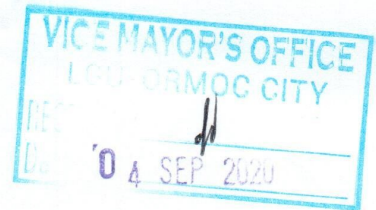


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON SEPTEMBER 01, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Tomas R. Serafica,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Jasper M. Lucero,
Peter M. Rodriguez,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Esteban V. Laurente,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, 1st Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"
2nd Asst. Majority Floor Leader, SP Member

SP Member
SP Member
SP Member
SP Member
SP Member
SP Member

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member, Chapter President,

PREFATORY STATEMENT

WHEREAS, data from the Ormoc City Police Office shows that there were 936 road crash incidents in Ormoc City in 2019 from the period of January to December resulting to 18 deaths and 776 injuries;

WHEREAS, for the period of January to July 2020, the Ormoc City Police Office has recorded 499 road crash incidents resulting to 8 deaths and 211 injuries;

WHEREAS, the Ormoc City Government has adopted several ordinances designed to promote road safety;

WHEREAS, the Ormoc City Government recognizes the need to improve the implementation and enforcement of existing road safety ordinances and to introduce new interventions to further reduce the number of road crash fatalities in Ormoc City;

WHEREAS, the Ormoc City Government, particularly, this Council, recognizes that road safety is a shared responsibility and that those who design and regulate the roads have as much responsibility in preventing road injuries and deaths as those who use the roads;

FOREGOING PREMISES CONSIDERED, on joint motion of SP Member Eusebio Gerardo S. Penserga, Chairman, Committee on Public Safety & Disaster Management and SP Member Gregorio G. Yrastorza III, Chairman, Committee on Justice, Peace & Order, severally seconded by SP Members Roiland H. Villasencio, Tomas R. Serafica and Vincent L. Rama; be it

RESOLVED to Enact:

ORDINANCE NO. 037
(Series of 2020)

AN ORDINANCE ENACTING A ROAD SAFETY CODE OF ORMOC CITY, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND APPROPRIATING FUNDS FOR THIS PURPOSE.

BE IT ORDAINED, by the 15th Sangguniang Panlungsod ng Ormoc in session duly assembled that:

ARTICLE I
GENERAL PROVISIONS

SECTION 1. TITLE. This Ordinance shall be known as "**The Road Safety Code of Ormoc City.**"

SECTION 2. DECLARATION OF PRINCIPLES. It is the policy of this City to ensure the safety of all road users within the territorial jurisdiction of Ormoc City and to promote public health, safety, and convenience. Toward this end, the City Government of Ormoc City adopts the Safe System approach to road safety and recognizes the following principles:

- (a) The five (5) road safety pillars, i.e. (1) Road Safety Management; (2) Safer Roads and Mobility; (3) Safer Vehicles; (4) Safer Road Users; and (5) Post-Crash Response, must be strengthened to ensure that road crashes resulting from common human error do not result in death or serious injury;
- (b) Road safety is a shared responsibility between those who design and regulate the road and those who use the road;
- (c) Road safety is a multi-sectoral public health issue that requires the participation of all sectors, including the private sector and civil society organizations;
- (d) Road safety policies must take into consideration the need to protect vulnerable road users such as pedestrians, bicycle riders, and motorcycle riders; and
- (e) Known effective interventions must be maximized in order to significantly reduce the number of road crash injuries and fatalities in Ormoc City.

SECTION 3. INTERPRETATION. Words and phrases not defined in this Ordinance shall be given their plain or customary meaning, unless the context requires otherwise. All words, phrases, and provisions shall be interpreted in a manner that is consistent with the purpose and spirit of this Ordinance.

SECTION 4. COVERAGE. This Ordinance shall apply to all road users within or passing through Ormoc City, including, but not limited to, users and occupants of motor vehicles, bicycles and other modes of transportation, the drivers and owners thereof, and pedestrians, private individuals, public officers, and public and private entities.

SECTION 5. DEFINITION OF TERMS. As used in this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section:

- a) "**Alcoholic beverage**" shall refer to any drink or liquid that contains alcohol that is capable of use as a beverage, including, but not limited to, distilled spirits wine, beer, and other fermented liquors.

- b) **"AUVs"** shall refer to Asian Utility Vans or vehicles.
- c) **"Blood Alcohol Level" or "BAC"** shall refer to the measure of the amount of alcohol in a person's blood.
- d) **"Blood Alcohol Level Limit" or "BAC Limit"** shall refer to such level of intoxication as established jointly by the Department of Health (DOH), the National Police Commission (NPC), and the Department of Transportation (DOTr).
- e) **"City"** shall refer to Ormoc City created under Republic Act no. 179 entitled, "An Act Creating Ormoc City," as amended.
- f) **"City Council"** shall refer to the Ormoc City Council.
- g) **"City Government"** shall refer to the Ormoc City Government.
- h) **"City streets"** shall refer to roads within the City, roads that connect to the National Roads, and roads that provide inter-barangay connections to major City infrastructure without traversing national roads, within the jurisdiction of Ormoc City, not otherwise designated as national roads, barangay roads, and crowded streets.
- i) **"Crowded streets"** shall refer to streets with heavy pedestrian traffic, including all streets within a five hundred (500)-meter radius of the perimeter of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants, and other public places as may be determined by the City. In case of linear strips of crowded areas, the reckoning point for the five hundred (500)-meter radius shall be the first and the last crowded public place.
- j) **"Dangerous drugs and other similar substances"** shall refer to drugs listed in the schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the schedules annexed to the 1971 Single Convention of Psychotropic Substances as enumerated in its attachment which is an integral part of Republic Act no. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002" and those that the Dangerous Drugs Board, created under the same Act, may reclassify, add to, or remove from the list of dangerous drugs.
- k) **"Designated driver"** shall refer to a person who is designated as the responsible driver of a vehicle, who, by such designation, is required to refrain from consuming alcoholic beverages, in order to safely drive home his/her companions who have consumed alcoholic beverages.
- l) **"Distracted driving"** shall refer to the use of mobile communications or entertainment devices by drivers while driving, whether in motion or temporarily stopped at a red light, including the use of mobile communications devices or electronic entertainment or computing devices, and other similar acts.
- m) **"Driver"** shall refer to any person operating a motor vehicle.
- n) **"Driving under the influence of alcohol"** shall refer to the act of operating a motor vehicle while the driver's BAC level has, after being subjected to a breath analyzer test, reached 0.05% or such level of intoxication as established jointly by the DOH, NPC, and DOTr.
- o) **"Driving under the influence of dangerous drugs and other similar substances"** shall refer to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under Republic Act No. 9165, is found to be positive for use of any dangerous drug.
- p) **"Electric bicycles"** shall refer to a bicycle with an integrated electric motor for propulsion.

- q) **"Electric tricycles"** shall refer to a tricycle with an integrated electric motor for propulsion.
- r) **"Field of view"** shall refer to the forward view directly through the windshield, rear and side views, through the other vehicle windows, as well as the indirect view using the side and rear view mirror provided by the vehicle mirror system.
- s) **"Impoundment"** shall refer to the act of placing a motor vehicle in a designated impoundment or holding lot by an authorized law enforcement officer.
- t) **"Law enforcement officer"** shall, as appropriate, refer to members of the Philippine National Police (PNP), members of the Land Transportation Office (LTO), Ormoc City Police Office , members of the Ormoc City Traffic Enforcement and Management (TEAM) Office, and other public officers, who are deputized by the City Mayor for traffic and road safety enforcement.
- u) **"Lead Agency" or also known as "Lead Road Safety Agency"** shall refer to the department or agency of the Ormoc City Government specified under Article II, Section 6 hereof.
- v) **"Motor vehicle"** shall refer to any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles that run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes. It shall also refer to private cars, private and public utility jeepneys, private and public utility mini-buses, passenger jeepneys, trucks of all kinds, motorcycles, and tricycles, vans, electric motorcycles, electric cars, Transport Network Vehicles, and other modes of transportation as may be determined by the Road Safety Working Council.
- w) **"Mopeds"** shall refer to two (2) or three (3)-wheeled motorized vehicles with pedals, powered by fuel combustion or electricity.
- x) **"Traffic Citation Ticket"** shall refer to the ticket issued by a Law Enforcement Officer upon confiscation of a driver's license due to a violation of this Ordinance or any other City ordinance. The City Citation Ticket shall serve as a temporary driver's license, valid for five (5) days from the date of issuance.
- y) **"Traffic Violation Report"** shall refer to a written notice issued to the registered owner of a motor vehicle who is found to have violated provisions of this Ordinance in accordance with Article VIII, Section 54.2.1.
- z) **"Owner"** shall refer to the person in whose name the motor vehicle is registered, as indicated on the Certificate of Registration issued by the LTO. The president or highest managing officer, in case of corporations and other legal entities, or the highest official, in case of government agencies, shall be considered the owner of motor vehicles registered in the name of legal entities or government agencies. In case of failure to present the Official Receipt or Certificate of Registration of the motor vehicle, the driver shall be presumed to be the owner of the motor vehicle.
- aa) **"Post-harvest activities"** shall refer to activities under Republic Act no. 7607, otherwise known as the "Magna Carta of Small Farmers," including, but not limited to, threshing drying, milling, storing and handling of produce and such other activities as shelling, stripping, winnowing, chipping and washing.
- bb) **"PUVs"** shall refer to public utility vehicles.

