accidents occurring therein involving young children and the elderly, particularly in the escalators, owing to the lack of adequate protective measures;

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WHEREAS, young children are naturally attracted to the escalators in light of its constant upward-downward movements;

WHEREAS, there is a need to protect and guard against such natural attraction by providing safety measures thereon such as the installation of **PROTECTIVE GLASS** on the escalators which shall prevent people and small children from falling off, stuck and other similar mishaps;

WHEREAS, the installation of **PROTECTIVE GLASS** on the escalators is not as costly as the amounts shopping malls, commercial centers and the like may be held liable for in damages for accidents occurring within their premises;

WHEREAS, the City of Muntinlupa would rather prevent and avert the incidence of mishaps and accidents by exacting provision of safety measures such as **PROTECTIVE GLASS** on escalators found in shopping malls, commercial centers, etc.;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panglungsod, in session duly assembled that:

SECTION 1. Regulated Acts. All shopping malls and other similar establishments with escalators operating within the territorial jurisdiction of Muntinlupa City shall be required to install protective glass on their escalators for public safety.

SECTION 2. The owner or proprietor shall be given a period of six (6) months to comply with the said provision from the date of approval of the ordinance.

SECTION 3. Definition of Terms.

- a. **Protective Glass** – a laminated plastic panel or its approved equivalent that will be installed on both sides of the escalators.
- b. **Shopping Malls and other similar establishments** - a public place where the people will go for relaxation, amusement or family affairs or activities.

SECTION 4. The **City Engineering Office** is hereby tasked to coordinate, provide technical and engineering assistance to the concerned establishments.

SECTION 5. The **City Building Official** shall approve all the plans, designs and shall issue a certificate of compliance to the establishment prior to the issuance or renewal of their business permit.



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SECTION 6. Penalty Clause. Upon the approval and implementation of this ordinance and expiration of the grace period to comply, any operator, owners of shopping mall and other similar establishments found violating the provisions of this Ordinance shall be penalized or pay fine in a manner provided hereunder.

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|----------------|---|--|
| First Offense | - | a fine of P 3,000.00 |
| Second Offense | - | a fine of P 4,000.00 |
| Third Offense | - | a fine of P 5,000.00 and revocation of Business Permit and License to operate. |

All revoked permit and licenses in violation of said ordinance shall be lifted only upon compliance of the provisions of this ordinance.

SECTION 7. Implementing Guidelines. The **Local Chief Executive** is hereby authorized to promulgate **Implementing Rules and Regulations (IRR)** necessary to effectively enforce the provisions of this Ordinance.

SECTION 8. Separability Clause. If any portion of this ordinance is declared invalid, the remainder of this ordinance shall not be affected by such declaration and shall remain valid and enforceable.

SECTION 9. Repealing Clause. All Ordinances, rules and regulations or parts thereof where provisions are in conflict with or contrary to the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 10. Effectivity. This Ordinance shall take effect ten (10) days after its approval and shall be published in full for three (3) consecutive days in a newspaper of local circulation.

ENACTED by the **Fourth (4th) Sangguniang Panlungsod of Muntinlupa** this **12th** day of **January, 2006** on its **63rd** Regular Session.

CONCURRED:


BAL NIEFES
Councilor


ALLAN REY A. CAMILON
Councilor


ELMER S. ESPELETA
Councilor


FRANCIS IAN T. BAGATSING
Councilor



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MA. LUISA BABARAN-ECHAVEZ, M.D.
Councilor



MARISSA COLE-RONGAVILLA
Councilor


MELCHOR R. TEVES
Councilor

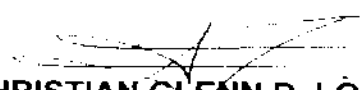

LUCIO B. CONSTANTINO
Councilor

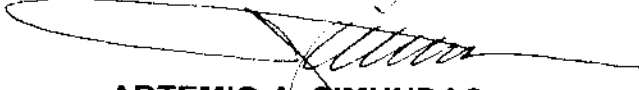

ALLEN F. AMPAYA
Councilor


JOSELITO V. AREVALO
Councilor


ATTY. ICASIANO M. DELA REA
Councilor


MARIO E. BULAY, JR.
Councilor


CHRISTIAN GLENN D. LORICA
Sectoral Representative
President, Federation of
Sangguniang Kabataan



ARTEMIO A. SIMUNDAC
Sectoral Representative
President, Association of
Barangay Captains

ABSTAIN:


RENE CARL S. CAYETANO
Councilor

ABSENT:


KEVIN B. DELGADO
Councilor


MAMERTO T. SEVILLA, JR.
Councilor



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



CECILIA C. LAZARTE
Secretary
Sangguniang Panlungsod

ATTESTED:


ATTY. RAUL R. CORRO
Acting Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: _____


PBS, JR.