



Republic of the Philippines
Province of Pangasinan
MUNICIPALITY OF CALASIAO

MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALASIAO,
PANGASINAN HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON JANUARY 20,
2020

PRESENT:

VICE MAYOR MAHADEVA DAS B. MESINA	.....Presiding Officer
COUN. ARDIESON B. SORIANO	.....Member
COUN. NESTOR A. GABRILLO	.....Member
COUN. GERALD C. AFICIAL	.....Member
COUN. FELIPE K. DE VERA	.....Member
COUN. ROGELIO E. DANOLI	.....Member
COUN. KEVIN ROY Q. MACANLALAY	.....Minority Floor Leader
LIGA PRES. MAMILYN A. CARAMAT	.....Member, Ex-Officio

ABSENT:

COUN. JOHN BENEDICT M. ACOSTA	.....Majority Floor Leader (On Leave)
COUN. JERALD C. NAVARRO	.....Presiding Officer Pro-Tempore
S. K. FED. PRES. VANESSA S. ZULUETA	.....Member, Ex-Officio

ORDINANCE NO. 03, SERIES OF 2019

Sponsored by: Coun. Rogelio E. Danoli

AN ORDINANCE PROHIBITING AND PENALIZING ANY PERSON, NATURAL OR JURIDICAL, FROM CAUSING OBSTRUCTION/S ON STREETS, SIDEWALKS, AVENUES, ALLEYS, CREEKS, PUBLIC PLACES IN THE MUNICIPALITY OF CALASIAO.

Brief Explanatory Note

WHEREAS, it has been observed that most of the streets, sidewalks and alleys in the Municipality are not properly utilized by the public due to unprofessional conduct of some unprincipled entity who unjustifiably utilize these areas for displaying and trading their goods as well as erecting structures for commercial, advertising and even residential purposes;

WHEREAS, in line with the directive of the Department of the Interior and Local Government (DILG) emphasizing the Memorandum Circular 121-2019 on purposes of removal of road obstructions, the Local Government Unit of Calasiao in adherence to the memorandum needs to pass this ordinance;

BE IT ENACTED by the Sangguniang Bayan of Calasiao, Province of Pangasinan in session duly assembled.

SECTION 1. TITLE. This Ordinance shall be known and cited as the "Anti- Street Obstruction Ordinance" of the Municipality of Calasiao, Province of Pangasinan.

SECTION 2. SCOPE OF APPLICATION. This Ordinance covers all kinds of obstruction on the streets and other public places in the Municipality of Calasiao committed by individuals, entities and companies other than those obstructions committed by persons while driving or operating motor vehicles and all other forms of conveyances.



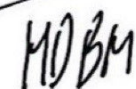



SECTION 3. PROHIBITION. It is prohibited and considered unlawful for any person or group of persons, entity or company to obstruct the free flow of people, goods and vehicles through the Municipality's road network by using, utilizing or otherwise appropriating any street, sidewalk or pedestrian walkway, avenue, alley, bridge, park, and other public place or portion thereof for commercial or personal purposes. The prohibition includes all kinds of obstructions and is not limited to the following:

- a. To utilize as shop, working area, warehouse, office or for any other purpose related to the conduct of his/its business;

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- b. To utilize as extension in the conduct of any business undertaking;
- c. Vending or selling of foods (kakanin, taho, junk foods, mineral water, peanuts, candies, hard boiled eggs, fruits), magazines, newspapers, cigarettes, flowers, brooms, watches or jewelries, shoes and other footwear, and/or any other items;
- d. Conduct of shoe-shine occupation;
- e. Seeking of alms or solicitation of funds for whatever activity;
- f. Stationing of Persons with Disabilities or PWDs e.g. blind with guitar cripples with crutch and mother with a baby and the like to beg/ask for charity.
- g. Conduct of family gathering/celebration, picnics or parties and merry-making activities, and drinking alcoholic or intoxicating beverages;
- h. Doing household chores such as washing clothes, hanging clothes and/or bathing;
- i. Vehicle garage and/or vehicle repair;
- j. To utilize for the conduct of other activities related to transport, i.e. barkers/call boys inviting passengers to board for-hire vehicles; queue of passengers waiting to board for-hire vehicles and as terminal of for-hire vehicles;
- k. Garbage dumping site;
- l. Setting up of basketball court/goal; playing basketball or scheduling a seasonal competition;
- m. Use of sidewalks to strap/hitch animals, fowls and the like, with or without cage/pen;
- n. Storing soft drinks or wine/liquor bottles and cases (empty or not);
- o. Storing of junks, motor vehicles and/or parts and other recyclable materials;
- p. Use of sidewalks for storage of construction materials for sale (pipes, tubings, lumber, cement and the like);
- q. House extension or stall/store extension, including installation of roofs or awnings;
- r. Installation of permanent or picket fence;
- s. Use of sidewalk for plants, trees and plant boxes;
- t. To place stones/rocks/cement slabs/hollow blocks /sand and gravel and/ or car tires;