- cc) **"Road"** shall refer to any public highway, street, thoroughfare, alley, boulevard, and the like within Ormoc City.
- dd) **"Traffic Regulation"** shall refer to Title Eleven (11) of Ordinance No. 2003-103-A as revised in 2007.
- ee) **"Transport Network Vehicles" or "TNVs"** shall refer to privately owned vehicles accredited by Transport Network Companies licensed by the Land Transportation and Franchising Regulatory Board (LTFRB).
- ff) **"Tricycles-For-Hire"** shall refer to a motor vehicle with LGU issued franchise duly registered with the LTO composed of a motorcycle fitted with a single-wheeled side car or two-wheeled cab, closed van or open cart, operated to render services to the general public for a fee whether powered by gasoline or electricity.

ARTICLE II ROAD SAFETY MANAGEMENT

SECTION 6. LEAD ROAD SAFETY AGENCY. The Traffic Enforcement and Management (TEAM) Office shall be the lead agency in the implementation of this Ordinance and other road safety related activities of Ormoc City.

SECTION 6.1 MANDATE. The Lead Agency is tasked to oversee, enforce, and implement the Ormoc City Road Safety Code and all other initiatives and activities related to or arising from road safety laws, policies, and programs of this City.

SECTION 6.2. FUNCTIONS AND POWERS. The Lead Agency shall have the following functions, in addition to its functions under other ordinances, orders, or policy issuances:

SECTION 6.2.1 ENFORCEMENT.

- a) Enforce this Ordinance, through coordination with local and national agencies and law enforcement officers, through the apprehension of offending persons/motor vehicles, issuance of City Citation Tickets, and the resolution of protests, without prejudice to the authority of the LTO to enforce traffic rules and regulations;
- b) Assign law enforcement officers for the enforcement of this Ordinance;
- c) Coordinate with the LTO on the deputation and training of local law enforcement officers for enforcement of national laws and of this Ordinance;
- d) Coordinate with the PNP, LTO, Ormoc City Police Office, barangay officials, and other deputized law enforcement officers to harmonize deployment and field operations within the City; and
- e) Identify specific location for the installation of road signs as provided in this Ordinance.

SECTION 6.2.2 PLANNING AND COORDINATION.

- a) Convene the Road Safety Working Council once every quarter or as necessary;
- b) Spearhead the development of the Ormoc City Road Safety Action Plan and the review and updating thereof every five (5) years;
- c) Conduct regular planning and coordination meetings with relevant offices and agencies to discuss and coordinate on issues related to road safety;

- d) Act as depository of local laws, rules, and regulations related to road safety, including resolutions adopted by barangays and other local offices or agencies;
- e) Periodically review road safety laws and regulations and submit recommendations to the City Council to improve road safety in the City; and
- f) Conduct capacity-building trainings, seminars, and workshops on road safety;
- g) Coordinate with the LTO for integration with the LTO information technology system in relation to the uploading of information on drivers and owners who fail to settle fines and other penalties under this ordinance. Where integration with the LTO information technology system has not yet been established, the Lead Agency shall submit a quarterly report to the Regional LTO containing the relevant information.

SECTION 6.2.3. Monitoring and Evaluation.

- a) Collect road crash data, including road crash fatalities, injuries, and other relevant information in accordance with Article II, Section 10.1 of this Ordinance and submit such data, annually, to the Mayor and Committee on Public Safety of the City Council;
- b) Monitor the implementation of this Ordinance and the Ormoc City Road Safety Action Plan in coordination with the Road Safety Working Council and submit an annual report to the Mayor and the Committee on Transportation of the City Council;
- c) Conduct periodic evaluations of the impact of this Ordinance and the Ormoc City Road Safety Action Plan on the number of road crashes, road crash injuries and fatalities, and other outcomes as may be determined by the Road Safety Working Council.

SECTION 6.2.4. INFORMATION, EDUCATION, AND COMMUNICATION (IEC) CAMPAIGN AND OTHER TASKS.

- a) Conduct public information, education, and communication campaigns on the enforcement of this Ordinance, the Ormoc City Road Safety Action Plan, and road safety in general, in coordination with the Public Affairs, Information and Assistance Office (PAIAO); and
- b) Perform other tasks as may be assigned by the City Mayor for the purpose of implementing this Ordinance.

SECTION 6.3 CREATION OF BARANGAY TASK FORCE STREETLIGHTS. The Punong Barangay of each barangay shall organize a Barangay Task Force Streetlights that shall regularly monitor and inspect streetlights within its barangay to ensure that the streetlights are functioning properly. The Barangay Task Force Streetlights shall submit an annual report on the status of streetlights within the Barangay to the Lead Agency. The Lead Agency shall be in charge of coordinating with the barangays and the City General Services Office in replacing and/or repairing light bulbs on lamp posts.

SECTION 7. ROAD SAFETY WORKING COUNCIL. The Lead Agency shall convene the Road Safety Working Council within thirty (30) days from the effectivity of this Ordinance and every quarter thereafter.

SECTION 7.1 MANDATE. The Road Safety Working Council shall develop policies, monitor programs and evaluate the implementation of this Ordinance and the Ormoc City Road Safety Action Plan.

SECTION 7.2 COMPOSITION. The Road Safety Working Council shall be composed of the following members:

- a) Local Chief Executive - Chairman;
- b) Chairperson of the Committee on Public Safety of the City Council;
- c) Chairperson of the Committee on Justice, Peace, and Order of the City Council;
- d) City Engineer;
- e) Head of the City Planning and Development Office;
- f) Head of the Disaster Risk Reduction and Management Office;
- g) Head of the Traffic Management Unit of the Ormoc City Police Office;
- h) President of the Liga ng mga Barangay;
- i) Lead Agency as secretariat;
- j) Head of Department of Public Works and Highways; and
- k) Head of Land Transportation Office

The Road Safety Working Council may, when necessary, call on the participation of the following offices in the Road Safety Working Council, with respect to technical matters falling within their jurisdiction and/or areas of expertise:

- a) Public Affairs (Barangay Affairs) Office;
- b) Business Permits and Licensing Office;
- c) City Legal Office;
- d) City Administrator's Office;
- e) City General Services Office; and
- f) City Agriculture's Office.

The Road Safety Working Council may coordinate with other local offices and national government agencies as necessary for the implementation of this Ordinance and the Ormoc City Road Safety Action Plan.

SECTION 7.3. COORDINATION. The Road Safety Working Council shall meet every quarter. Within fifteen (15) days from the effectivity of this Ordinance, all members of the Road Safety Working Council shall submit to the Lead Agency the names of one (1) permanent and two (2) alternate representatives who shall be responsible for participating in all meetings of the Road Safety Working Council on behalf of their department or office. The Lead Agency shall be notified in writing of any changes in the assigned representatives at least ten (10) days prior to the next quarterly meeting.

SECTION 7.4. ROUTE RATIONALIZATION. The Road Safety Working Council shall be responsible for preparing a route rationalization plan to determine the public transportation needs of the city. The route rationalization plan shall be submitted to the Department of Transportation and/or Land Transportation Franchising and Regulatory Board to guide it in granting franchises to public utility vehicles.

SECTION 8. BUDGET. The Lead Agency shall submit an annual budget plan to the City Mayor for inclusion in the annual city budget. The annual budget plan shall specify the equipment, human resources, and other costs that are necessary for the implementation of this Ordinance. The budget allotted for the operations of the Road Safety Working Council shall be included in the Lead Agency's budget plan.

SECTION 9. ORMOC CITY ROAD SAFETY ACTION PLAN.

