



Republic of the Philippines
Province of Bukidnon
MUNICIPALITY OF MANOLO FORTICH
OFFICE OF THE SANGGUNANG BAYAN
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EXCERPT FROM THE MINUTES OF THE 17TH REGULAR SESSION OF THE 19TH SANGGUNANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT SANGGUNANG BAYAN SESSION HALL ON APRIL 29, 2021.

PRESENT:

HON. MIGUEL D. DEMATA

HON. JUANITO I. QUIÑO

HON. REYNALDO L. BAGAYAS, JR.

HON. RAUL S. MIÑOZA

HON. WARLEO A. GOAYAN

HON. JOY L. CORDOVEZ

HON. CHRISTY LEPARTO SALABE

HON. ALBERTO B. TINOY

HON. ALEX D. PAYANGGA

HON. NELSON S. BINAYAO

HON. JOHN ANTHONY G. LEYSON

Presiding Officer

Municipal Vice Mayor

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

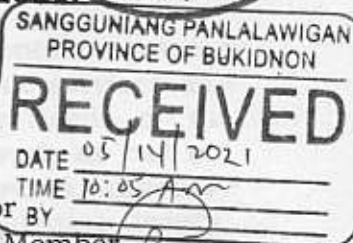
Sangguniang Bayan Member

Temporary Majority Floor Leader

IP Mandatory Rep.

Liga ng mga Bry. Rep.

SK Federation Rep.



ABSENT:

HON. ELIEZER S. ONAHON

Sangguniang Bayan Member

- On sick Leave

ORDINANCE NO. 2021-1438

(17th Regular Session)

AN ORDINANCE ESTABLISHING A NETWORK OF BICYCLE LANES AND IMPROVED PEDESTRIAN WALKWAYS TO SUPPORT PEOPLE'S MOBILITY IN THE NEW NORMAL.

WHEREAS, on 8 March 2020, President Rodrigo Roa Duterte declared a *State of Public Health Emergency* throughout the country due to COVID-19, and enjoined all government agencies and local government units (LGUs) to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent and appropriate responses and measures to curtail and eliminate the COVID-19 threat;

WHEREAS, in anticipation of the downgrading of ECQ to a General Community Quarantine (GCQ) in some localities, the DOTr issued guidelines for the road transport sector on 30 April 2020 and encouraged the use of bicycles and similar devices, further LGUs were tasked to identify bike-lanes, or bike-only roads observing the minimum requirement of physical distancing.

WHEREAS, the Local Government Code (the Code) in Section 16 provides that local governments shall exercise powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare.

WHEREAS, Section 17 of the Code states that local governments are granted powers to discharge functions and responsibilities to provide basic services and facilities. These include infrastructure intended to service the needs of the residents and which are funded out of local government funds, such as but not limited to roads and bridges. These also include infrastructure projects funded by the national government where the LGU is the designated implementing agency. Further, the Local Government of Manolo Fortich exercises its responsibility to provide adequate communication and transportation facilities.

WHEREAS, with these powers, this Municipality implements the provision of the network of bike lanes and improved sidewalks to support peoples' mobility using this Ordinance's procedures and technical specifications necessary for this adaption and transition to the "new normal".

NOW THEREFORE

BE IT ORDAINED by the Sangguniang Bayan of Manolo Fortich, Bukidnon in session that;

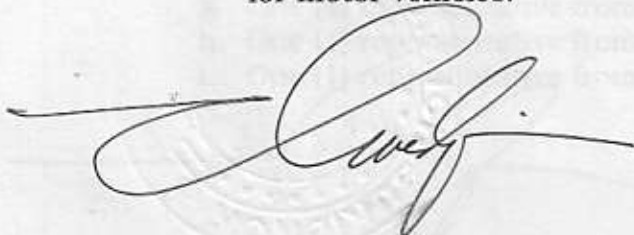
SECTION 1. SHORT TITLE: This Ordinance shall be called the Bicycle Lanes Ordinance of 2021.

