



Republic of the Philippines
Province of Davao
MUNICIPALITY OF ASUNCION

-○○○

BEFORE THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 49TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ASUNCION, DAVAO DEL NORTE, HELD ON DECEMBER 15, 2020, AT THE AUDIO VISUAL ROOM (AVR) OF THE OLD MUNICIPAL HALL.

PRESENT:

- | | |
|---|-------------------------------|
| 1. Hon. Vice Mayor Joel M. Camello, MPA | - Presiding Officer |
| 2. SB Member Angelito C. Laride | - Member |
| 3. SB Member Reynaldo D. Panisal, Jr. | - Member |
| 4. SB Member Alvin S. Almeda, Sr | - Member |
| 5. SB Member Rocky Jay A. Binasbas, DMD | - Member |
| 6. SB Member Rogelio E. Bual | - Member |
| 7. SB Member Teofilo G. Dawa, Sr. | - Member |
| 8. SB Member Cecilio B. Cinco | - Member (ABC Representative) |
| 9. SB Member Madello M. Amoncio | - Member (SK Representative) |
| 10. SB Member Nestor L. Warag | - Member (IP Representative) |

ABSENT: None

ON OFFICIAL BUSINESS:

SP Member Silvino P. Matobato, Jr., PTRP
SB Member Alan Q. Monteroso

Author/Sponsor: Hon. ANGELITO C. LARIDE

Co-sponsors: Hons. ALVIN S. ALMEDA, SR., TEOFILO G. DAWA, SR., NESTOR L. WARAG, MADELLO M. AMONCIO, CECILIO B. CINCO, ROGELIO E. BUAL, ROCKY JAY A. BINASBAS, DMD, AND REYNALDO D. PANISAL, JR.

MUNICIPAL ORDINANCE NO. 2020-005

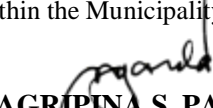
“AN ORDINANCE CLEARING THE SIDEWALKS, AVENUES, ALLEYS, BRIDGES, PARKS AND OTHER PUBLIC PLACES IN THE ENTIRE MUNICIPALITY OF ASUNCION, DAVAO DEL NORTE OF ILLEGAL STRUCTURES AND CONSTRUCTIONS”


EXPLANATORY NOTE

The Department of the Interior and Local Government issued Memorandum Circular No. 2019-121 to all Provincial Governors, City and Municipal Mayors, Punong Barangays, Heads of Local Sanggunians, DILG Regional Directors, BARMM Regional Governor, and all other concerned. President’s directive during the 2019 State of the Nation Address that all local officials are enjoined to exercise their powers essential to reclaim public roads which are being used for private ends and in the process, rid them of illegal structures and constructions. Local governments are also to cause rehabilitation of all recovered public roads by placing street names and street lights, among others. They are likewise encouraged to develop and implement strategies that will address the displacement issues caused by the implementation of this directives. The local chief executive is hereby directed to revoke permits that give authority to private entities to occupy public roads, alleys and other thoroughfares. Prudence must also be observed in placing street signs and signage to avoid exacerbating problems on obstructions. And due to the perennial road obstruction problems in the municipality, it is necessary and urgent to clear all illegal structures/obstruction on or along the aforesaid places in order to ensure a smooth flow of traffic and provide a safe and convenient movement of goods and persons in Municipality of Asuncion;

BE IT ENACTED, as it is hereby ENACTED, by the Sangguniang Bayan of Asuncion, Davao del Norte, in session assembled that:

SECTION 1. The barangay officials within their respective territorial jurisdiction, jointly assisted by the Road and Network Development and Clearing Task Group composed of the SB Sangguniang Bayan Member Committee Chairman on Infrastructure and Public Works, Municipal Engineer, Zoning Officer, Municipal Economic Enterprise Development and Management officer, Municipal Environment and Natural Resources Officer, and Civil Security Unit, shall clear the sidewalks, streets, avenues, alleys, bridges, parks and others public places within the Municipality of Asuncion, Davao del Norte.


AGRIPINA S. PANDAC
Administrative Assistant IV/
OIC – Secretary to the Sanggunian


ATTY. EUFRACIO P. DAYADAY, JR., MPA
Municipal Mayor

SECTION 2. The use of streets, sidewalks, avenues, alleys, bridges, parks and others public places in Municipality of Asuncion for commercial and personal purposes shall be prohibited. The prohibited shall apply to private property intended as parking space for public customers. Such prohibited acts include but not limited to the following:

1. Vending or selling of foods, magazines, newspaper, cigarettes, brooms, watches, or jewelries, shoes and other footwear, and/or any other items;
2. Conduct of shoe-shine occupation;
3. Conduct of "Religious" activities, such as preaching and seeking alms;
4. Doing house chores such as washing clothes, hanging clothes, and bathing;
5. Vehicle garage and/or vehicle repair;
6. Dumping garbage;
7. Setting up of basketball court/goal;
8. Use of sidewalk to install pens of animals or keep animals in chains;
9. Storing soft drinks or wine/liquor bottles and cases; drinking liquor and beverages and holding picnics/gatherings;
10. Storing of junks and recyclable materials;
11. Use of sidewalk for storage of construction materials for sale (pipes, tubing, lumber, cement, and the like);
12. House extension or stall/store extension including installation of roofs or awnings;
13. Installation of permanent of picket fence;
14. Use of sidewalks for plants, trees and plant boxes; and,
15. Signs or signboards on or above sidewalks and detached from the business establishment.

SECTION 3. All items, goods and structures found on or along roads, streets, avenues, alleys, sidewalks, bridges, parks and others public places shall be confiscated by the municipal government without prior notice. The same shall be treated as common or ordinary garbage and shall be disposed of as such. The Municipal government and its authorized personnel shall not be held liable for any damage arising from the removal, confiscation or disposal of the said items.

SECTION 4. The use of any roads, streets, avenues, alleys, sidewalks, bridges, parks and other public places on a temporary basis for a definite period only shall require a special permit from the Local Government Unit of Asuncion, Davao del Norte.

SECTION 5. The Municipality of Asuncion reserves the right at its option to dispose all illegal structures, materials and goods that are confiscated at dumpsites or in any manner most convenient and safe.

SECTION 6. REPEALING CLAUSE – All ordinances, rules, and regulations inconsistent herewith are hereby modified or repealed accordingly.

SECTION 7. EFFECTIVITY – This Ordinance shall take effect immediately upon its approval.

CARRIED UNANIMOUSLY

I hereby certify to the correctness of the foregoing ordinance.


AGRIPINA S. PANDAC
Administrative Assistant/
OIC-SB Secretary

ATTESTED & CERTIFIED TO BE DULY APPROVED:


JOEL M. CAMELLO, MPA
Presiding Officer

Approved:


ATTY. EUFRACIO P. DAYADAY, JR., MPA
Municipal Mayor
Date Signed : January 4, 2021