SECTION 9. 1. CONTENT. Within six (6) months from the effectivity of this Ordinance, the Road Safety Working Council shall develop the Ormoc City Road Safety Action Plan, which shall contain specific details and information on the following:

- a) Vision;
- b) Interim (5-year) targets;
- c) Objectives;
- d) Strategies;
- e) Activities;
- f) Projected outcomes;
- g) Expected outputs;
- h) Responsible office or person; and
- i) Estimated budget.

SECTION 9.2. EVALUATION. The Lead Agency shall submit an annual report to the City Mayor and the City Council on the implementation of this Ordinance and the Ormoc City Road Safety Action Plan.

Every five (5) years, the Road Safety Working Council shall review the impact of the Ormoc City Road Safety Action Plan and update the same, as needed. The Road Safety Working Council shall submit a written report on the outcomes of the Ormoc City Road Safety Action Plan to the City Mayor and the City Council within three (3) months from the end of the five (5)-year period of the Ormoc City Road Safety Action Plan.

SECTION 10. ROAD CRASH DATA COLLECTION.

SECTION 10.1. Data Collection through the Data for Road Incident Visualization Evaluation and Reporting (DRIVER) System. Unless otherwise provided by the DOTr, the Lead Agency shall use the DRIVER System for encoding road crash data. Within fifteen (15) days from the effectivity of this Ordinance, the Lead Agency shall coordinate with the DOTr on the use of the DRIVER System.

The Lead Agency shall assign a specific division within its offices that shall be in charge of collection, monitoring, and analysis of road crash data. The assigned division shall have at least two (2) analysts who shall be granted access to the DRIVER System for purposes of encoding and uploading road crash data.

SECTION 10.2. MINIMUM DATA TO BE COLLECTED. The responding and/or reporting officer shall record the data prescribed by the DOTr for the use of the DRIVER System.

SECTION 11. COORDINATION WITH PROVINCIAL AND NATIONAL GOVERNMENT AGENCIES.

SECTION 11.1. COORDINATION ON ROAD SAFETY AND TRAFFIC POLICIES. The Lead Agency shall align its road safety and traffic policies with the policies, rules, and regulations of the DOTr, LTO, and the PNP-Highway Patrol Group (HPG). The Lead Agency shall ensure that the relevant national government agencies are duly notified of policies in Ormoc City by furnishing them with copies of this Ordinance, the Ormoc City Road Safety Action Plan, other relevant ordinances and/or resolutions, and succeeding issuances.

SECTION 11.2. COORDINATION ON DEPLOYMENT OF LAW ENFORCEMENT OFFICERS. The Lead Agency shall regularly monitor the deployment of law enforcement officers on national roads passing through the City. The Lead Agency shall ensure that the City has an adequate number of law enforcement officers, and that an adequate number of law enforcement officers are deployed in critical areas. For this purpose, the Lead Agency shall regularly secure copies of the deployment schedule and deployment plan of the LTO and PNP-HPG.

SECTION 12. CITIZEN'S REPORTS.

SECTION 12.1. ROAD SAFETY REPORTING SYSTEM. The Lead Agency shall establish and operate a road safety reporting system where citizens may directly file their complaints and/or requests regarding any concern related to road safety, including, but not limited to, the following:

- a) Repair, maintenance, or improvement of city and barangay roads, including the installation of street lights, road signs, and other road furniture;
- b) Road obstructions, road hazards, and other encroachments on roads and sidewalks; or
- c) Any violation of this Code by a private person or entity, or public official tasked with enforcement of this Code.

SECTION 12.2. MINIMUM INFORMATION ON REPORTING FORM. The Lead Agency shall make available in its main office and satellite posts, reporting forms that shall contain the following minimum information:

- a) Name of reporter;
- b) Nature of report, complaint, or request;
- c) Background information about the report, allowing photos or supporting evidence to be attached;
- d) Location; and
- e) Desired outcome of the reporter.

SECTION 12.3. INITIAL REPORT OF ACTION TAKEN. The Lead Agency shall respond to the report filed within fifteen (15) working days from receipt thereof with an initial report of actions taken.

**ARTICLE III
SAFER ROADS AND MOBILITY**

SECTION 13. ROAD INVENTORY AND CLASSIFICATION.

SECTION 13.1. ROAD INVENTORY. The City Engineer's Office shall be responsible for updating the local road inventory every three (3) years or whenever a local road is converted to a national road and vice versa. The City Engineer's Office shall submit annual reports on any conversions or changes made to the road inventory to the Lead Agency.

SECTION 13.2. ROAD CLASSIFICATION. The City Engineer's Office shall be responsible for updating the local road inventory to reflect the accurate classification of roads every time a local road is reclassified. The City Engineer's Office shall report on any conversions or changes made to the road classifications in the road inventory to the Road Safety Working Council.

The classification of roads shall be reviewed every three (3) years.

SECTION 14. ROAD AUDIT. The City Engineer's Office shall, in coordination with the Department of Public Works and Highways (DPWH), conduct a complete road audit of all roads within the City's jurisdiction to identify road hazards and other obstructions, encroachments, the demarcation of sidewalks on local roads and national roads passing through the City, and to ensure that all roads are installed with appropriate road signages and road furniture, in compliance with the DPWH Manual on Highway Safety Design Standards.

Within three (3) months from the effectivity of this Ordinance and every three (3) years thereafter, the City Engineer's Office shall submit a report on the road audit and the recommended action to the Road Safety Working Council.

SECTION 15. ROAD SAFETY IMPACT ASSESSMENT. All new construction projects, road works, and similar activities conducted adjacent to public roads shall be required to undergo a Road Safety Impact Assessment by the City Engineer's Office. Prior to the commencement of any construction activity, roadwork or other similar activities, the project contractor and/or project manager shall submit a certificate of assessment issued by the City Engineer's Office to the Lead Agency. No building permit shall be issued without first complying with the requirement of conducting a Road Safety Impact Assessment.

The Road Safety Impact Assessment shall also include a Road Safety Management Plan to ensure that road safety risks will be minimized or avoided in the conduct of construction activities, road works, and similar activities. The Road Safety Management Plan shall be strictly followed in the performance of the construction activity, roadwork or similar activities. Non-compliance with the approved Road Safety Management Plan shall be cause for suspension of the said construction activity, roadwork or other similar activities.

SECTION 16. ROAD DESIGN, MAINTENANCE, AND IMPROVEMENT.

SECTION 16.1.ROAD DESIGN. New roads shall comply with the design standards prescribed under the latest DPWH Design Guidelines, Criteria and Standards Manual. The City Engineer's Office shall be responsible for ensuring compliance with the DPWH standards.

All local roads shall bear appropriate instructional signages.

SECTION 17. ROAD MAINTENANCE.

SECTION 17.1.MAINTENANCE OF NATIONAL ROADS. The City Engineer's Office shall coordinate with the DPWH for the maintenance and repair of national roads passing through the City. Nothing in this Ordinance shall prevent the City Engineer's Office from conducting urgent and necessary repairs on said national roads, subject to coordination with the DPWH.

SECTION 17.2.MAINTENANCE OF LOCAL ROADS. The City Engineer's Office shall be responsible for the maintenance and repair of city and barangay roads and shall ensure that all such roads are safe.

The Punong Barangay shall coordinate with the City Engineer's Office for the maintenance and repair of barangay roads.

SECTION 18. ROAD IMPROVEMENT.

SECTION 18.1.IMPROVEMENT OF NATIONAL ROADS. The Lead Agency shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on national roads to the City Engineer's Office. The City Engineer's Office shall be responsible for coordinating with the DPWH for the improvement of national roads passing through the City. Nothing in this Ordinance shall prevent the City Engineer's Office from conducting improvement activities and adopting road design measures on such national roads, in coordination with the DPWH.

SECTION 18.2. IMPROVEMENT OF LOCAL ROADS. The Lead Agency shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on local roads to the City Engineer's Office. The City Engineer's Office shall be responsible for implementing said road improvement activities and road design measures. Nothing in this Ordinance shall prevent the City Engineer's Office from conducting road improvement and activities pursuant to its regular functions.

SECTION 19. ROAD SAFETY INFRASTRUCTURE, ROAD SIGNS AND ROAD FURNITURE. The City Engineer's Office shall ensure that all city and barangay roads have necessary road infrastructure, furniture, markings, rumble strips and other traffic-calming devices, and other measures to promote road safety for all types of road users and to prevent speeding or reckless driving.

The City Engineer's Office shall also be responsible for the installation of signages, billboards, painting of sidewalks, pedestrian lanes and similar markings, installation of waiting sheds and other road furniture, and the undertaking of similar road safety measures and in coordination with the barangays.