SECTION 2. DECLARATION OF PRINCIPLES AND POLICIES. It is the policy of the Municipality to promote the active, safe and efficient mobility of all people within its jurisdiction. Towards this end, the Municipality shall adopt;

- a. A healthy approach to people's mobility, where active and healthy modes of transport through increased physical activity area promoted and institutionalized in the Municipality; and
- b. A people- oriented road network and design, such that safe efficient, and convenient mobility of pedestrians, cyclist, and other vulnerable road users are prioritized over the mobility of private motorized vehicles.

SECTION 3. GENERAL OBJECTIVES. This Ordinance seeks to:

- a. Provide people on bicycles and light mobilities with direct access to the entire municipality and essential service establishments, such as, but not limited to: (i) Hospitals. (ii) Public Markets, (iii) Schools, (iv) Transport Terminals, (v) Government Centers and Offices, (vi) Historical and heritage sites and (vii) Local tourist destinations. Direct access means that the preservation of direct routes for bicycles and light mobilities shall be preferred over the diversion of bicycle traffic in favor of reduced travel time for motor vehicles.



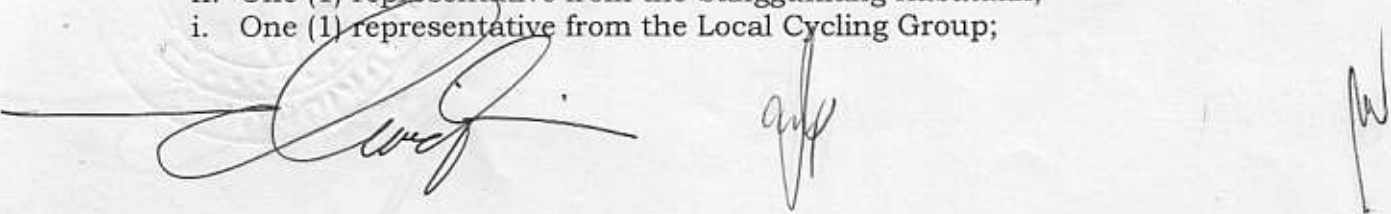
- b. Provide pedestrian, cyclists and other vulnerable road users such as the elderly and those living with physical disability with safe, efficient, convenient, and just access to the streets within the Municipality.
- c. Ensure that the vulnerable road users, during their transport experience are safe and protected from any road related injuries that may involve higher-speed motorized vehicles; and
- d. Promote healthy and active transport methods to commuters and other daily road users, without compromising the safety, comfort, ease and time or duration of travel.

SECTION 4. DEFINITION OF TERMS. As used in this Ordinance, the following term shall mean:

- a. Active Transport refers to physical activity undertaken as means of transport.
- b. Commuter refers to any person who travels from one place to another, often using a combination of transportation mode to get to his/her destination.
- c. Bicycle lanes refer to roads, streets, or pathways where motorized transport is not allowed to ensure the safety of bicycle users or those using light mobility transport such as kick scooters and skateboards.
- d. Light Mobility refers to travel using electronic or non-motorized vehicles weighing not more than 100 kg.
- e. Pedestrian refers to any person who uses the shared paths or sidewalks.
- f. Walking paths refer to pathways which can be used by pedestrians.
- g. Motorized Transport refers to motorized vehicles weighing more than 100 kg.

CHAPTER II. THE ACTIVE MOBILITY COMMITTEE (AMC)

SECTION 5. The Local Active Mobility Committee (LAMC) is hereby convened for purposes of identifying, establishing and maintaining a bike lane network as well as developing and maintaining pedestrian walkways. The LAMC, to be constituted and convened by the Municipal Mayor, shall be composed of the following:

- a. Chairperson – At least third ranking officer of the LGU;
 - b. Secretary – Legal Officer;
 - c. The Engineer;
 - d. The Planning and Development Officer;
 - e. The MFRTA Head;
 - f. The Health Officer or representative;
 - g. One (1) representative from and selected by the Sanggunian;
 - h. One (1) representative from the Sangguniang Kabataan;
 - i. One (1) representative from the Local Cycling Group;
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- j. One (1) representative from the Persons with Disability (PWD) Group;
- k. One (1) representative from the Women's Group; and
- l. One (1) representative from Senior Citizen's Group.

