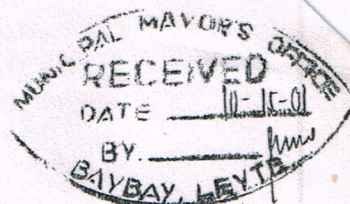


Republic of the Philippines
Province of Leyte
Municipality of Baybay



Office of the Sangguniang Bayan



Excerpt from the

MINUTES OF THE 35TH REGULAR SESSION OF THE SANGGUNIAN PAMBAYAN OF
BAYBAY, LEYTE HELD IN THE SESSION HALL ON OCTOBER 9, 2001.

PRESENT:

HON. DEOGRACIAS E. PERNITEZ.....	Sangguniang Bayan Member & Actg. Presiding Officer
HON. JOSE C. GO.....	Sangguniang Bayan Member
HON. VICENTE G. VELOSO.....	-do-
HON. MANUEL A. CHAN.....	-do-
HON. EDUARDO S. GUINOCOR, JR.....	-do-
HON. EDGARDO R. OMPOY.....	-do-
HON. REX A. RETANA.....	-do-
HON. JUANITO B. MODINA.....	-do-
HON. VIRGINIA L. DUMAGUING.....	-do-
HON. DONALD P. PERNITEZ.....	-do-

ABSENT:

HON. FLORANTE M. CAYUNDA..... OIC - Office of the Mayor

MUNICIPAL ORDINANCE NO. 006-2001

AN ORDINANCE IMPOSING THE PROPER USE OF THE MUNICIPAL, PROVINCIAL AND
NATIONAL ROADS WITHIN THE POBLACION OF BAYBAY AND PROVIDING PENALTIES
FOR VIOLATION THEREOF.

INTRO. & SPONSORED BY: SBMs R. A. RETANA, J. C. GO & J. B. MODINA

RATIONALE:

The Municipality of Baybay particularly in the Poblacion is now experiencing traffic problems and congestion due to rapid increase of the number of transportation plying around the poblacion such as various private vehicles, passenger buses, jeepneys, multi-cabs, tricycle-for-hire or motorcabs and thousand of trisikad or polpot, and pedestrian as well. The road to transportation ratio is very alarming to the extent that countless vehicular accidents had been reported to police due to congestion especially during Tuesdays and Saturdays.

With this unpleasant eventuality, the local government of Baybay needs a massive clean-up of structures established within the walk-way of any municipal, provincial and national road and the illegal utilization of a portion of the sides of the road for private purposes. Henceforth, the passing of this Ordinance in order to promote the general welfare of the people.

Be it ordained by the Sangguniang Bayan of the Municipality of Baybay, Province of Leyte, in session assembled, that:

- more over -

Section 1.- Title of the Ordinance - This ordinance is entitled "An Ordinance imposing the use of the municipal, provincial and national road within the poblacion of Baybay and providing penalties for violations thereof"

Section 2. - Definition of terms:

- a. - Poblacion - shall mean the area covering the 23 Zones of the Municipality of Baybay, including Brgy. Sto. Rosario
- b. - Structure - that which is built or constructed an edifice or building of any bond, or any piece of work artificially built-up or composed of post joined together in some definite manner.
- c. - Encroachment - an unlawful extension of property rights over someone else property such as municipal, provincial or national road;
- d. - "Obstacles of whatever-kind" - anything that hinders or interferes with the free passage of any public road.

Section 3. - All road within the poblacion of Baybay shall be used mainly as right-of-way for land transportation, commuting public and the pedestrians and in no case that structures, encroachment or obstacles of whatever kind be allowed to be established thereon, except for temporary use such as during fiesta celebrations of similar nature, however, subject to the approval of the local chief executive.

Section 4. - In case structures encroachment or obstacles of whatever kind had been constructed already, the Local Chief Executive or his duly authorized representative is hereby authorized to remove the same, subject to existing laws, rules and regulations. The Municipal Planning Officer, is hereby authorized to promulgate the necessary rules and regulations within a period of fifteen (15) days from the date of the approval of the Sangguniang Bayan. For the proper implementation of this ordinance the rules and regulations shall be submitted to the Sangguniang Bayan for ratification.

Section 5. - Penalty Clause - Any person found violating this ordinance particularly Section 3 and 4 thereof, shall be penalized by a fine of not less than P1,500 and not more than P2,000.00 or an imprisonment of not less than 2 months or not more than 3 months or both fine and imprisonment at the discretion of the court.

Section 6. - Repealing Clause - all related ordinances in consistent with this ordinance is hereby repealed or modified accordingly.

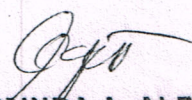
Section 7. - Separability Clause - If any or more provisions of this ordinance shall be declared invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained therein shall not in any way affect or impair the whole provisions of this ordinance.

Section 8. Effectivity - This ordinance shall take effect upon approval.

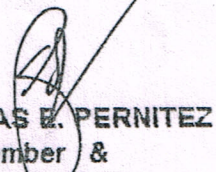
ENACTED, October 9, 2001.

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Sangguniang Pamlalwigan of Leyte, Tacloban City and all other offices concerned for their information and guidance.

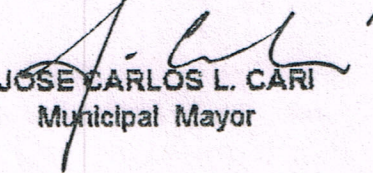
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on October 9, 2001.


ERLINDA A. ALFANTE
Clerk IV &
SB Secretary - designate

ATTESTED AND CERTIFIED TO BE
DULY ADOPTED:


DEOGRACIAS E. PERNITEZ
SB Member &
Actg. Presiding Officer

APPROVED BY HIS HONOR:


JOSE CARLOS L. CARI
Municipal Mayor