

Republika ng Pilipinas
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
Lungsod Ng Bacolod

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CITY ORDINANCE NO. 08-14- 662
February 26, 2014

AN ORDINANCE DESIGNATING PAY PARKING ZONES IN THE CITY OF BACOLOD.

WHEREAS, along with the increasing number of population in our community, particularly in the City of Bacolod, the number of automobiles, motorcycles and other forms of motor vehicles are, likewise, in growing numbers. At present, the total number of registered motor vehicles in the City of Bacolod is pegged at 83,531;

WHEREAS, the prevalence of illegal parking of motor vehicles in the major streets of Bacolod is one of the significant factors that contribute to traffic congestion;

WHEREAS, the nagging traffic problem may hamper the city's business velocity and thus, can have negative impact in city's thrust to improve its economic, social and political stability;

WHEREAS, it is the policy of the state to ensure the safety and convenience of the public consistent with the general welfare principle of Republic Act No. 7160 or otherwise known as the Local Government Code of 1991;

WHEREAS, Section 458 (5) v of the said law empowers the Sangguniang Panlungsod to regulate the use of streets, avenues, alleys, bridges, parks and other public places;

WHEREAS, Section 155 Article 46 of the Revised Local Revenue Code of Bacolod City, Series of 2012 provides that the Sangguniang Panlungsod shall designate portion of parks, roads, streets, and thoroughfares in Bacolod City as places for parking with pay;

WHEREAS, this initiative intends not only to ease and solve the traffic volume but will somehow generate revenue for the City of Bacolod.

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod of Bacolod City in session assembled, that.

Section 1.- SHORT TITLE. The short title of this ordinance shall be known as "**THE BACOLOD CITY PAY PARKING ORDINANCE OF 2014**".

Section 2.- OBJECTIVES: This ordinance is being proposed based on the following objectives:



- a. To ensure the smooth flow of traffic by curbing the propensity of illegal parking in the environs of the city's major streets.
- b. To guarantee the public order, safety and convenience of the motorists.
- c. To regulate the use of public places in order to discourage the long usage of the same as parking facilities.
- d. To generate additional revenue in the City of Bacolod.

Section 3.- DEFINITION OF TERMS. For purposes of this ordinance, the following terms are hereby construed as follows:

- a. **Pay Parking Zones** – refers to streets and open public places designated by the Bacolod Traffic Authority Office as areas which can be used by public as spaces where they can park their vehicles for a fee.
- b. **Pay Parking** – is a local legislation which requires payment for each space utilized for parking necessary for its maintenance and development.
- c. **Parking or Parked** – it shall mean that a motor vehicle is parked or parking if it has been brought to a stop on a shoulder or proper edge of streets and open public places, and remains inactive in that place or close thereto for an appreciable period of time.
- d. **Street** – refers to a thoroughfare in a city wider than an alley that includes sidewalk for public use, and reserved for vehicles and pedestrians.
- e. **An Open Public Spaces** - these are places owned by the city government which have areas that can accommodate motor vehicles for parking.
- f. **Motor Vehicle** – any vehicle including its attachments propelled by any power other than muscular power designed to run on public roads, used mainly for transportation.
- g. **Private Motor Vehicle** – refers to something that moved on wheels such as automobiles, jeeps, vans and the like.
- h. **Traffic** – refers to the flow and motions, ingress and egress, transit and stops, terminal and waiting stations of motored or un-motored vehicles and pedestrians.
- i. **Parking Fee** – a charge fixed by law on the designated pay parking zones.

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- j. **Parking Ticket** – a ticket issued by a pay parking authority as evidence of payment of parking fee.
- k. **Parking Meter** – is a device used to collect money in exchange for the right to park a vehicle in a designated pay parking zones.

Section 4. - DESIGNATION OF INITIAL PAY PARKING ZONES. The Bacolod Traffic Authority Office (BTAO) is hereby directed and authorized to establish markings from city's major streets, bounded by the streets of San Juan, Rizal, Gonzaga and Gatuslao and other open public spaces as the initial pay parking zones.

These streets initially identified shall be subjected to sixty (60) days experiment period by the Bacolod Traffic Authority Office.

Section 5. - DESIGNATION OF OTHER PAY PARKING ZONES. Upon the effectivity of this ordinance, the Bacolod Traffic Authority Office (BTAO) in coordination with the Office of the City Mayor shall conduct an extensive study to identify and designate other pay parking zones within three (3) months, and recommend the same to the Sangguniang Panlungsod for approval.

Section 6.- PARKING FEES. Parking fees shall be assessed as follows:

- a. Five (Php 5.00) Pesos for the first two (2) hours or fraction thereof; and
- b. Two (Php 2.00) Pesos for every additional hour or fraction thereof.

Provided that the total fee shall not exceed thirty-five pesos (Php 35.00) a day for a single vehicle.

Section 7.- TWO-WHEELED MOTORCYCLES. Two-wheeled motorcycles will have its own parking zones and no parking fees will be charged therein.