A quorum of the LAMC shall be composed of a simple majority of all voting members. The Chairperson shall vote only in case of a tie.

SECTION 6. The LAMC shall lead the development of the Bicycle Lanes Network Master Plan. For this purpose, the LAMC shall: (a) determine sections of existing roads that may be developed into a continuous bicycle lane and pedestrian walkways network; (b) adopt traffic engineering solutions that will complement and support safe biking and walking; (c) identify local budget items for the development of bike lanes and improvement of walking paths; (d) approve the technical specifications prepared by the LGU Engineer or other such entity assigned in order to facilitate procurement or other administrative processes as may be required; (e) initiate communication and education campaigns promoting the proper use of cycling and walking facilities; (f) coordinate with the different National Agencies for matters necessary for the design and construction of bicycle lanes and pedestrian walkways; and (g) regularly oversee monitoring activities related to the implementation of this Ordinance.

CHAPTER III. BICYCLE LANE NETWORKS AND PEDESTRIAN WALKWAYS

SECTION 7. IDENTIFYING AND ESTABLISHING A BIKE LANE NETWORK.

The Municipality, through the LAMC, shall review all roads within its area of jurisdiction and determine sections that may be developed into continuous bike lane network.

SECTION 8. COMPLEMENTARY TRAFFIC ENGINEERING AND INFRASTRUCTURE SOLUTIONS. The Municipality, through the LAMC, shall adopt traffic engineering solutions that will prioritize, complement, and support safe and efficient biking and walking. Any such solution shall (a) be supported by an appropriate traffic study, and/or (b) form part of the LGU's Local Public Transport Route Plan (LPTRP).

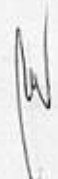
All road infrastructure to be used by people on bicycles shall conform to one of the following categories:

a. Protected Bike Lanes and Assigned Walkways on Existing Road Spaces

1. A minimum width of 1.5 meters for one-way cycle tracks, and 2.4 meters for two-way cycle tracks shall be assigned as dedicated bike lanes, and protected accordingly from motor vehicle lanes, using barriers, traffic cones, or lane markers, with barriers being the most prioritized.

2. A minimum of 1.5 meters, excluding furnishing zones assigned for trees, poles, lights, and hydrants, shall be assigned as a walkway for pedestrians. This shall be recommended for existing roads with four (4) or more lanes.

3. Vehicular and motorcycle speed limit of 30 kilometers per hour and an active transport speed of up to 22 kilometers per hour shall be implemented.



4. The Traffic Management Office, Municipal Engineering Office, Environment Office, and all Barangays area immediately directed to facilitate the creation of protected bike lanes on all such roads with the assistance of the Philippine National Police (PNP).

b. Slow Streets.

Slow streets area streets or roads where motor vehicle through traffic is permitted at low speed levels which allow safe mixing with bicycle traffic.

1. Design interventions and traffic calming schemes shall be incorporated to slow traffic to walking speed (10 kilometers per hour or less) upon entering the street.

2. Vehicular and motorcycle speed limit of 20 kilometers per hour for all through traffic, and a bike speed of up to 15 kilometers per hour shall be implemented on Slow Streets.

3. The Traffic Management Office, Municipal Engineering Office, Environment Office, and all Barangays are directed to evaluate and recommend candidate streets and facilitate transition of identified streets into Slow Streets even after the lifting of community quarantine.

c. People's Streets.

