

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 08-13-657
October 9, 2013

AN ORDINANCE PRESCRIBING THE GUIDELINES IN TEMPORARY ROAD CLOSURE REQUESTS OF PUBLIC AND PRIVATE ENTITIES AND FOR OTHER PURPOSES.

WHEREAS, Section 21 of the Local Government Code of 1991 states that, a local government unit may, pursuant to an ordinance, permanently or temporarily close or open any local road, alley, park, or square falling within its jurisdiction;

WHEREAS, Section 458 (a) (5) (v) of the same Code provides the power of the Sangguniang Panlungsod to regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and approve the construction, improvement, repair and maintenance of the same;

WHEREAS, it is already practiced that barangays and establishments request the Sangguniang Panlungsod to temporarily close a road or a portion of it to accommodate their events;

WHEREAS, it was observed that several roads that were closed have caused confusion particularly to the drivers and pedestrians that later on led to traffic jams and unrest;

WHEREAS, it was also observed that people would usually asked if the closure of the said road was approved by the Sanggunian for they have discovered several instances where roads were closed without even seeking the approval of the City Council;

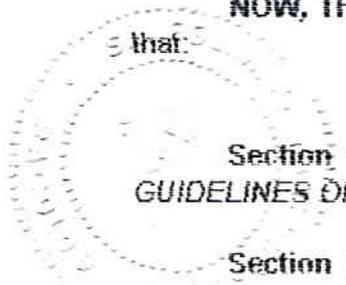
WHEREAS, proper information of the said closure and coordination with the designated government authorities should be sought to prevent problems in the future.

NOW, THEREFORE BE IT RESOLVED by the Sangguniang Panlungsod of Bacolod City,

that:

Section 1. TITLE. This ordinance shall be known as "THE ROAD CLOSURE GUIDELINES ORDINANCE OF 2013"

Section 2. POLICY. This ordinance sets the guidelines in requesting temporary road closures by any public or private entities in relation to Section 21 of the Local Government Code of 1991.



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Section 3. CONDITIONS. In considering applications for road closures, or disruption to traffic, the Sangguniang Panlungsod shall take into account the benefits arising from the purposes for which traffic is to be disrupted and the costs imposed on affected residents and commercial property occupiers and road users as it considers relevant including:

- a) The traffic volume on the affected road(s);
- b) The time of day;
- c) The day of the week;
- d) The amount of time the event participants will be on the road;
- e) The number of event participants; and
- f) The extent to which the event disrupts traffic.

The following matters shall be taken into account in considering the application for a road closure:

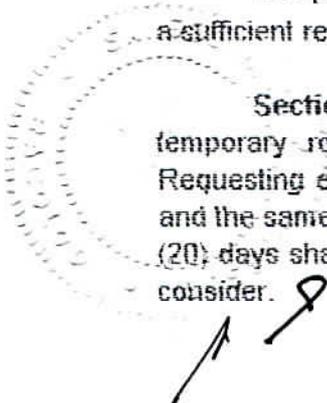
- a) the views of those affected;
- b) the number of people affected;
- c) length of closure/disruption;
- d) good will;
- e) reasonableness of the objections; and
- f) attempts by applicants to mitigate affects.

The following guidelines shall also be observed in considering request for temporary road closure:

- a) the event is done during weekend;
- b) the event is done at night or early morning; and
- c) the road to be closed is not being used frequently by P.U.s or other vehicles.

Temporary Road Closure on mainthoroughfares of the city shall only be allowed if there is a sufficient reason that the Sangguniang Panlungsod may consider.

Section 4. REQUESTING PROCESS. A requesting entity is required to submit their temporary road closure request at least twenty (20) days before the scheduled event/s. Requesting entity should submit a request in a letter addressed to the Sangguniang Panlungsod and the same shall be deliberated by its members. Requests that did not meet the required twenty (20) days shall be automatically disapproved, except in cases that the Sanggunian members may consider.



2

Section 5. After the approval of their request, the requesting party, in coordination with the Bacolod Traffic Authority Office (BTAO), shall post a temporary road closure notice in atleast two locations along the road to be closed which should be visible to all motorists, pedestrians and residents.

The notice to be posted shall follow the format provided below:

<p style="text-align: center;">NOTICE TO THE PUBLIC</p> <p style="text-align: center;">TEMPORARY ROAD CLOSURE</p> <p>The street of _____ will be closed on _____, between _____ in compliance to City Ordinance No. _____, Series of 2013 as per Resolution No. _____, series of _____.</p> <p style="text-align: right;">BTAO</p>
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The sign shall be immediately removed by the requesting party within twenty-four hours (24) after the event.

Section 6. The requesting party shall be the one who will provide and prepare the signage to be posted along the road to be closed temporarily.

