

Section 25. Functions of the Committee:

- a. Ensure the implementation of this Ordinance;
- b. Review the traffic plans of the City and establish policy on the proper and safe use of all public roads, sidewalks, bridges, parks and other public places;
- c. Determine the possible hazards or obstructions on any public road, sidewalk, bridge, park and other public places.
- d. Declare any identified hazard or obstruction as a nuisance.
- e. Recommend the removal or abatement of any nuisance on any public road, sidewalk, bridge, park and other public places.

Section 26. The City Engineering Office (CEO) shall take the lead in the implementation of all of the provisions of this Ordinance.

Section 27. The CEO shall promulgate the necessary rules and regulations for the effective implementation of this Ordinance.

CHAPTER V ABATEMENT OF OBSTRUCTIONS

Section 28. Abatement of Hazards and Obstructions. Any hazard or obstruction on any public road, sidewalk, bridge, park or other public place found by the Committee to be a nuisance to the public, shall be abated in accordance with the following procedures;

- a. A Notice shall be sent to the person who is responsible for the hazard or obstruction, informing him of such hazard or obstruction and directing him to remove or fix the same within a period of ten (10) working days from receipt of said notice;
- b. After the lapse of the Notice and no action is done by the person or owner, the Committee shall issue a Notice of Removal to the person who is responsible for the hazard or obstruction, informing him that the City will personally undertake the abatement of such hazard or obstruction. The Notice of Removal shall also state the expenses to be incurred and a demand for the reimbursement thereof;
- c. Within a period five (5) working days from receipt of the Notice of Removal, the City shall initiate the proper legal or administrative action for the removal or fixing of the obstruction;
- d. All hazards or obstructions removed shall be properly inventoried and disposed of in accordance with existing laws.

CHAPTER VI ADMINISTRATIVE FINES

Section 29. Violations of any provisions of this Ordinance shall be subject to the following fines:

- a. Illegal or unauthorized parking on public roads – Php 500.00;
- b. Parking on sidewalks and bridges – Php 500.00;

- c. Repeated violations of item (a) and (b) above – Php 1,000.00 each per succeeding violations up to three violations. The fourth violation would cause the confiscation of license and issuance of a Temporary Operator's Permit or TOP;
- d. Violations on overnight parking as provided under Section 9(c) – Php 500.00;
- e. Failure to secure a permit prior to any civil work or activity on any public road or an extension permit thereof – Php 300.00;
- f. Failure to secure a permit prior to any temporary closure of any public road or bridge – Php 300.00;
- g. Failure to provide the necessary safety and warning devices as provided under Section 17 hereof – Php 1,000.00;
- h. Failure to properly restore any civic work or activity done on any public road, sidewalk or bridge – Php 1,000.00;
- i. Vandalism and littering on public buildings, structures and facilities – Php 300.00;
- j. Failure to remove a hazard or obstruction after demand – Php 1,000.00 plus all expenses incurred by the City for the removal or fixing of such hazard or obstruction;

Section 30. Violators shall be issued with a Citation Ticket. All payments for the administrative fines shall be made before the City Treasurer's Office of the City within five (5) working days.

Section 31. All Barangay roads, sidewalks and bridges shall also be free from all forms of hazards or obstructions. For this purpose, Barangays are directed to enact ordinances regulating the use of its Barangay roads, sidewalks and bridges in accordance with the provisions herein mentioned.

Section 32. Separability Clause. – If any provision of this Ordinance is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

Section 33. Repealing Clause. – Pertinent provisions of all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 34. Effectivity Clause. – This Ordinance shall take effect 15 days upon its publication or after due compliance with all the requirements provided under R.A. 7160, otherwise known as the Local Government Code of 1991.

Enacted: May 21 2020.
Baybay City, Leyte, Philippines.

CARRIED BY ALL OF THE MEMBERS PRESENT:

ROMULO B. ALCALA
 SP Member

DR. FULTON IKE C. ARRADAZA
 SP Member – EXCUSED

EDGARDO R. OMPOY
SP Member

RODULFO S. PALMA, JR.
SP Member

VICENTE VICTOR G. VELOSO
SP Member

ARTURO ELISA O. ASTORGA
SP Member

FILEMON F. AVILA
SP Member

ATTY. JOSE ROMMEL A. PENARANDA
SP Member

DOMINADOR K. MURILLO, D.M.
SP Member

JORGE V. REBUCAS
SP Member

PHILIP L. SIU
President, LIGA Ng Mga Barangay
Ex-Officio SPM

MARK MICHAEL O. UNLU-CAY
SK Chair, City Federation
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Deogracias E. Pernitez; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Evelinda A. Oppus; OIC - City Treasurer Gina Cabras, CLGOO Estela I. Creer, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

ATTY. VIVIAN E. VIDALLON
SP Secretary

Attested & Certified True & Correct:

ATTY. ERNESTO M. BUTAWAN
City Vice Mayor, Presiding Office

Approved by His Honor:

JOSE CARLOS L. CARI
City Mayor

Date Approved: 6/01/20