People's Streets are streets or roads where motor vehicle through traffic is not permitted, and the only kind of motor vehicle traffic allowed is access by residents of streets, emergency vehicles, or light delivery vehicles by commercial establishments during off-peak hours.

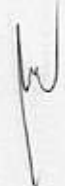
1. Design interventions and traffic calming schemes shall be incorporated to slow down incoming vehicular traffic to walking speed upon entering the street. Traffic by walking, cycling or light mobility shall continue to be permitted.

2. Roads identified for this intervention must be a result of a municipal wide traffic study for the new normal preferably roads with a large number of residences whose doors open directly into streets and high foot traffic leading to establishment along the street.

3. Operation of business with zero car parking spaces shall be permitted.

4. An active mobility of up to 15 kilometers per hour shall be implemented. Permitted vehicles shall follow a 10 kph speed limit when inside People's Streets.

5. The Traffic Management Office, Municipal Engineering Office, Environment Office, and all Barangays are directed to evaluate and recommend candidate streets, and facilitate transition of identified streets into People's Street even after the lifting of community quarantine.

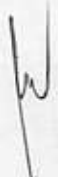
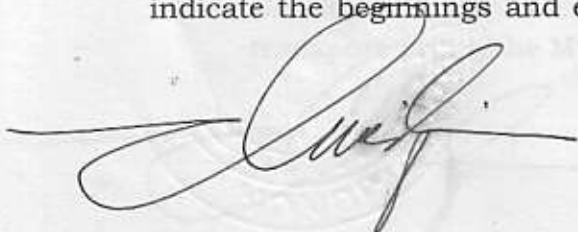


d. Safe Intersections

1. The Municipality shall evaluate all intersections, particularly intersections with high traffic levels, to ensure that cyclist and pedestrians are able to safely cross and change directions, at-grade. If the Municipality shall design an intersection requiring the use of a footbridge or other different-grade crossing infrastructure, the design decisions must be documented and submitted to the Department of Interior and Local Government (DILG) and Department of Public Works and Highways (DPWH).
2. Any crossing infrastructure that diverts the pedestrians or people on bicycles away from street level must be designed such that it: (a) incorporate bicycle-friendly design i.e inclusion of bicycle ramps; (b) enables independent use of a wheelchair to traverse it in time that would no more than double the time needed for an able-bodied person to cross at-grade; and, (c) is developed with accessibility infrastructure for people on wheelchair, and must be compliant with all existing laws and design standards regulating the design of such infrastructure.
3. The provision of bike boxes on road intersection shall be adopted where possible.
4. Traffic signals shall be limited to allow bicycles and pedestrians a safe and reasonable time to cross intersection before motor vehicles, to avoid traffic conflicts.
5. To improve safety of cyclist and pedestrians crossing on intersections, motor vehicles shall not be allowed to turn right on red signal. Entities in charge of operating traffic signals, such as the Traffic Management Office, Local Command and Control Center, or any such entity that has control and/or ownership of the traffic signal light in the Municipality, shall utilize the appropriate traffic signal timing which prioritize cyclist and pedestrians.

SECTION 9. BIKE LANE AND SIDEWALK DESIGNS.. Annex C of this Ordinance provides the specifics of the bike lane and sidewalks design, which the Municipality shall use in implementing the bicycle lane networks and improving walking paths for pedestrians. The proposed design may be subject to modification by the DPWH and DOTR Technical Working Group assigned to evaluate and assess bike lanes and sidewalks.

SECTION 10. TRAFFIC SIGNAGES. To ensure the safety of all road users, appropriate traffic lights and signages shall be installed to indicate bicycle lane and motor vehicle lane signal, speed limit, and other traffic rules. The same shall indicate the beginnings and end of special road categories set out in Section 8 of



this Ordinance. Where traffic lights and/or signages cannot be installed, traffic enforcers must be deployed for purpose of these rules.