For national roads passing through the city, the City Engineering Office shall coordinate with the DPWH for the installation of necessary road infrastructure. Nothing in this Ordinance shall prevent the City Engineering Office from installing the necessary infrastructure on such national roads, in coordination with the DPWH and the Provincial Engineer's Office, respectively.

The Lead Agency may recommend the installation or construction of other road infrastructure, furniture, signages, and other measures to the City Engineer's Office, when necessary to improve road safety.

SECTION 19.1. COMPLIANCE WITH DPWH SAFETY DESIGN STANDARDS. All road signs and road furniture must be in accordance with the DPWH Manual on Highway Safety Design Standards and/or other accepted international design standards. The City Engineer's Office shall remove and replace all road signs and road furniture that fail to comply with the DPWH standards. All measures implemented shall comply with policies on "green" or cost-efficient, environment-friendly engineering.

SECTION 19.2. PROHIBITION OF REMOVAL, DEFACEMENT, OR UNAUTHORIZED ALTERATION OR INSTALLATION OF ROAD SIGNS. The removal, defacement, or any unauthorized alteration or installation of road signs is prohibited.

SECTION 20. SUSTAINABLE URBAN PLANNING AND ZONING. The Lead Agency shall render the necessary support to the City Planning and Development Office in implementing zoning regulations. The Lead Agency shall closely coordinate with the City Planning and Development Office to ensure that zoning regulations are in line with road safety policies and will not create road safety risks.

SECTION 21. INCLUSIVE MOBILITY.

SECTION 21.1. PEDESTRIAN LANES.

SECTION 21.1.1. FREQUENCY. Within three (3) months from the effectivity of this Ordinance, the Lead Agency, in coordination with the City Engineer's Office, shall identify all city roads with high pedestrian volume and cause the installation of pedestrian lanes with appropriate signages on said roads. The Lead Agency shall prioritize school zones in installing pedestrian lanes and shall, whenever practicable, install elevated or trapezoidal pedestrian lanes for speed management purposes.

Within the same period, the Punong Barangay of all barangays in Ormoc City shall identify all barangay roads with high pedestrian volume and submit their respective findings and recommendations to the Lead Agency. The recommendations must specify road signages and other road furniture needed to improve the safety of pedestrians on said barangay roads.

Every intersection, school zone, market place, place of worship, government agency or office, and all other places as may be determined by the Lead Agency, shall have pedestrian lanes, crosswalks, or footbridges, as may be deemed necessary by the City Engineer's Office and subject to compliance with the appropriate DPWH standards.

SECTION 21.1.2. RIGHT OF WAY OF PEDESTRIANS. The driver of any motor vehicle shall yield the right of way to a pedestrian crossing within a crosswalk or pedestrian crossing, except at intersections where the movement of traffic is being regulated by a law enforcement officer or by traffic signal.

A driver approaching a pedestrian crossing shall slow down and stop, as necessary, to allow pedestrians to cross within the crosswalk.

SECTION 21.1.3. PROHIBITION ON USING, STRADDLING, OR OBSTRUCTING PEDESTRIAN LANES. A driver shall not permit any portion of his or her vehicle to obstruct any portion of the pedestrian lane. At no time shall any vehicle use, straddle, or obstruct the designated pedestrian lane.

This provision shall apply to all motor vehicles, including motorcycles and electronic bikes.

SECTION 21.2 BICYCLE LANES.

SECTION 21.2.1. INSTALLATION OF BICYCLE LANES. Within three (3) months from the effectivity of this Ordinance, the Lead Agency may, in consultation with the stakeholders, identify priority areas for the installation of bicycle lanes and submit its recommendations to the City Planning and Development Office.

The City Planning and Development Office, in coordination with the Lead Agency and the City Engineer's Office, may cause the installation of bicycle lanes on such roads identified by the Lead Agency and the City Engineer's Office.

Priority shall be given to roads that connect the City center to school zones, places of worship and recreation.

SECTION 21.2.2. MINIMUM REQUIREMENTS OF BICYCLE LANES. The bicycle lanes shall be exclusively dedicated to bicycles, including pedicabs. At the minimum, the bicycle lanes shall be appropriately marked and shall comply with the DPWH Manual on Highway Safety Design Standards.

The Lead Agency, in coordination with the City Engineer's Office, shall install appropriate road signs, barriers, and other safety features to ensure the safety of bicyclists on bicycle lanes, in accordance with the DPWH Manual on Highway Safety Design Standards and/or other accepted international design standards.

SECTION 21.2.3. CONTINUING PROGRAM FOR INSTALLATION OF BICYCLE LANES. The City Engineer's Office shall set and indicate reasonable targets for the number of kilometers of bicycle lanes to be installed every year in the Ormoc City Road Safety Action Plan.

SECTION 21.2.4. PROHIBITION ON USING, STRADDLING OR BLOCKING BICYCLE LANES. No driver shall permit any portion of his or her vehicle to block any portion of the bicycle lane. At no time shall any vehicle use, straddle, or obstruct the designated bicycle lane.

This provision shall apply to all motor vehicles including motorcycles, tricycles and electronic bikes.

SECTION 21.3. ROAD DESIGN AND BETTER TRANSPORT ALTERNATIVES FOR PERSONS WITH DISABILITY AND OTHER GROUPS WITH SPECIAL NEEDS. Within three (3) months from the effectivity of this Ordinance, the City Planning and Development Office, City Engineer's Office, and City Social Welfare and Development Office, in coordination with the Lead Agency, shall submit proposed plans for road design improvements and better transport alternatives that will cater to persons with disability (PWDs) and other groups with special needs, such as pregnant women, senior citizens, and children.

These measures may include the widening of sidewalks to accommodate wheelchairs and the provision of ramps, shuttle services, and other facilities provided under Batas Pambansa Blg. 344 or the Accessibility Law, which will increase the accessibility of establishments and promote the mobility of PWDs and other special need groups.

SECTION 21.3.1. PROHIBITION AGAINST PARKING ON DESIGNATED PARKING SLOTS FOR PERSONS WITH DISABILITY AND OTHER GROUPS WITH SPECIAL NEEDS. It shall be prohibited to park on designated parking slots for PWDs and other groups with special needs.

SECTION 21.4. USE OF SIDEWALKS.

SECTION 21.4.1. PROHIBITION AGAINST USE OF SIDEWALKS BY MOTOR VEHICLES. Sidewalks shall be for the exclusive use of pedestrians. It shall be prohibited for motor vehicles to traverse sidewalks or use the same for any other purpose, including parking.

SECTION 21.4.2. PROHIBITION AGAINST BLOCKING OF SIDEWALK FOR PARKING OR OTHER PURPOSES. Blocking or obstructing any portion of a sidewalk is prohibited. Placing goods or items on the sidewalk, parking vehicles in a manner that obstructs the sidewalk, and sleeping or squatting thereon is likewise prohibited.

SECTION 21.4.3. SIDEWALK-CLEARING OPERATIONS. The Lead Agency shall regularly conduct sidewalk-clearing operations. Any obstructions on sidewalks that are not otherwise authorized by the proper authorities shall be removed immediately, without prejudice to applicable penalties. Within fifteen (15) days from the effectivity of this ordinance, building and establishment owners shall remove any object or installation, including, but not limited to, parking facilities, painted parking slots, delineators, and/or tire guards that encroaches on or obstructs sidewalks. Encroaching objects or materials not removed by the building or establishment owner shall be removed by the Lead Agency, and shall subject them to fines and other appropriate penalties.

SECTION 21.4.4. TEMPORARY SIDEWALKS. The Lead Agency shall designate temporary sidewalks in the event of obstruction of sidewalks due to authorized road improvement or construction activities. The temporary sidewalks shall be properly marked.

SECTION 21.5. INCLUSIVE MOBILITY. Within three (3) months from the effectivity of this Ordinance, the Lead Agency, in coordination with the City Engineer's Office, shall submit the proposed number and location of additional pedestrian lanes, bicycle lanes, and other road improvements for PWDs and other groups with special needs.

SECTION 22. ROAD-CLEARING OPERATIONS. The Lead Agency shall regularly conduct road-clearing operations to remove objects or materials that obstruct the free flow of vehicular traffic and pedestrian passage.

All building and establishment owners shall be responsible for the removal of any object or installation including, but not limited to, parking facilities, painted parking slots, delineators, and/or tire guards that encroach on already established concreted public roads. Encroaching objects or materials not removed by the building or establishment owner shall be removed by the Lead Agency, and shall subject them to fines and other appropriate penalties.

