



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF OTON
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT from the Minutes of Session of the Sangguniang Bayan ng Oton, Iloilo recorded during its Regular Session held at the SB Session Hall on **June 16, 2016** at 9:00 in the morning.

PRESENT:	Hon. Jose Neil P. Olivares	Vice Mayor and Presiding Officer
	Hon. Jafet P. Salinas	SB Member
	Hon. Felix L. Flores	SB Member
	Hon. Eusebio G. Villavicencio, Jr.	SB Member
	Hon. Jose V. Olivares, Jr.	SB Member
On Official Business:	Hon. Juan Miguel M. Flores	SB Member
	Hon. Rodolfo Z. Alconga, Jr.	SB Member
Absent:	Hon. Theodore C. Britanico	SB Member
	Hon. Margarito T. Clavel III	SB Member (Liga ng mga Barangay Representative)

ORDINANCE NO. 2016 – 291

AN ORDINANCE PRESCRIBING THE RULES AND REGULATIONS IN THE USE OF SIDEWALKS AND INSTILLING DISCIPLINE THEREIN.

AS PROPOSED by Vice Mayor Jose Neil P. Olivares, on motion of the Committee on Peace and Order and Public Safety composed by Hon. Rodolfo Z. Alconga, Jr. Hon. Jafet P. Salinas and Hon. Theodore C. Britanico and duly seconded by Hon. Eusebio G. Villavicencio, Jr.

BE IT ORDAINED by the Sangguniang Bayan of Oton, Iloilo, that:

SECTION 1. Short Title. This Ordinance shall be known as the "Sidewalk Regulation Ordinance".

SECTION 2. Introduction. This Ordinance is necessary based on the following objectives and benefits:

A) Objectives:

- 1) Orderly, safe and fast flow of pedestrian using the sidewalks;
- 2) Facilitate maintenance and clearing of sidewalk and drainage;
- 3) Clean, orderly and aesthetically beautiful environment;
- 4) Fair implementation of local laws and regulations over selfish interests of few.

B) Benefits:

- 1) Healthy spirit or aura and positive thinking and outlook of every Ogtonganon;
- 2) Higher level of dignity of every Ogtonganon;
- 3) A welcome atmosphere for investors who will augment the livelihood and economic growth in the locality;
- 4) Attainment of order, peace and safety to lives and property
- 5) Higher level of living as inspired by love of one's place

SECTION 3. General Regulations in Sidewalks:

- a) Aside from the programs or interventions of the LGU over sidewalks, the maintenance of sidewalks are also the obligation of owners of houses fronting the sidewalk pursuant to PD 1096 or the National Building Code;
- b) The construction of illegal structures shall be prohibited. The expenses in the removal, demolition or hauling of illegal structures shall be at the expense of owners including the fines in cases of illegal or defective structures;
- c) The removal or destruction of anything in the sidewalk shall be prohibited. Any improvement on the sidewalk shall be subject to the following:
 - 1) Sidewalk Construction Permit – in the construction or repair of a sidewalk;
 - 2) Sign Permit – in the construction or installation of any sign in the sidewalk;
 - 3) Temporary Sidewalk Enclosure Permit. For temporary enclosure of sidewalks for scaffolding or platforms related to construction of houses, buildings or any structure, including the installation of temporary fence or gate within the sidewalk.
- d) The welfare of the general populace shall be the primordial consideration. A beautiful locality is attained through people's participation and obedience to laws and rules which are implemented for the benefit of the entire society;

SECTION 4. The Components of a Sidewalk. The following are the components of a sidewalk:

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|---------------------------------------|-----------------|--------------------|
| a) Concrete Slabs Or
Iron Footwalk | e) Railings | j) Lamp post |
| b) Curb and gutter | f) Driveway | k) Electric Post |
| c) Manhole | g) Street sign | l) Telephone Box |
| d) Drainage inlet | h) Fire Hydrant | m) Other Utilities |
| | i) Traffic sign | |

SECTION 5. Regulated Acts. The following shall be prohibited in the sidewalk:

- a) Any kind of garbage or cases or receptacles of garbage;
 - a.1) Garbage shall be placed in sacks or plastic bags, tied properly and shall be hanged in fences or gates so they will not be reached by dogs; or may be hanged inside the fence provided they can be reached by garbage collectors;
- b) Any kind of obstruction – fences, plants, plant boxes or picket fences;
- c) As storage of construction equipment and materials like sand, cement, lumber and the like
- d) To mix cement therein;
 - d.1) Mixing shall be done in mixing boards inside the person's premises;
- e) To plant any kind of plant or tree.
 - e.1) Trees shall be planted inside the front or backyards;
 - e.2) Trees may be planted in sidewalks with a width of two (2) or more meters, provided a permit is issued by the Municipal Engineer's Office (MEO);

- f) To sell any merchandise;
- g) To park above the sidewalk, or park in a protruding manner over it, or make the sidewalk a repair or work area;
- h) To install any enclosure, laundry equipment, stock or leave filling materials or debris or any structure above the sidewalk;
 - h.1 Waiting shed can only be constructed with the permission of the homeowners / neighborhood association, sangguniang barangay, sangguniang bayan, MEO or LCE;
- i) Protruding parts of houses or building;
- j) To stock or leave any kind of things or paraphernalia therein;
- k) Any kind of pointed or sharp fence like galvanized iron sheets or barbed wire which can injure the passing public;
- l) To tie dogs or any animals therein;
- m) Temporary, defective and dilapidated small bridges above gutters or canals.
- n) Obstructing materials like tarpaulins or blinds;
 - n.1. Tarpaulin shades shall not be lower than 210 cm. from the top of the sidewalk and shall be at least 50 cm from the curb and the stands or columns shall not be lower than 210 cm. from the ground.
- o) Roof edges or gutters lower than 240 centimeters from the top of the sidewalk. There shall be at least 50 centimeters from the curb;
 - o.1) the abovementioned roof edges or gutters shall have no stands or columns over the sidewalk.
- p) Any kind of signage installed over sidewalks or streets;
 - p.1) Signages shall be inside the property line, with a height of not more than six (6) meters from the ground;
 - p.2) any signage over the sidewalk shall not be lower than 3 meters, not more than 120 centimeters from the property line, and not less than 50 centimeters from the curb.
 - p.3) for buildings with arcades, any signage protruding to the sidewalk shall not be more than half (0.5) of a meter from the wall.
 - p.4) Sign permits shall be issued by the Municipal Engineering Office (MEO).
- q) To make sidewalks as playground.
- r) Drying of palay and other agricultural products.

SECTION 6. Penalty Clause.

- a) Any person found violating any provision of this Ordinance shall be meted a fine of One Thousand Pesos (Php1,000.00) or imprisonment of Three (3) days or both fine and imprisonment at the discretion of the court.

- b) The fine and imprisonment hereof shall be doubled if obstructions in the sidewalk enumerated in Section 5 are not removed within twenty four (24) hours upon apprehension.

SECTION 7. Effectivity Clause. Based on Section 511 of the Local Government Code, this Ordinance with penal sanctions shall take effect either on the day following its publication, or at the end of three (3) consecutive weeks period of posting, whichever occurs later.

SECTION 8. Repealing Clause. All municipal ordinances or parts of any municipal ordinance inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly


SECTION 9. Separability Clause. If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue in operation.

SECTION 10. Copies. This Ordinance shall be furnished to the Office of the Mayor; MEO; GSO; Liga ng mga Barangay; Homeowners Associations; Poblacion Barangays; Oton-PNP; Oton-BFP; MDRRMO and the Sangguniang Panlalawigan of Iloilo for information, guidance and review respectively.

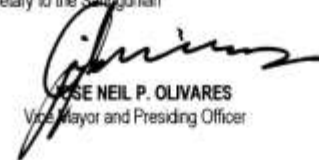
APPROVED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing **Ordinance.**

Concurred: 
JAFFET P. SALINAS
 Chair, Committee on Rules and Privileges


KERRY-ANN T. LACIFICAR
 Secretary to the Sanggunian

Approved: 
VICENTE J. FLORES, JR.
 Municipal Mayor

Attested: 
JOSE NEIL P. OLIVARES
 Vice Mayor and Presiding Officer

Date Approved by LCE: JUN 22 2016

Date Posted: JUN 22 2016 /jodi