



Republic of the Philippines
Province of Ilocos Sur
MUNICIPALITY OF NARVACAN

OFFICE OF THE SANGGUNIANG BAYAN 2019-2022

Vice Mayor/Presiding Officer:


HON. PABITO V. SANIDAD, SR.

Sangguniang Bayan Members:


HON. EDNA C. SANIDAD


HON. JOSEPH A. TEJADA


HON. JOVENNIANO B. AMPO, JR.

HON. CHARITO C. VILORIA


HON. BERNADETTE C. LIM


HON. LORETO C. CABALLES


HON. EMILIANO C. CLARIN


HON. REINA ALEXA V. ANTOLIN

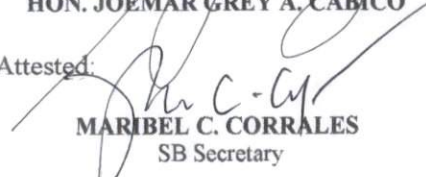
ABC President:


HON. ROMULO C. REA

SK Federated President:


HON. JOEMAR GREY A. CABICO

Attested:


MARIBEL C. CORRALES
SB Secretary

Approved:


HON. LUIS "CHAVIT" C. SINGSON
Municipal Mayor

EXCERPTS FROM THE MINUTES OF THE 23rd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF NARVACAN, ILOCOS SUR HELD ON DECEMBER 16, 2019 AT THE MUNICIPAL SESSION HALL

ORDINANCE NO. 09-SS
Series of 2019

ORDINANCE PROHIBITING AND PENALIZING ANY PERSON, NATURAL OR JURIDICAL, FROM CAUSING OBSTRUCTION/S ON STREETS, SIDEWALKS, ALLEYS, BRIDGES, PARKS AND OTHER SIMILAR PUBLIC PLACES IN THE MUNICIPALITY OF NARVACAN, ILOCOS SUR

WHEREAS, roads make a crucial contribution to economic development and growth and bring important social benefits, providing access to employment, health and education services;

WHEREAS, traffic congestions result in economic losses; road obstructions should be cleared so traffic flow will ease and more robust economy will result;

WHEREAS, roads are public property and must be enjoyed by all, especially pedestrians who walk to school and work;

WHEREAS, the Civil Code provides in part that "anything which obstructs or interferes with the free passage of any highway or street is a nuisance, and is subject to abatement without proceedings". It also states that "any person who obstructs or interferes with the free passage of any public street is liable from damages in addition to having such obstruction summarily abated".

NOW THEREFORE, be it ordained that:

SECTION 1. TITLE . This Ordinance shall be known and cited as the "Anti-Street Obstruction" of the Municipality of Narvacan, Ilocos Sur.



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SECTION 2. SCOPE AND APPLICATION

This Ordinance covers all kinds of obstruction on the streets and other public places in the Municipality of Narvacan, Ilocos Sur committed by individuals, entities and companies other than those obstruction committed by persons driving or operating motor vehicles and all forms of conveyances.

SECTION 3. PROHIBITIONS

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 networks by using, utilizing or otherwise appropriating any street, sidewalk or pedestrian walkway, road, 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:

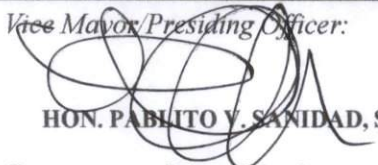
- a) To utilize as shop, working area, warehouse, office or for any other purposes related to the conduct of business;
- b) To utilize as extension in the conduct of any business undertaking;
- c) Vending or selling of foods (kakanin, taho, junk foods, mineral water, peanuts, candies, hard boiled eggs, fruits, magazines, newspapers, cigarettes, flowers, brooms, watches, or jewelries, shoes and other items;
- d) Conduct of shoe-shine occupation;
- e) Seeking of alms or solicitation of funds for whatever activity;
- f) Stationing of Persons with Disabilities (PWDs), e.g. blind with guitar, cripple with a crutch, mother with a baby who like to beg or ask for charity;



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- 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 sidewalk to strap/hitch animal, fowls and the like, with or without cage/pen;
- n) Storing of junks, motor vehicles and/or parts and other recyclable materials;
- o) Storing soft drinks or wine/liquor bottles and cases (empty or not);
- p) Use of sidewalk for storage of construction materials for sale (pipes, tubing, 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 slab/hollow blocks and/or car tires;
- u) To place wood or iron structure, especially those marked with "no parking" sign;
- v) Signs or signboards of business places on or above side walks and detached from the establishment; and
- w) Use of roads as agricultural crops dryer pavement.



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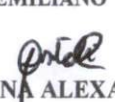

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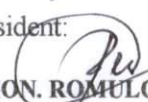

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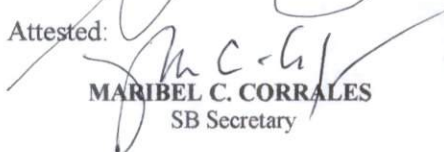
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Conduct of religious activities, such as preaching, procession or holding of a wake or other community affairs like fiestas, games/ amusement activities should be coordinated with the Barangay Council concerned and the Philippine National Police.

SECTION 4. It shall be unlawful for owners of residential and commercial establishments which are located along National, Provincial or Municipal Roads to allow sidewalk vendors to use the streets frontage of their establishments to sell their goods and other merchandise or to give consent to the use of an area inside their establishments in order to avail being apprehended by enforcers on sidewalk vendors.

SECTION 5. PENALTIES

Violators of this Ordinance shall upon conviction be penalized as follows:

FIRST OFFENSE

- One Thousand Pesos (Php 1000.00)

SECOND OFFENSE

- Two Thousand Pesos (Php 2,000.00)

THIRD OFFENSE

- Five Thousand Pesos (Php 5,000.00) or an imprisonment of three (3) months or both at the discretion of the Court

SECTION 6. If the offender is an organization, partnership or corporation, the penalty provided for under this Ordinance shall be imposed upon the Manager or Managing Partner of the Person-in-Charge of the organization, partnership or corporation.

SECTION 7. SEPARABILITY CLAUSE

If, for any reason, any part, section or provision of this Ordinance, is held invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and effect.



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SECTION 8. REPEALING CLAUSE

All ordinances, rules and regulations, or portions thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 9. EFFECTIVITY

This Ordinance shall take effect immediately upon approval and after conformity with the publication requirement as mandated by law.

PASSED AND APPROVED this 16th day of December 2019 at Narvacan, Ilocos Sur.