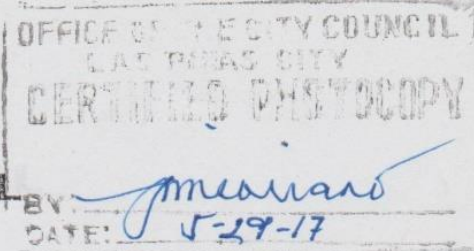




REPUBLIC OF THE PHILIPPINES
City of Las Piñas
OFFICE OF THE CITY COUNCIL



Proposed by the Honorable City Mayor Vergel A. Aguilar and
the Vice Mayor & Presiding Officer, Honorable Luis I. Bustamante

Sponsored By: Honorable Councilors Henry C. Medina, Ruben C. Ramos; Co-Sponsored by Honorable Councilors Rogelio M. Alejandro, Perpetuo F. Camila, Oscar C. Peña, Berlin R. dela Cruz, Francis M. Fabian, Isabelo C. Galtbonton, Eduardo P. Lezarda, Restituto L. Martinez, Reynaldo B. Salvador, Mark Anthony G. Santos, Leonardo I. Suliguin Jr. and Jez G. dela Cruz

CITY ORDINANCE NO. 577 -02
Series of 2002

**AN ORDINANCE CLEARING THE SIDEWALKS, STREETS, AVENUES,
ALLEYS, BRIDGES, PEDESTRIAN OVERPASS, PARKS AND OTHER
PUBLIC PLACES IN LAS PIÑAS CITY OF ALL ILLEGAL STRUCTURES
AND OBSTRUCTIONS.**

WHEREAS, it has been observed that some of the city streets, avenues, alleys, sidewalks, bridges, pedestrian overpass, parks and other public places in Las Piñas are not properly utilized by the road users and the public due to malpractices of some unscrupulous individuals who wantonly utilize these areas for displaying and vending their goods as well as utilizing the same in erecting some structures for commercial and advertising purposes;

WHEREAS, the occupation and use by private individuals of sidewalks and other public places devoted to public use constitute both public nuisances and nuisances *per se*;

WHEREAS, it has been held by the Supreme Court that the use of sidewalk "applies even to cases involving the use or lease of public places under permits or licenses issued by competent authority upon the theory that such holders could not take advantage of their unlawful permits and licenses and claim that the land in question is a part of a public street or a public place devoted to public use hence beyond the commerce of man";

WHEREAS, the Office of the President in its memorandum dated November 6, 1992 directed all Metro Manila Mayors and the Director General of the Philippine National Police (PNP) to strictly enforce traffic laws, remove all street and sidewalk obstructions, including among others, "makeshift stalls, basketball courts, and other illegal structures x x x ..." in order to effect the smooth flow of traffic in Metro Manila";

WHEREAS, due to the perennial traffic problem in the City, it is necessary and urgent to clear all illegal structures/obstructions 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 Las Piñas.

NOW, THEREFORE:

BE IT ORDAINED, AS IT IS HEREBY ORDAINED by the Sangguniang Panlungsod of Las Piñas, in session assembled, as follows:



REPUBLIC OF THE PHILIPPINES
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SECTION 1. The Barangay officials within their respective territorial jurisdiction, jointly assisted by personnel of the City Engineering Office, the Estate Management Development Office (EMDO) and "Task Force Kaayusan", shall clear the sidewalks, streets, avenues, alleys, bridges, pedestrian overpass, parks and other public places within the City of Las Piñas.

SECTION 2. The use of streets, sidewalks, avenues, alleys, bridges, pedestrian overpass, parks and other public places in Las Piñas City for commercial and personal purposes shall be prohibited. The prohibition 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, newspapers, 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 softdrinks 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, tubings, lumber, cement, and the like);
12. House extension or stall/store extension including installation of roofs or awnings;
13. Installation of permanent or 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, pedestrian overpass, parks and other public places shall be confiscated by the city government without prior notice. The same shall be treated as common or ordinary garbage and shall be disposed of as such. The city 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, pedestrian overpass, parks and other public places on a temporary basis for a definite period only shall require a special permit from the City of Las Piñas.

SECTION 5. The City of Las Piñas 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.

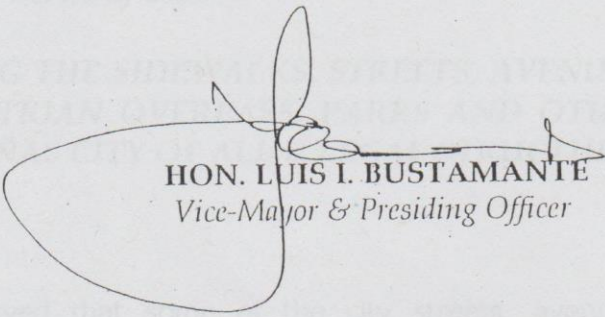
SECTION 6. This Ordinance shall take effect on the eleventh day from the date a copy thereof is posted on the bulletin board at the entrance of the City Hall and in at least two (2) other conspicuous places in the City, and on the day following its publication, whichever occurs later.



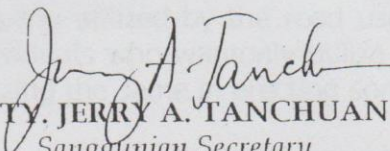
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CITY ORDINANCE NO. 577-02 - AN ORDINANCE CLEARING THE SIDEWALKS, STREETS, AVENUES, ALLEYS, BRIDGES, PEDESTRIAN OVERPASS, PARKS AND OTHER PUBLIC PLACES IN LAS PIÑAS CITY OF ALL ILLEGAL STRUCTURES AND OBSTRUCTIONS.

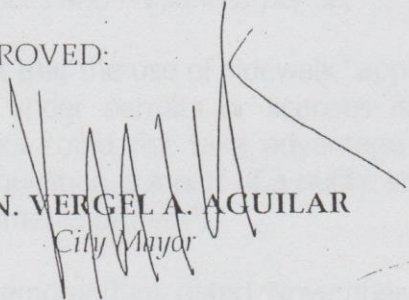
ADOPTED by the Sangguniang Panlungsod at its regular session today, September 11, 2002 in the City of Las Piñas.


HON. LUIS I. BUSTAMANTE
Vice-Major & Presiding Officer

ATTESTED:


ATTY. JERRY A. TANCHUAN
Sanggunian Secretary

APPROVED:


HON. VERGEL A. AGUILAR
City Mayor