



REPUBLIC OF THE PHILIPPINES
REGION IV -A (CALABARZON)
PROVINCE OF CAVITE
CITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 17-08 (GENERAL)

Author : SP Member Florencio D. Ayos
Chair, Committee on Ways and Means

Sponsors : SP Member Hernando M. Granados
SP Member Gary A. Grepo
SP Member Jowie S. Carampot
SP Member Mario C. Amante
SP Member Kerby J. Salazar
SP Member Jonas Glyn P. Labuguen
SP Member Walter C. Martinez
SP Member Christopher N. Custodio
SP Member Vivencio Q. Lozares, Jr.
SP Member Constanca S. Felizardo

REGULATING THE USE OF STREETS, SIDEWALKS, ALLEYS AND BRIDGES AND THE USE AND DISPLAY OF BUSINESS SIGNAGES ALONG THE STREETS IN THE CITY OF GENERAL TRIAS.

WHEREAS, in pursuant to Resolution No. 08-43 enacted by the Sangguniang Bayan of General Trias on July 14, 2008, there are still continuous construction of illegal infrastructures along the public roads in the City of General Trias including those illegal vendors and placing of signages along easement in front of business establishment that is considered as part of public roads and which are blocking the pathways for pedestrians and affecting the flow of traffic;

WHEREAS, It is a declared policy of the State to safeguard life, health, property and public welfare, consistent with the principles of environment management and control; and to this end, make it purpose of this Ordinance to regulate the use and maintenance of sidewalks and setbacks and to clear the same of illegal commercial and private structures, in order to facilitate the safe and convenient use thereof, pursuant to Book I, Chapter 2, Section 16 and Chapter 3, Article I, Section 455, paragraphs (b) (3) (V1) of the Local Government Code.

WHEREAS, to solve the pressing problem of improper use of streets, sidewalks, alleys and bridges, formulation of an Ordinance is necessary for the sake of the people of City of General Trias;

NOW THEREFORE, be it enacted by the Sangguniang Panlungsod of General Trias in Session assembled that;

SECTION 1. SHORT TITLE - This Ordinance shall be known as the Sidewalk Ordinance of General Trias.

SECTION 2. PURPOSES - This Ordinance has the following purposes:

- a) To make all public roads and sidewalks safe and convenient for the use of pedestrians;
- b) To improve the flow of traffic; and
- c) To minimize illegal vendors on streets.

SECTION 3. DEFINITION OF TERMS - For purposes of this Ordinance, the following terms shall have the corresponding meaning:

- a) ~~Public Roads means all streets, roads, bridges, highways and other thoroughfares constructed and maintained by the national government~~



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- or by any local government unit: provided, that any road or sidewalk not falling under this definition but which upon determination by City of General Trias Local Government Unit, is deemed vital to pedestrian access or safety, shall be deemed a public road sidewalk for the purposes of this Ordinance.
- b) **Sidewalk Obstruction** means any structure, whether permanent or temporary, immovable or movable, erected along, standing on, adjoining, or in any manner impeding safe and convenient passage through any public road or sidewalk; the conduct of business by sidewalk vendors; and any belonging or thing found therein, which shall all be deemed nuisance *per se* and treated as trash, subject to summary abatement and/or disposal, as provided for under this Ordinance. Provided, that the property of the government, including official road signs and structures erected and installed, for the purpose of regulating the flow of traffic, shall not be considered as such.
- c) **Sidewalk vendor** means any person who sells or offers for sale any consumer products, whether agricultural or manufactured, cooked foods and/or dry goods, items or articles, including any person who attends to these products intended to be sold at any temporary location, sidewalk, alley vacant space or portion thereof.
- d) **Setback** is the horizontal distance, measured from the outmost face of the building/structure to the property lines that must be absolutely free of all forms of physical obstructions, that can negatively affect natural light and ventilation, or that can impede access to the sides and near area.

SECTION 4. RULES AND REGULATIONS - The use of streets, sidewalks, avenues, alleys, bridges, parks and other public places in the City of General Trias for commercial and personal purposes shall be prohibited except tiangge during fiesta. Such prohibited acts include but not limited to the following:

- a) **Selling of goods by sidewalk vendors or offering for sale of foods, beverages, magazines, newspaper, cigarettes, jewelry, shoes and other footwear and other analogous items;**
- b) **Use of sidewalks, portion of streets, setbacks for storage of construction materials for sale, equipment, sand and gravels and others. Must be cleared within 24 hours upon delivery;**
- c) **Installation of sign or signboards on or above sidewalks and detached from the business establishment;**
- d) **Putting of tarpaulin, posters and business signages on trees along the streets;**
- e) **Storing of household appliances and furniture, as well as junks and recyclable materials along sidewalks;**
- f) **Use of sidewalks and portions of streets for vehicle garage or for the conduct of vehicle repair/cleaning business;**
- g) **House extension or store extension, including installation of roofs and canopies, awnings and the like along sidewalks;**
- h) **Installation of permanent fence or gate along sidewalks;**
- i) **Use of sidewalk in constructing pens or cages of animals or animals on leash;**
- j) **Dumping garbage and litter along sidewalks and portion of streets; and**
- k) **Parking of vehicles on sidewalks.**



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SECTION 5. EXISTING PERMANENT ROOFS ON SIDEWALKS - Any permanent roofs or coverings either detached by the violator from buildings existing on any public roads or sidewalks shall be removed. Retention may be allowed, provided that there is a permit secured from the Office of the City Mayor in accordance with the specifications set forth in the Implementing Rules & Regulations (IRR) of this ordinance.