SECTION 11. MAINTENANCE OF BICYCLE LANE NETWORK. The Municipality, through the Traffic Management Office or such other relevant offices, shall strictly and effectively implement the following for the maintenance of the bicycle lane and pedestrian walkway networks:

- a. Dedicated bicycle lane and/or pedestrian walkways in existing road spaces shall be protected at all times from the entry of or use by any motorized transport vehicle.
- b. All road spaces designated as bicycle lanes and/or pedestrian walkways shall be cleared of any illegal obstruction, including, but not limited to illegally parked cars, pursuant to DILG Memorandum Circular No. 2020-027.
- c. All at-grade and/or object separators, crossing infrastructure, and other engineering solutions installed to support the establishment of the bicycle lane networks shall be routinely inspected by the Traffic Management Office or other relevant offices to ensure the protection of cyclist, pedestrians, and other vulnerable road users.
- d. LGUs shall ensure that designated stops for Public Utility Vehicles (PUV) are incorporated into the road design without obstructing bicycle lanes. LGUs may opt to use lane markers or other engineering solutions in ensuring the aforementioned.

SECTION 12. PERSONAL PROTECTIVE GEAR. To further ensure safety, the use standard and age- or user- appropriate personal protective gear, including, but not limited to closed shoes, helmets, head gears, and bicycle lights or reflectors, shall be encourage among cyclist and other user of the bicycle lanes. Minors below the age of 18 using bicycle lanes on major road shall be required to use the appropriate protective gear.

SECTION 13. AUXILIARY PROGRAMS, PROJECTS AND ACTIVITIES. The Municipality, in support of the implementation of the bicycle lane and pedestrian walkways network, shall endeavor to:

- a. Install safe, sufficient, and proper bike use facilities such as bicycle parking spaces, bike racks, and change rooms in strategic locations accessible to cyclist, including, but not limited to government centers and public establishment.
- b. Develop incentive mechanism to encourage private entities, office establishment, and commercial buildings to provide the same bike use facilities to promote active transport among their clients and employees.
- c. Develop and implement a local bike sharing program, to encourage active transport within the Municipality.



- d. Invest in and strategically distribute units and bike accessories to Local Government employees and students in local public schools.
- e. Implement training and information campaigns, programs, projects, or activities which educate citizens on road safety and proper etiquette for walking, biking, and driving, and promote healthy lifestyle and active transport.

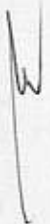
SECTION 14. MANDATORY BIKE USE FACILITIES. The Municipality shall endeavor to require the availability of a bicycle parking facility as a regulatory requirement prior to issuance of Local Building or Business Permit's to new propose for improvement or expansion. The requirement shall be applicable to categories or type of building and establishment, as may be defined in existing relevant Municipality ordinances.

SECTION 15. EMERGENCY SERVICES. Emergency medical service shall be made available by the LGU for all road users, including cyclist and pedestrians, in case of road collisions.

SECTION 16. ENFORCEMENT AND PENALTIES. Any violations of the provisions of this Ordinance and other existing rules relative to the implementations of the bicycle lane and pedestrians walkways networks, shall incur the corresponding penalties as herein provided:

a. Any motorist who:

1. Obstructs or parks in protected bike lanes and pedestrians walkways shall be liable for *obstructions of road ways* under existing municipal ordinance and DILG MC No. 2020-027, and shall be subject to appropriate action and penalties.
2. Makes right turns when the traffic light is red shall be liable for violation of no left or right turn under existing municipal ordinances and DILG MC No. 2020-027 and shall be subject to appropriate actions and penalties.
3. Drives through a slow street above the allowable speed limit shall be liable for violation of speed limits under existing municipal ordinances and shall be subject to appropriate action and penalties.
4. Drives through a people's street when not a resident shall be liable for driving onto a place not intended for traffic under existing municipal ordinances and shall be subject to appropriate action and penalties.
5. Collides with a cyclist or pedestrian in a bike lane, a pedestrian walkway, a Slow Street or a People's Street, shall be considered to have committed the offense of reckless driving under existing municipal ordinances, in addition to other offenses for which said driver may be liable and shall be subject to appropriate action and penalties.