SECTION 22.1. PROHIBITION AGAINST THE USE OF ROADS FOR POST-HARVEST ACTIVITIES. The drying of palay and other farm produce along national and local roads shall be prohibited. Post-harvest activities shall be conducted in the manner prescribed under RA 7607.

SECTION 23. TRAFFIC LIGHTS. The Lead Agency shall be responsible for the management of all traffic lights, controls or signals on public roads, whether installed by the City Government or private entities.

The operation of traffic lights installed by private entities on public roads shall be coordinated with the Lead Agency.

No person shall, without authority from the Lead Agency, install, alter, remove, or control any traffic control sign or traffic light on any public road.

SECTION 24. CAPACITY BUILDING AND KNOWLEDGE TRANSFER. The Lead Agency, working jointly with the City Engineer's Office, with the support of the DPWH and other agencies or institutions, shall organize regular capacity building trainings and workshops on road safety for its personnel and other stakeholders. Priority shall be given to the following themes:

- a) Safer road design;
- b) Safe infrastructure design;
- c) Low-cost safety engineering;
- d) Traffic impact assessment;
- e) Safety impact assessment;
- f) Safety auditing; and
- g) Themes as may be determined by the Road Safety Working Council.

ARTICLE IV SAFER VEHICLES

SECTION 25. TRICYCLE REGULATION BOARD. A Tricycle Regulation Board (TRB) be created under the Lead Road Safety Agency. The Tricycle Regulation Board shall be composed of the following members:

- a. City Legal Officer;
- b. Head, Traffic Management Unit of Ormoc City Police Office;
- c. Head, Business Permits and Licensing Office;
- d. Representative, Private Sector; and
- e. TEAM Office as secretariat.

The City Mayor may increase the members of the Tricycle Regulation Board at his discretion. The Tricycle Regulation Board shall be tasked to (i) set and review minimum vehicle safety standards for tricycles applying for franchises in Ormoc City; (ii) recommend policies to the City Council to promote the safety of tricycle riders; and (iii) perform other functions and tasks assigned by the Lead Agency.

The Tricycle Regulation Board shall issue the minimum vehicle safety standards for tricycles within six (6) months from its creation.

SECTION 26. MINIMUM VEHICLE SAFETY STANDARDS FOR TRICYCLES.

SECTION 26.1. TRICYCLE DESIGN STANDARDS. All tricycles plying routes within Ormoc City, including government-owned tricycles and utility tricycles shall comply with the design standards, standard measurement, roadworthiness guidelines, and other franchising and licensing requirements set by the City Government, through the Tricycle Regulation Board, under relevant issuances. At the minimum, tricycles shall comply with the following requirements:

- a) Motorcycle with a minimum engine capacity of 150cc;
- b) Functioning headlights, tail lights, and front and back signal lights;
- c) Functioning horn;
- d) Sidecar with reflectorized paint/stickers for visibility as required by the TRB; and
- e) Required markings indicating whether the tricycle is "for hire" and its maximum passenger capacity ("max. 6 persons only").

Failure to comply with the minimum standards within the term of the franchise shall constitute a ground for suspension or revocation of the franchise and impoundment of the vehicle pursuant to Article VII, section 48 of this Ordinance.

SECTION 26.2. PROHIBITION ON USE OF TRICYCLES WITHOUT A FRANCHISE. All tricycles-for-hire in Ormoc City shall be required to obtain a franchise from the City Government, through the Tricycle Regulation Board and City Franchising Office, and shall be governed by the rules and regulations of this Ordinance and other relevant issuances of the City Government. Tricycles shall only be allowed (a) for transporting passengers for a fee; (b) for transporting goods for a fee (c) for service vehicles of the City Government. The use of tricycles other than those mentioned in this section, and without the proper franchise issued by the City Government shall be prohibited.

SECTION 26.3. NUMBER OF PASSENGERS ALLOWED ON TRICYCLES. The Tricycle Regulation Board shall determine the maximum number of passengers for tricycles. Unless otherwise provided in the franchise of the tricycle, all tricycles shall only be permitted to carry a maximum of six (6) passengers excluding the driver.

Provided that, the Tricycle Regulation Board may permit a higher number of passengers for tricycles using motorcycles with a four (4)-stroke engine with more than 500 cc engine capacity.

Only two (2) passengers shall be allowed to sit beside the driver, provided that, a protective guard and adequate handles are installed for said passenger seated beside the driver.

This limitation shall not apply to electronic tricycles and other models of tricycles designed by the manufacturer to carry more than six (6) passengers, including the driver. In such cases, the owner of the tricycle shall present a manufacturer's manual or certificate indicating the load capacity of the tricycle to the law enforcement officer. Such load capacity shall be clearly stated in the franchise of the said tricycle.

For tricycles with motorcycles with an engine capacity of more than 500cc or more than two cylinders, the Lead Agency shall determine the appropriate number of passengers based on the load limit of the vehicle and its engine.

SECTION 26.4. LIMITATION ON ROUTE. The Tricycle Regulation Board shall determine the route of all tricycles in the City and indicate the same in the Franchise. All tricycles shall be required to post a photocopy of its Franchise inside the tricycle.

In addition to limitations on the route of tricycles under relevant issuances, tricycles, regardless of engine capacity, shall be prohibited from plying any road with a designated or an allowable speed limit higher than 40 kilometers per hour (kph), except in the following instances:

- a) When the tricycle has been permitted under an existing franchise or permit to ply a road with a speed limit higher than 40 kph;
- b) On designated intersections, solely for the purpose of crossing;
- c) When an intersection has been blocked for purposes of traffic management and replaced by a u-turn, solely for the purpose of crossing and only if permitted under the tricycle's franchise; and
- d) When the tricycle is *en route* to its garage, provided that it is not carrying any passenger.

Provided that, tricycles that are permitted to ply national roads under its franchise shall be required at all times to traverse the right most lane of the road that is not dedicated as a bicycle lane, and shall at all times be prohibited from overtaking or counterflowing. Failure to observe this provision shall constitute a violation of this section.

SECTION 26.5. THREE (3)-STRIKE RULE. The franchise owner of tricycles-for-hire who are found to have committed any of the following violations at least three (3) times shall immediately, after due process, be revoked and shall not be renewed:

- a) Failure to comply with the minimum vehicle safety standards under Article IV, Section 26 this Ordinance and other related ordinances of Ormoc City; and
- b) Violations under Article V of this Ordinance.

The franchise or permit of a franchisee whose tricycle is found, by final judgment, to have caused a road crash resulting in serious injuries and/or death shall likewise be revoked and shall be permanently disqualified for renewal. The operation of said franchise may be suspended by the Sanggunian while the case is still pending upon recommendation of the Lead Agency. Said recommendation must state the facts and the result of the investigation.

In such case, the franchisee must be barred from applying for a new franchise.

SECTION 27. MINIMUM VEHICLE SAFETY STANDARDS FOR VEHICLES PASSING THROUGH ORMOC CITY. All vehicles, including bicycles, electric bicycles, and All Terrain Vehicles (ATVs) passing through Ormoc City shall be required to comply with the minimum vehicle standards prescribed by the LTO. In addition, motor vehicles passing through the City must have:

- a) Functioning headlights, tail lights, and signal lights in compliance with LTO standards;
- b) Headlights turned on from 6:00 p.m. to 6:00 a.m., as well as when traversing tunnels, or when necessary due to the weather or other forces of nature; and
- c) Functioning wipers on the windshield, where applicable.

SECTION 28. VEHICLE REQUIREMENTS FOR TRANSPORTING GOODS. In transporting goods, the vehicle must be equipped with the necessary facilities to secure its cargo and to ensure that the said cargo will not fall or be dislodged while in transit.

In transporting hazardous goods and other materials, the vehicle must be equipped with the necessary facilities to secure the cargo and prevent any untoward consequences the transportation of the same may entail, including consequences due to the nature of the hazardous object.

The owner and/or driver of the vehicle shall be responsible for removing fallen cargo from the road to avoid creating a road hazard.

SECTION 29. MINIMUM VEHICLE SAFETY STANDARDS FOR ANIMAL-DRAWN CARRIAGES.

SECTION 29.1. MINIMUM DESIGN STANDARDS FOR ANIMAL-DRAWN CARRIAGES. All animal-drawn carriages (*calesas*) carrying passenger and cargoes for a fee shall secure a permit from Business Permits and Licensing Office (BPLO).

All animal-drawn carriages (*calesas*) and similar vehicles, shall comply with the following minimum requirements:

- a) The carriage attached to the animal shall be well-lit from 6:00 p.m. to 6:00 a.m., as well as when traversing tunnels, or as required by the weather; and
- b) The carriage, including the parts connected to the animal, shall have appropriate reflectorized stickers to ensure night visibility.