Section 7. REQUIREMENTS. Private entities are required to write a letter addressed to the Sangguniang Panlungsod stating their request for a temporary road closure of a certain road, the activity to be done/ purpose, the duration and with an attached sketch map of the site.

Barangays requesting for temporary road closure are required to have an approved barangay resolution and endorsed the same to the Sangguniang Panlungsod for its appropriate action.

Section 8. FFFS. Private Entities requesting for temporary road closure shall pay an amount of One Thousand Pesos (Php 1, 000. 00) per day of closure and should be made at the City Treasurer's Office.

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8

Barangays or any other government/public agencies requesting for a temporary road closure shall be exempted from paying the prescribed fee.

Section 9. FINES AND PENALTIES. Any person found guilty of removing and transferring the signage for the road closure shall be dealt accordingly base on the following:

- 1st Offense - a fine of Php 300. 00
- 2nd Offense - a fine of Php 500. 00
- 3rd &
succeeding
Offense - a fine of Php 1, 000. 00

Public entities, particularly the barangay, who failed to secure the approval of the Sangguniang Panlungsod for the road closure for their events shall be held administratively liable.

Private Entities who violated the provisions of this ordinance shall be fined accordingly base on the following:

- 1st Offense - a fine of Php 2, 000. 00
- 2nd Offense - a fine of Php 3, 000. 00
- 3rd Offense - a fine of Php 5, 000. 00 plus cancellation of Business Permit

Section 10. APPROPRIATION. An amount of FIFTY THOUSAND PESOS (Php50,000.00) shall be appropriated for the creation and installation of the signages to be used in conducting road closures.

Section 11. SEPARABILITY CLAUSE. If for any reason or reasons, any part or provision hereof shall be 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 12. EFFECTIVITY. This ordinance shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation in Bacolod City.

CARRIED BY THE VOTE OF:

Affirmative :

Councilors : El Cid M. Familiaran, Jocelle Batapa-Sigue, Roberto M. Rojas,
Caesar Z. Distrito, Archie S. Baribar, Alex A. Paglumogan, Sonya M.
Verdeflor, Ana Marie V. Palermo, Mona Dia G. Jardin. 



Negative : None.

Absent : None.

Official Travel : Councilor Wilson C. Gamboa, Jr.

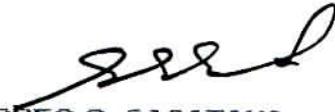
Official Leave : Councilor Keith Emmanuel L. Ramos.

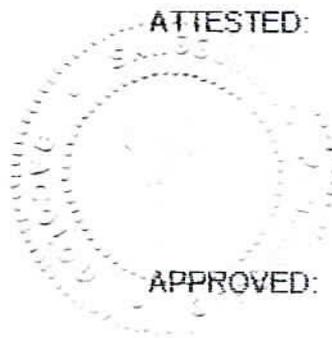
Main Author : Floor Leader Caesar Z. Distrito.

Co-Authors : Councilors Alex A. Paglumotan and El Cid M. Familiaran.

Passed : October 9, 2013 (15th Regular Session of the 8th Council).

Comments : Passed.
Councilors Em L. Ang, Carlos Jose V. Lopez and Claudio Jesus Raymundo A. Puentevella were not yet around when this ordinance was passed.

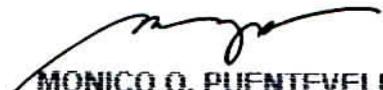

GREG G. GASATAYA
Vice Mayor
Presiding Officer



ATTESTED:
ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian


APPROVED: October 21, 2013.


VCP/HPL/jbz


MONICO O. PUENTEVELLA
City Mayor

SP
LEGISLATIVE SERVICES SECTION
DATE 10/28/13 TIME 10:35 AM
BY: 



Republika ng Pilipinas
Tanggapan ng Sangguniang Panlungsod
Lungsod ng Bacolod

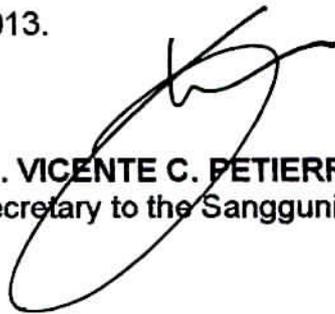
CERTIFICATION

This is to certify that City Ordinance No. 657, Series of 2013, passed by the Sangguniang Panlungsod on October 9, 2013, entitled:

“AN ORDINANCE PRESCRIBING THE GUIDELINES IN TEMPORARY ROAD CLOSURE REQUESTS OF PUBLIC AND PRIVATE ENTITIES AND FOR OTHER PURPOSES.”

was published in the November 22, 2013 issue of Watchmen Daily Journal and November 22, 2013 issue of Sun Star Bacolod and was posted in the bulletin board of the Sangguniang Panlungsod at the New Government Center as required in the said City Ordinance and is now therefore legally in effect.

Bacolod City, Philippines, December 10, 2013.


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

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