b. Any cyclist or user of light mobility vehicle who:

1. Crosses the intersection or jumps on red light signal on major roads shall be liable for disregarding traffic signs under existing Municipal ordinances and shall be subject to reprimand or any such action or penalty as applicable;

2. Crosses major roads at-grade, when prohibited and when proper crossing infrastructure area provided, shall be liable for unauthorized crossing under existing municipal ordinances and shall be subject to reprimand or any such action or penalty as applicable;

3. Fails to make proper, clear, and timely hand signal when changing or exiting the bike lane resulting in crashes with motor vehicles or pedestrians, shall be liable for failure to give proper signal under existing Municipal Ordinance, and

4. Rides their bicycle when drunk, resulting in collisions with motor vehicles or pedestrians, shall be liable for driving under the influence of alcohol, dangerous drugs or similar substance under existing Municipal ordinances, and shall be subject to reprimand or any such action or penalty as applicable.

CHAPTER V. MONITORING

SECTION 17. REPORTING AND MONITORING. The Municipality, through the Local Government Operation Officer (LGOO) and in coordination with the LAMC shall regularly monitor the implementation of the bicycle lane and pedestrian walkway networks, and other indicators related to components of this Ordinance. Feedback from the public shall be incorporated into the monitoring process. Monitoring data shall be consolidated by the LAMC and reported on a regular basis by the Municipality to the relevant Regional and National Government Agencies (NGAs).

CHAPTER VI. APPROPRIATIONS

SECTION 18. APPROPRIATIONS. The funding necessary to implement the provisions of this ordinance, to establish and maintain bicycle lanes, to improve sidewalks, and to implement other related programs, may be sourced from the following, in order of priority;

- a. The LGU's Annual Internal Revenue Allotment (IRA)
- b. Total collections from penalty fees incurred through road users violation of traffic rules related to bicycle lane and bicycle use;
- c. Local parking levies;
- d. National Government Subsidies to related programs, projects, and activities through the relevant agencies, and/or,
- e. Supplemental funding requests from relevant NGAs.



CHAPTER VII. MISCELLANEOUS PROVISIONS

SECTION 19. IMPLEMENTING RULES AND REGULATIONS (IRR). The Municipal Mayor may issue appropriate and relevant rules and regulations, as necessary for the proper implementation of any and all provisions of this Ordinance.

SECTION 20. REPEALING CLAUSE. All other orders and issuances, or parts thereof, inconsistent herewith are repealed, amended or modify accordingly.

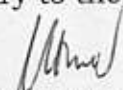
SECTION 21. EFFECTIVITY. This Ordinance shall take effect immediately after 15 days of posting to any conspicuous public places in the Municipality of Manolo Fortich, Bukidnon.

This Ordinance was enacted on motion of Hon. Reynaldo L. Bagayas, Jr. and unanimously seconded by the members present.


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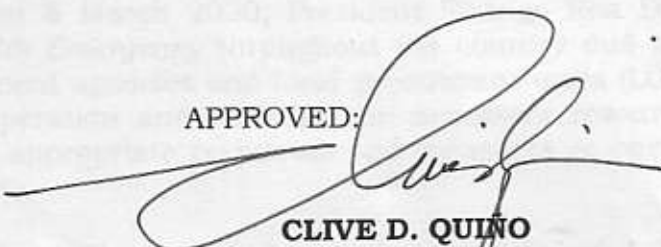
For & In The Absence Of The
Secretary to the Sanggunian:


MILA M. BARRIENTOS
Board Secretary II

CERTIFIED AND ATTESTED TO HAVE
BEEN ENACTED ON APRIL 29, 2021:


MIGUEL D. DEMATA
Presiding Officer
Municipal Vice Mayor

APPROVED:


CLIVE D. QUINO
Municipal Mayor