



REPUBLIKA NG PILIPINAS  
**TANGCAPAN NG SANGGUNIANG PANLUNGSOD**  
 Lungsod ng Bacolod

CITY ORDINANCE NO. 53  
 September 27, 1988

AN ORDINANCE DECLARING EDIFICES AND ALL OTHER STRUCTURES BUILT ON PUBLIC ROADS AND SIDEWALKS AS NUISANCE PER SE AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Be it ordained by the Sangguniang Panlungsod of Bacolod, that:

Section 1 - It is a declared policy of the City of Bacolod that private edifices and all other structures standing on public roads and sidewalks are considered nuisance per se and can therefore be summarily abated without need of judicial recourse;

Section 2 - Public roads shall refer to both city, national and public barangay roads already existing or which may yet be constructed in the future and used as avenue of ingress and egress of vehicles and pedestrians alike. It shall likewise include other road right of way and sidewalks public in nature;

Section 3 - It is prohibited for any person, natural or juridical, to establish, erect or build or maintain any edifice and all other structure, whether temporary or permanent, on any public road within the City of Bacolod;

Section 4 - For purposes of executing the summary abatement of these nuisances, the City Engineer's Office is hereby vested with power to investigate, report to the Sanggunian and remove the buildings so declared as nuisance per se after confirmation thereof by the Sanggunian. Reports of the City Engineer shall contain factual matters and recommendations to the Sanggunian;

Section 5 - Recommendation by the City Engineer for abatement of nuisance under this Ordinance shall be acted upon by the Sanggunian within thirty (30) days from the date of receipt thereof. Failure, however, of the Sanggunian to act on the recommendation of the City Engineer shall mean automatic confirmation of the City Engineer's recommendation of summary abatement;

Section 6 - In executing the summary abatement of nuisance under this Ordinance, the City Engineer shall, as much as possible, consider the individual cases involved reflective of the humane situation obtaining; provided, however, that where it is necessary to use force in effecting the purpose of this Ordinance so as to maintain the integrity of the rule of law, the City Engineer may seek the aid of the Police Department of the city for this purpose;

Section 7 - In addition to the summary abatement above provided, any person found by the court guilty of violating this Ordinance shall be punished with a fine not exceeding P1,000.00 and/or imprisonment not exceeding thirty (30) days at the discretion of the court;

Section 8 - In case of juridical person, fine and/or imprisonment shall be suffered by its President, Chairman, General Manager and/or any responsible officer of said entity;

Section 9 - Owners of edifices and other structures already standing on public roads upon the passage of this Ordinance shall be granted a grace period of thirty (30) days from notice of the City Engineer or his representative within which said owners may remove the subject structures without being held liable under this Ordinance.

Section 10 - This Ordinance shall be effective immediately fifteen (15) days after the complete publication thereof in a newspaper of general circulation in the city.

CARRIED BY THE VOTE OF:

Affirmative:

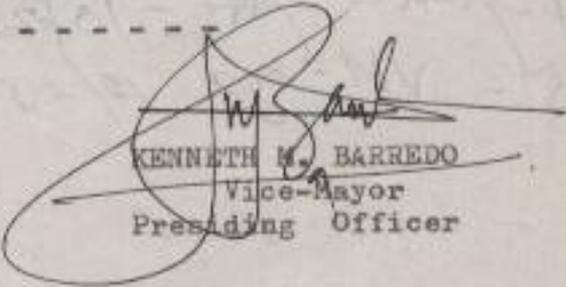
Kagawad : Evelio R. Leonardia, Monico O. Puentevella,  
Inocencio Y. Lucasan, Napoleon A. Cordova,  
Constancio G. Legaspi, Renecito S. Novero,  
Wilmar L. Drilon, Joaquin L. Torre, Marian  
V. Villarosa, Rolando V. Villamor, Alfredo  
G. Jalbuena, Jr., Arturo V. Parreño.

Negative : N o n e .

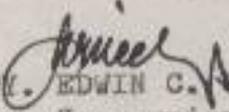
Abstention : Kagawad Patrick A. Villazor.

Passed : September 27, 1988.

Comments : Passed.

  
KENNETH M. BARREDO  
Vice-Mayor  
Presiding Officer

ATTESTED:

  
ATTN. EDWIN C. CHAVEZ  
Secretary, Sangguniang Panlungsod

APPROVED: \_\_\_\_\_ 1988

ALFREDO L. MONTELIBANO, JR.  
City Mayor