SECTION 29.2. LIMITATIONS ON ROUTE. Animal-drawn carriages shall be prohibited from plying national roads and any road with a speed limit higher than thirty (30) kilometers per hour (kph), except in the following instances:

- a) When the animal-drawn carriages has been permitted under an existing permit to ply a road with a speed limit higher than 30 kph;
- b) On designated intersections, solely for the purpose of crossing;
- c) When an intersection has been blocked for purposes of traffic management and replaced by a u-turn, solely for the purpose of crossing and only if permitted under the permit for the animal-drawn carriage; and
- d) When the animal-drawn carriages is *en route* to its garage, provided that it is not carrying any passenger.

Provided *that*, animal-drawn carriages that are permitted to ply national roads under a particular permit shall be required at all times to traverse the right most lane of the road that is not dedicated as a bicycle lane, and shall at all times be prohibited from overtaking or counterflowing. Failure to observe this provision shall constitute a violation of this section.

ARTICLE V SAFER ROAD USERS

SECTION 30. SPEEDING.

SECTION 30.1. WHAT CONSTITUTES SPEEDING. Any of the following acts constitute speeding and are penalized under this Ordinance:

- a) Driving a motor vehicle on any road in this City at a rate of speed greater than that permitted by this Ordinance.
- b) Driving a motor vehicle on any road in this City at a speed that is not appropriate for the width, traffic, grades, crossing, curvatures, visibility, or other condition of the road, as to endanger the safety of road users and their property.
- c) Driving a motor vehicle on any road in this City at a speed greater than that which will permit the vehicle to stop within the assured clear distance ahead, in order to prevent a road crash.

SECTION 30.2.DEFAULT SPEED LIMITS. Subject to Section 30.4 and unless otherwise provided herein, the speed limit for all city roads within Ormoc City shall be 30 kph for all motor vehicles. The speed limit for all barangay roads or collector roads shall be 20 kph.

SECTION 30.3.CROWDED STREETS. Based on the actual road condition and the road user mix, barangays may recommend to the Lead Agency the setting and enforcement of safer speed limits for barangay roads and crowded streets within their jurisdiction when necessary.

Within thirty (30) days from effectivity of this Ordinance, barangays shall submit a list of crowded streets to the Lead Agency. The Lead Agency shall review and submit said list to the City Council with recommendations on the enactment of an ordinance imposing a speed limit of 20 kph on such roads.

SECTION 30.4. SPEED LIMITS FOR SPECIFIC ROADS. The following speed limits shall apply to the roads and motor vehicles identified below and other similar motor vehicles:

Road Classification [Open/ Through/City/ Barangay/ Crowded Street]	Roads covered	Cars / Motorcycles and similar motor vehicles	Trucks / Buses /Tricycles and similar motor vehicles
	Agua Dulce Street	30 kph	30 kph
	Arradaza Street	20 kph	20 kph
	Aviles Street	30 kph	30 kph
	Bonifacio Street	20 kph	20 kph
	C. Mendola Street	20 kph	20 kph
	Carlos Tan Street	20 kph	20 kph
	Cataag Street	20 kph	20 kph
	Bantigue-Can- adieng Road	40 kph	30 kph
	Bantigue-San Pablo Diversion Road	40 kph	30 kph
	Dayhagan-Libertad Diversion Road	40 kph	30 kph
	Ebony Street	20 kph	20 kph
	Hermosilla Drive	30 kph	30 kph
	J. Navarro Street	20 kph	20 kph
	Kangleon Street	20 kph	20 kph
	Lanete Street	20 kph	20 kph
	Lilia Avenue	30 kph	30 kph
	Lopez Jaena Street	20 kph	20 kph
	Luna-Dolores- Milagro Road	40 kph	40 kph
	Mabini Street	20 kph	20 kph
	Ormoc-Naungan Road	30 kph	30 kph
	Ormoc-Cadre By- Pass (Camp Downes)	40 kph	30 kph

Road Classification [Open/ Through/City/ Barangay/ Crowded Street]	Roads covered	Cars / Motorcycles and similar motor vehicles	Trucks / Buses /Tricycles and similar motor vehicles
	Ormoc- Liberty Road	30 kph	30 kph
	Osmena Street	20 kph	20 kph
	San Juan-Cogon Road	40 kph	30 kph
	Real Street	30 kph	30 kph
	Rizal Street	20 kph	20 kph
	San Joaquin Street	20 kph	20 kph
	San Nicolas Street	20 kph	20 kph
	San Pablo Street	20 kph	20 kph
	San Pedro Street	20 kph	20 kph
	San Vidal Street	20 kph	20 kph
	Solidor Street	20 kph	20 kph

SECTION 30.5. EXCEPTIONS. The speed limits prescribed above shall not apply to drivers in the following circumstances but not limited to, provided that these exceptions shall not be construed to allow unnecessary fast driving or to endanger the life, health, or property of any person:

- a) The driver of a motor vehicle carrying a physician or health worker who is responding to an emergency call;
- b) The driver of a hospital ambulance or emergency vehicle on the way to and from the location of a road crash or other emergency;
- c) Any driver bringing a wounded, injured, or sick person for emergency treatment to a hospital, clinic, or any other similar place;
- d) The driver of a motor vehicle belonging to the Armed Forces, while in use for official purposes in times of riot, insurrection, or invasion;
- e) The driver of a motor vehicle when he/she is in pursuit of a criminal;
- f) A law enforcement officer who is trying to apprehend a person in violation of traffic laws;
- g) The driver operating a motor vehicle of a fire department, while responding to an emergency.

SECTION 30.6. INSTALLATION OF SPEED LIMIT SIGNS. The Lead Agency shall install appropriate speed limit signs on roads within the City as set under Section 30.4 hereof.

For purposes of enforcement, the default speed limit of 30 kph shall apply on roads without speed limit signs.

For National Roads, the Lead Agency shall coordinate with the DPWH Regional Office on the installation of appropriate speed limit signs. The speed limit signs shall conform to the standards prescribed by the DPWH Manual on Highway Safety Design Standards.

Within three (3) months from the effectivity of this Ordinance, the Lead Agency shall identify priority roads for the installation of speed limit signs.

SECTION 30.7 INFORMATION DISSEMINATION ON APPLICABLE SPEED LIMITS. The Lead Agency shall ensure that information dissemination on applicable speed limits on roads within Ormoc City is conducted.

SECTION 30.8. PROHIBITION AGAINST DRAG RACING/SPEED CONTESTS. It shall be unlawful for any person to engage in, or to aid any motor vehicle, including tricycles and motorcycles, drag racing/speed contests or exhibition of speed, on any public or private street upon which City has been authorized to impose traffic regulations, except as permitted by special ordinance of the Sangguniang Panlungsod.

Motor vehicles used in unlawful drag racing/speed contests shall be immediately impounded and shall not be released until proof of payment of fines and service of the penalty is presented.

SECTION 31. DRINK- AND DRUG-DRIVING.

SECTION 31.1. DRINK-DRIVING. It shall be prohibited for any person to drive a motor vehicle while under the influence of alcohol.

SECTION 31.2. DRUG-DRIVING. It shall be prohibited for any person to drive a motor vehicle while under the influence of dangerous drugs and other similar substances.

A driver is presumed to be driving under the influence of dangerous drugs and other similar substances if it is reasonably apparent based on his/her gestures or behavior that his/her motor and mental faculties are impaired due to the ingestion or intake of incapacitating substances as those prohibited by law, such that he/she exposes himself/herself or other persons to the risk of a crash.

SECTION 31.3. RANDOM BREATH AND DRUG TESTING IN TERMINALS. The Lead Agency shall conduct random breath testing and drug testing with an accredited drug testing facility personnel, in tricycle, jeepney, taxi, AUV and bus terminals.

SECTION 31.3.1. ACTION BY OPERATOR ON DRIVERS. The operator of jeepney, taxi, AUV and bus terminals shall immediately suspend any driver who fails the random breath and/or drug testing from driving any public utility vehicle from its terminal.

Drivers who test positive for use of drugs shall be prohibited from driving any public utility vehicle, until such time that he/she completes rehabilitation, as certified by a DOH-accredited treatment and rehabilitation center or DOH-accredited physician in charge of his/her treatment, in accordance with Republic Act no. 9165 otherwise known as, the "Comprehensive Dangerous Drugs Act of 2002," without prejudice to disciplinary penalties which the operator may impose in accordance with its rules and regulations.

Drivers that exceed the established BAC after a breath test shall be suspended for the day, without prejudice to disciplinary penalties that the operator may impose in accordance with its rules and regulations.