SECTION 6. OBSTRUCTION AS NUISANCE PER SE - All obstructions along public roads and sidewalks are hereby presumed or declared nuisances per se and, as such are subject to summary abatement without need of judicial proceedings.

SECTION 7. SUMMARY ABATEMENT - The City Mayor is hereby authorized to donate the confiscated items to City of General Trias Philippines National Police, City Social Welfare and Development Office and Bureau of Jail Management and Penology of City of General Trias. Also the City and its component barangays are hereby authorized to summarily abate, forfeit and dispose any obstruction, found within their respective territorial jurisdiction.

PROVIDED, that, enforcers of the local government unit and barangay tanods shall be free from any liability, arising from the lawful forfeiture and disposal of sidewalk and setback obstructions and prescribe herein.

PROVIDED, further, that all the costs, related to the abovementioned forfeiture and disposal, shall be charged at the expense of the violator of this Ordinance.

SECTION 8. ADDITIONAL RESPONSIBILITIES OF THE VIOLATOR - The violator either the owner or lessee or occupant of both residential and commercial establishments are mandated to clean and clear from obstructions the sidewalks, passageway and setbacks, fronting their establishments.

It shall be the responsibility of the above-cited persons to place their garbage and litter in sanitary garbage, placed inside their yards and/or building and bring the same out only when the garbage collector passes by. Failure to do so shall make the violator liable under this Ordinance.

SECTION 9. EXEMPTION - Tiangge shall be exempted provided that, necessary permit has been obtained.

SECTION 10. PENALTIES - Any violation of the provisions of this, or its implementing rules, shall be summary abatement, dismantling, forfeiture and disposal of the subject sidewalks and/or setback obstructions.

In addition, any person, corporation, trust, firm, partnership, association or entity, found violating this Ordinance, or the rules and regulations promulgated thereunder, shall be imposed a fine, which shall accrue to the Local Treasury, as follows:
Sidewalks Vendors:

1st Offense: Written warning;

2nd Offense: Confiscation of items (for donation to DSWD, PNP, BJMP or other institutions upon decision of City Mayor); and

3rd Offense: 1,000.00 fine;



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Business Signages:

- 1st Offense: Written warning;
- 2nd Offense: Confiscation and Dismantling of signages; and
- 3rd Offense: 1,000.00 fine and suspension/non-renewal of business permit if the violator is a business operator;

Construction Materials:

- 1st Offense: Written warning with an order to clear the construction materials within 24 hours receipt of the same;
- 2nd Offense: Confiscation; and
- 3rd Offense: 1,000.00 fine and suspension/non-renewal of business permit if the violator is a business operator.

SECTION 11. IMPLEMENTING RULES AND REGULATIONS - The City Mayor through the City Licensing Office, City of General Trias PNP, Traffic Management Office, Sangguniang Barangay and Treasurer's Office shall promulgate the rules and regulations to carry out the provisions of this Ordinance, within sixty (60) days from its effectivity.

SECTION 12. SEPARABILITY/REPEALING CLAUSE - If any provision of this Ordinance is held invalid or unconstitutional, other provision not affected shall continue to be in full force and effect, or inconsistent with national law, rules and regulations, the same shall prevail and all previous ordinances, rules, regulations, executive order or memoranda are hereby superseded and modified.

SECTION 13. EFFECTIVITY - This Ordinance shall take effect upon approval and compliance with the mandatory posting and publication requirement, prescribed under R.A. 7160, otherwise known as the Local Government Code of 1991.

ENACTED under THIRD/FINAL READING on 23 MARCH 2017.


KERRY J. SALAZAR
SP Member


JONAS GLYN P. LABUGUEN
SP Member


GARY A. GREPO
SP Member


JOWIE S. CARAMPOT
SP Member


MARIO C. AMANTE
SP Member

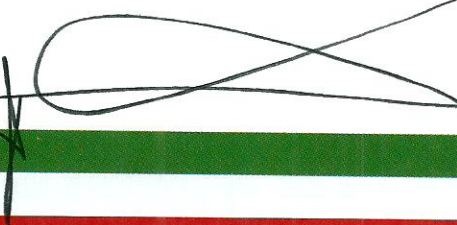

WALTER C. MARTINEZ
SP Member



CHRISTOPHER N. CUSTODIO
SP Member


FLORENCIO D. AYOS
SP Member


VIVENCIO Q. LOZARES, JR.
SP Member


HERNANDO M. GRANADOS
SP Member


CONSTANCIA S. FELIZARDO
SP Member/LNB President
(On Official Business)



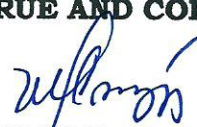


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CERTIFIED TRUE AND CORRECT:


WENCESLAO P. CAMINGAY
Secretary to the Sanggunian

ATTESTED:


MAURITO C. SISON
City Vice Mayor/Presiding Officer

APPROVED:


ANTONIO A. FERRER
City Mayor 