Section 8.- MANNER OF PAYMENT AND ISSUANCE OF PARKING TICKETS. The fees imposed therein shall be paid to the Office of the City Treasurer or his/her duly authorized representative who shall issue the corresponding parking tickets thereof.

Provided, however, the said authorized representatives shall be bonded in accordance with existing laws.

Section 9.- INSTALLATION OF PARKING METERS. If funds and circumstances permit, the City of Bacolod shall buy and install parking meters in the designated pay parking zones.





Section 10.- PENALTIES. Non-payment of parking fees shall be penalized as follows

- 1st Offense – fine of Five Hundred Pesos (Php 500.00);
- 2nd Offense – fine of One Thousand Pesos (Php 1,000.00);
- 3rd and succeeding Offense – fine of One Thousand Five Hundred Pesos (Php 1,500.00) or imprisonment of not more than Thirty (30) days or both at the discretion of the court.

Section 11.- COLLECTION OF FEES AND FINES. The collection of parking fees and fines shall be under the supervision of the Office of the City Treasurer who shall formulate a plan for its efficient and effective collection scheme.

Collection shall commence from 8:00 in the morning to 5:00 in the afternoon every Monday-Friday.

Section 12.- PROCEEDS OF FEES AND FINES. Fees and fines collected pursuant to the enforcement of the herein ordinance shall accrue to the following:

- a. Fifty percent (50%) of the proceeds shall accrue to the general fund of the City; and
- b. Fifty percent (50%) of which shall go to the Bacolod Traffic Authority Office in the form of a Special Trust Fund to be used for their traffic related programs and activities.

Section 13.- LOSS AND DAMAGE. The City Government of Bacolod or its duly authorized representatives shall not be responsible for the loss and/or damage of vehicles or any of its accessories or articles left therein.

Section 14.- LIABILITY OF VEHICLE OWNER OR HIS DRIVER. The vehicle owner or driver shall be liable for any damage caused by them to person/s or any property within the designated parking area.

Section 15.- ORIENTATION AND TRAINING. All personnel directly involved in the actual implementation of this ordinance shall undergo orientation and training before being assigned to their posts.

Section 16.- LAY-OUT, PROCEDURES AND SPECIFIC DETAILS OF PARKING ZONES. The lay-out, procedures and all specific details of parking zones mentioned in this ordinance shall be embodied in an Implementing Rules and Regulations within thirty (30) days and to be approved by the Sangguniang Panlungsod upon recommendation of a body composed of the following:

- City Mayor's Office
- SP Committee on Transportation
- SP Committee on Public Works
- City Treasurer's Office
- Bacolod Traffic Authority Office
- Bacolod City Police Office
- City Engineer's Office
- Commuters Group
- Transport Group

Section 17.- APPROPRIATION. The City shall appropriate an initial amount of Two Hundred Thousand Pesos (P200,000.00) to be used for marking, painting and other incidental expenses in connection therewith.

Section 18.- APPLICABILITY CLAUSE. This ordinance shall apply to all private motor vehicles such as, automobiles, jeeps, vans, and the like.

Section 19.- SEPARABILITY CLAUSE If, for any reason or reasons, any section or provision of this ordinance shall be held to be unconstitutional or invalid, other sections or provisions hereof which are not affected shall continue to be in force and effect.

Section 20.- REPEALING CLAUSE. All ordinance, rules and regulations or any part thereof, which are inconsistent or in conflict with any of the provision of this ordinance are hereby repealed or modified accordingly.

Section 21.- EFFECTIVITY. This ordinance shall take effect fifteen (15) days after its publication in at least two (2) newspapers of local circulation in the City of Bacolod.

CARRIED BY THE VOTE OF:

Affirmative :

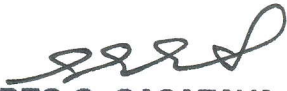
Councilors : El Cid M. Familiaran, Jocelle Batapa-Sigue, Claudio Jesus Raymundo A. Puentevella, Archie S. Baribar, Wilson C. Gamboa, Jr., Sonya M Verdeflor, Ana Marie V. Palermo, Noli B. Villarosa.

Main Author : Councilor Claudio Jesus Raymundo A. Puentevella

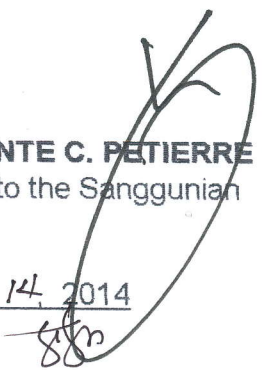
Co-Author : Councilor Wilson C. Gamboa, Jr.

Passed : February 26, 2014 (35th Regular Session of the 8th Council)



Comment : Passed.
Councilors Roberto M. Rojas, Caesar Z. Distrito, Em L. Ang, Carlos Jose V. Lopez and Alex A. Paglumotan were not around when this ordinance was passed.




GREG G. GASATAYA
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

APPROVED: March 14, 2014



MONICO O. PUENTEVELLA
City Mayor 



SP
LEGISLATIVE SERVICES SECTION
DATE 3/17/14 TIME 10:07AM
BY: Janon