The Lead Agency shall recommend the suspension or revocation of franchise of jeepney, taxi, AUV, and bus operators who fail to impose the corresponding penalties on their drivers to the LTRB.

SECTION 31.3.2. CLOSURE OF PRIVATE TERMINAL. Terminals found to have drivers that exceed the BAC or that test positive for the use of drugs shall be immediately ordered closed, until the erring driver/s are suspended in accordance with Section 31.3.1.

When, upon a random test, a terminal is found to have drivers that exceed the BAC or that test positive for the use of drugs a second time, the permit of the terminal shall be suspended and the terminal shall be ordered closed for three (3) months. On the third offense, the terminal's permit shall be revoked.

SECTION 31.3.3. PENALTIES FOR TRICYCLES. When, upon a random test, a tricycle driver is found to exceed the BAC, the franchise of the tricycle shall be suspended for one (1) month. On the second offense, the franchise of the tricycle shall be suspended for three (3) months. On the third offense, the franchise of the tricycle shall be revoked.

In case the tricycle driver tests positive for the use of drugs, the franchise of the tricycle shall be immediately revoked and without the possibility of being renewed.

SECTION 31.4. RANDOM SOBRIETY CHECKPOINTS. The Lead Agency shall organize random sobriety checkpoints within the City. Random sobriety checkpoints shall have appropriate signages to inform the public that random sobriety checks are being conducted. In the event that a driver's BAC level, after being subjected to a breath analyzer test, exceeds the established BAC limit, the driver shall be assisted in parking at a nearby designated parking area and shall be prohibited from driving until such time that he/she is able to comply with the allowed BAC. If the driver refuses to comply, he/she shall be apprehended for violation of this Ordinance.

Random sobriety checks shall be recorded using video cameras, body cameras or mobile phone cameras. Law enforcement officers conducting random sobriety checks shall be provided with a deployment order for such purpose, indicating the protocols for the selection of vehicles, and shall have an identification card with 2x2 photograph.

SECTION 31.5. RESPONSIBLE BEVERAGE SERVICE PROGRAMS AND DESIGNATED DRIVER PROGRAM. All establishments selling liquor within Ormoc City shall be required to adopt a responsible beverage service program. Establishments may adopt any of the following programs or submit, for approval of the Business Permits and Licensing Office (BPLO), any form of responsible beverage service program:

- a) Implementation of a designated driver program (e.g. providing a list of alternative transportation or ride service programs to customers, or offering discounts for non-alcoholic drinks to designated drivers);
- b) Providing server training courses on identifying intoxication and preventing intoxicated patrons from further drinking and driving;
- c) Limiting discounts for cheap drinks and other promotions, including during designated "happy hours";
- d) Posting signs or notices within the commercial establishment notifying patrons that the bar reserves the right to refuse service to visibly intoxicated persons; or
- e) Posting other information, education and communication campaign materials on drink-driving within the commercial establishment.

Applicants for business licenses whose line of business includes the selling of liquors within Ormoc City shall be required to submit a sworn affidavit describing the Responsible Beverage Service Program of the commercial establishment as a condition for the issuance or renewal of the liquor license.

It shall be strictly prohibited for holders of business permit to use or allow the use of responsible beverage service programs for advertising of alcohol products or to involve any member of the alcohol industry in the program through sponsorship, partnership, or endorsement.

SECTION 32. MANDATORY USE OF PROTECTIVE HELMETS. All drivers and passengers of motorcycles, scooters, electric bicycles, or mopeds shall wear standard protective helmets. It shall be prohibited to drive or allow one's passenger to ride said vehicles without wearing a properly fastened standard protective helmet, as defined in this section.

Barangays, private subdivisions, and commercial establishments within the City are prohibited from issuing rules or regulations that prohibit the use of protective helmets except during security inspections.

SECTION 32.1. STANDARD HELMETS AND PROPER USE THEREOF.
Helmets shall comply with the standard approved by the Department of Trade and Industry and must bear an Import Commodity Clearance (ICC) sticker or Philippine Standard (PS) mark. Protective helmets shall comply with PNS/UN ECE 22:2007 and its evolving standards. It shall be properly fastened under the rider's chin, strapped with its chin strap and chin cup. Failure to properly fasten the helmet shall be considered a violation of this Ordinance.

SECTION 33. CHILDREN'S SAFETY ABOARD MOTOR VEHICLES.

SECTION 33.1. CHILDREN'S SAFETY ABOARD MOTORCYCLES.

SECTION 33.1.1. APPROPRIATELY-SIZED HELMETS.
Children aboard motorcycles shall wear appropriately-sized and standard protective helmets. For purposes of this section, a "child" shall be defined as children aged 0-12.

SECTION 33.1.2. PROHIBITION. Children shall not be allowed to ride motorcycles on any road within Ormoc City unless the following conditions are present:

- a) The child's feet must be able to comfortably reach the footrest of the motorcycle;
- b) The arms of the child can reach around and grasp the waist of the motorcycle driver;
- c) The child is mentally capable to appreciate the need to hold on to the rider; and
- d) Only one (1) child is riding the motorcycle.

SECTION 33.2. CHILDREN'S SAFETY ABOARD PASSENGER VEHICLES.

SECTION 33.2.1. PROHIBITION OF CHILDREN IN FRONT SEATS OF PRIVATE VEHICLES, PUVS, AND TNVS. No child shall be allowed to sit in the front seats of private vehicles, public utility vehicles such as jeepneys, buses, Tricycles-for-hire, AUVs, and TNVs. For purposes of this section, a "child" shall be defined as children aged 0-12.

SECTION 34. MOTORCYCLE OVERLOADING.

SECTION 34.1. LIMIT ON THE NUMBER OF PASSENGERS OF MOTORCYCLES. Motorcycle drivers are prohibited from carrying another person on the motorcycle backseat unless the motorcycle is designed to carry more than two (2) persons. A motorcycle carrying more than one (1) person shall be considered overloaded in the event that the driver fails to show proof, such as a manufacturer's manual, that the motorcycle was designed to carry more than two (2) persons.

SECTION 34.2.LIMIT ON MOTORCYCLE CARGO. Any cargo being transported using a motorcycle shall be secured firmly and should not cause the motorcycle to be unstable. Load dimensions should not go beyond one (1) meter from the center of the motorcycle side to side or not more than the motor handle bar and should not be higher than the helmet of the rider, *provided that*, a cargo that exceeds the height of the driver may be carried on a motorcycle if the same is designed to be carried by the driver, and is strapped securely to the driver.

SECTION 35. MANDATORY SEATBELT USE FOR DRIVERS AND PASSENGERS. The driver and front seat passengers of a public or private motor vehicle are required to wear or use their seat belt devices while inside a vehicle with running engine on any road or thoroughfare; *Provided, that*, for private vehicles, except for jeeps, jeepneys, vans, buses and such other private vehicles as may be determined in the Implementing Rules and Regulations of Republic Act No. 8750, otherwise known as, the "Seat Belts Use Act of 1999," front and back seat passengers are likewise required to use their seat belt devices at all times.

In the case of public motor vehicles, the driver shall be required to immediately inform and require the front seat passengers upon boarding a vehicle of running engine to wear the prescribed seat belts. Any passenger who refuses to wear seat belts shall not be allowed to continue riding the vehicle.

For special public service vehicles such as school services and other similar vehicles, seat belt devices should be provided and used by both drivers and front seat passengers and the first row passengers immediately behind the driver at all times while inside a vehicle with running engine.

For jeepneys, the driver and front seat passenger shall be required, at the minimum, to use a pelvic restraint or lap belt installed in the vehicle.

SECTION 36. ANTI-DISTRACTED DRIVING.

SECTION 36.1.PROHIBITION ON USE OF MOBILE DEVICES WHILE DRIVING. Drivers are prohibited from using mobile communications or entertainment devices while driving, whether in motion or temporarily stopped at a red light;

Provided, that, the hands-free use of mobile communications devices and other navigation devices for communication and navigation shall be permitted; *Provided, further, that*, the placement of the mobile communications device or the hands-free device does not interfere with the field of view of the driver; *Provided, further, that*, answering of phone calls and setting-up of the navigation device shall only be allowed when the vehicle is not in motion, and is parked at an area appropriate for parking.

SECTION 36.1.1. PROHIBITION ON STUDENT PERMIT HOLDERS' USE OF HANDS-FREE DEVICES. Student drivers or student permit holders are prohibited from using mobile communication or entertainment devices for any purpose while driving, including, but not limited to, hands-free devices for communication or navigation.