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- u. To place wood or iron structure, especially those mark with "no parking" sign; and
- v. Signs or signboards of a business placed on or above sidewalks and detached from the establishment.

Conduct of religious activities, such as preaching, processions or holding of a wake or other community affairs like fiestas, games/amusement activities should be coordinated with the Barangay Council, Philippine National Police and the Public Order and Safety Office of the Municipality of Calasiao

All items, goods and structures found on or along roads, streets, avenues, alleys, sidewalks, bridges, parks and other public places shall be confiscated by the Municipal Government immediately after prior notice. The same shall be impounded, inventoried, tagged, and preserved, subject to disposition at the discretion of the Court.

Provided, that seized food commodities may after examination by the MHO be given to the Bureau of Jail Management and Penology as food of prisoners or street children. The Municipal Government shall not be held liable for any damage arising from the removal, confiscation or disposal of the said items.

- a. It shall be unlawful for owners of residential and commercial establishment which are located along National, Provincial, Municipal or Barangay Roads to allow sidewalks vendors to use the street frontage of their establishments to sell their goods and other merchandise or to give consent to the use of an area inside their establishment in order to avoid being apprehended by enforcers on illegal sidewalks vendors.

SECTION 4. PENALTIES. Violators of the Ordinance shall upon conviction by the Court be penalized as follows:

FIRST OFFENSE	Fine of Five Hundred Pesos (P500.00)
SECOND OFFENSE	Fine of One Thousand Five Hundred Pesos (P1,500.00)
THIRD OFFENSE	Fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of one (1) month or both at the discretion of the Court.

SECTION 5. If the offender is an organization, partnership or corporation, the penalty provided for under this Ordinance shall be imposed upon the President or General Manager or Managing Partner or the Person – in – Charge of the Organization, Partnership or Corporation.

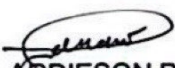
SECTION 6. NO CONTEST PROVISION. Except in cases where the violation resulted to serious consequences, any person apprehended for violation of this Ordinance, who does not wish to contest such violation and is willing to pay voluntarily, the fine imposed upon him/her prior to the filing of a formal complaint with the Office of the Prosecutor, shall be allowed to pay said fine within 3 days from the date of violation, with the Office of the Municipal Treasurer then present the Original Copy of the Receipt to the Arresting Officers, who is/are hereby authorized to process the release of the offender and the seized items (if any) in the police blotter to avoid being criminally prosecuted.

SECTION 7. REPEALING CLAUSE – All Municipal Ordinances, Rules and Regulations of this Municipality, which are inconsistent with this ordinance, are hereby repealed or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE – if for any reason or reasons, any part or provision of this ordinance which are held to be unconstitutional or invalid, other parts or provisions hereof which are not affected hereby shall continue to be in full force and effect.

SECTION 9 – EFFECTIVITY – This ordinance shall take effect upon approval by the Sangguniang Panlalawigan and compliance with the posting and publication requirements as provided under Section 5.11 (a) of Republic Act No. 7160.

UNANIMOUSLY APPROVED.


COUN. ARDIESON B. SORIANO



COUN. NESTOR A. GABRILLO


COUN. GERALD C. AFICIAL



COUN. FELIPE K. DE VERA


COUN. ROSELIO E. DANOLI

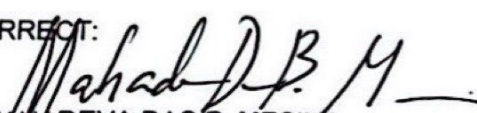

COUN. KEVIN ROY D. MACANLALAY


COUN. MAMILYN A. CARAMAT

ATTESTED:


BRYAN B. CALAUNAN
Secretary to the Sangguniang Bayan

CERTIFIED CORRECT:


MAHADEVA DAS B. MESINA
Vice Mayor/Presiding Officer

APPROVED:


JOSEPH ARMAN C. BAUZON
Municipal Mayor

3-5-2020