SECTION 36.1.2. EXCEPTIONS. The provisions of this Section shall not apply in the following instances:

- a) Using a mobile phone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services, agency or entity, *provided that* the vehicle is not in motion; and
- b) Using a mobile phone while operating an emergency vehicle such as an ambulance, a fire truck, and other vehicles providing emergency assistance, in the course and scope of his or her duties.

SECTION 36.2. PROHIBITION ON OBSTRUCTION OF THE DRIVER'S FIELD OF VIEW. The driver's field of view shall, at all times, remain unobstructed. No item or object shall be placed on the front windshield or on the dashboard, in such a manner as to obstruct the driver's field of view.

SECTION 37. PEDESTRIAN SAFETY.

SECTION 37.1. DUTIES OF PEDESTRIANS. Pedestrians have the following duties under the City Traffic Code:

- a) When on a footway, marked cross-walk, or pedestrian crossing, to keep as close as practicable to the right side of the footway;
- b) When crossing a thoroughfare at an intersection, to keep right of the pedestrian crossing in the opposite direction;
- c) When crossing a thoroughfare or portion of a thoroughfare, to do so promptly by shortest and most direct route to the thoroughfare boundary as may be practicable.

SECTION 37.2. RESTRICTIONS ON PEDESTRIANS. Pedestrians are prohibited from doing the following acts, which shall constitute the offense of jaywalking:

- a) Standing on any portion of the road while waiting to board a vehicle;
- b) Proceeding from a footway toward a vehicle that has not fully stopped for the purpose of boarding it;
- c) Alighting from or boarding a moving vehicle;
- d) Alighting from or boarding a vehicle at an area where loading and unloading is prohibited;
- e) Remaining on a pedestrian crossing or marked cross-walk longer than is necessary for the purpose of passing through the thoroughfare with reasonable dispatch;
- f) Loitering on a footway or sidewalk so as to inconvenience, obstruct, hinder, or prevent the free passage of any other pedestrian;
- g) Using mobile communications or entertainment devices while crossing any street or road.

SECTION 38. GENERAL DRIVING RULES.

SECTION 38.1.OVERTAKING. When overtaking a moving vehicle, the driver shall turn on the appropriate signal light and safely pass to the left of that vehicle. He/she shall not switch lanes or drive in front of the moving vehicle until his/her vehicle is safely clear; *Provided, that,* where a thoroughfare has two or more marked lanes, a vehicle may overtake and pass to the right of a moving vehicle, if traffic conditions permit him/her to do so safely.

The driver of a vehicle being overtaken shall not increase the speed of his/her vehicle until it has been completely passed by the overtaking vehicle and shall yield in favor of the latter.

SECTION 38.2. GIVING WAY AT INTERSECTIONS. A driver approaching or passing through an intersection shall exercise special care and, where appropriate, shall drive at a reduced speed. Except where traffic control signals are in place, the driver of a vehicle that is approaching an intersection shall give way to the vehicle that entered the intersection first; *Provided, that,* where the two vehicles entered the intersection at the same time, the vehicle on the left shall give way.

SECTION 38.3. GIVING WAY IN ROTUNDAS. In a roundabout or rotunda, the first vehicle to enter takes precedence over a vehicle approaching or about to enter the rotunda.

Within the rotunda, drivers must give way to vehicles intending to leave the nearest exit point.

SECTION 38.4. PROHIBITION AGAINST COUNTERFLOWING. No driver shall be allowed to drive his/her vehicle in the direction opposite to the flow of traffic that he/she is traversing at any time and for any purpose, unless he/she is expressly authorized by a law enforcement officer.

SECTION 38.5. PARKING NEAR CURVES. No person shall park or leave a vehicle unattended on or near a crest, corner or curve of the road.

SECTION 38.6. PROHIBITION AGAINST BLOCKING THE YELLOW TRAFFIC BOX. No driver shall allow his vehicle to straddle or block the yellow traffic box at any time. Any vehicle straddling or blocking the yellow traffic box shall suffer the next higher penalty provided under Article VII, Section 47 hereof.

**ARTICLE VI
POST-CRASH CARE**

SECTION 39. EMERGENCY RESPONSE. The Ormoc City Government shall establish and maintain an emergency hotline and radio communication system to receive calls and transmissions seeking emergency response. The City Emergency Operation Center under CDRRMO shall be responsible for receiving calls and radio transmissions, and dispatching emergency responders to sites of emergency and coordinating with hospitals, barangays, and the Lead Agency for the purpose of responding to the emergency.

SECTION 39.1. PROCEDURE FOR DISPATCHING EMERGENCY RESPONDERS. The procedure for dispatching emergency responders shall be as follows:

a) A call or radio transmission made to the City DRPMO shall be received by a trained call-taker who is responsible to document and record all vital information regarding the emergency, such as, but not limited to, the following:

- I. Type of emergency;
- II. Information on the victim/s and person/s involved;
- III. Type of injury, if any, and the severity;
- IV. Address;
- V. Telephone number;
- VI. First aid provided, if any;
- VII. Contact information of caller, with consent.

b) The call-taker shall immediately endorse the call to the nearest emergency responder, such as the barangay emergency response team.

c) The emergency responders shall confirm their capacity and availability to respond. Should they be unavailable, the call-taker shall endorse the matter to the CDRRMO.

d) The call-taker and the relevant office or department shall dispatch the emergency responders.

e) The call-taker shall alert and coordinate with the relevant local offices or departments of the emergency who have stationed officers at the CDRRMO center (e.g. Lead Agency/PNP/volunteer organizations providing emergency services, etc.).

f) The call-taker and relevant office or department shall closely monitor the status of the emergency responders.

g) The call-taker shall record the incident.

SECTION 39.2. BARANGAY EMERGENCY RESPONSE TEAMS. All barangays shall have a barangay DRRMO with a functioning emergency response team.

SECTION 39.2.1. FIRST RESPONSE. The barangay emergency response team covering the area where an emergency occurred shall be considered the first responder to the emergency. The Lead Agency shall ensure that all barangay emergency response teams have sufficient radio and/or telecommunications devices for emergency response.

SECTION 39.2.2. RESOURCES FOR EMERGENCY RESPONSE. Within thirty (30) days from the effectivity of this Ordinance, all barangays must submit a report to the Lead Agency identifying the resources it needs in order to effectively function as first responder, including, but not limited to, the hiring of new personnel, equipment, resources for the maintenance and repair of equipment, etc.

The barangay emergency response team shall be responsible for maintaining all its equipment and shall submit an annual inventory of its emergency response equipment with information on the status of the equipment.

The Lead Agency shall audit the equipment of the barangay emergency response teams that fail to provide a satisfactory response to emergencies at least once a year or as often as necessary.

SECTION 39.2.3. FIRST AID TRAINING. All members of the barangay emergency response team shall undergo regular training on rendering first-aid response and relief, basic life support, and extraction. The Lead Agency, in coordination with the CDRRMO and the barangay, shall be in charge of the training and the corresponding certification of the barangay emergency response team members.

SECTION 39.3. MANDATORY FIRST AID TRAINING FOR LAW ENFORCEMENT OFFICERS. All law enforcement officers shall undergo training on first aid response and relief, basic life support, and extraction. The Lead Agency, in coordination with the City Health, shall be responsible for organizing first aid response and relief training and certification for law enforcement officers.

SECTION 39.4. FIRST RESPONDER TRAINING FOR COMMUNITIES. The City Health/HEMS (Health Emergency Management System) shall provide regular free first aid response and relief training, basic life support and, extraction every year, and invite communities, barangay volunteers and other stakeholders. The City Health/HEMS is likewise authorized to provide free first responder trainings to communities and other stakeholders and volunteers, upon their written request.

SECTION 39.5. INFORMATION CAMPAIGN ON EMERGENCY RESPONSE. The Lead Agency, in coordination with the CDRRMO and the City Information Office, shall conduct an information campaign on the city emergency response system. The information campaign shall prioritize proper dissemination of the emergency hotline number and information on accessing barangay emergency response.

SECTION 40. COORDINATION WITH HOSPITAL TRAUMA CARE PROVIDERS. The CDRRMO shall coordinate with the City Health Officer in developing and disseminating a directory of hospital trauma care providers. The Lead Agency shall build a coordination network between the emergency responders and hospital trauma to strengthen the emergency response of the City.

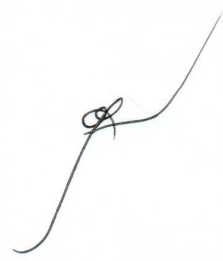
SECTION 41. SOCIAL SERVICES. The road crash victim or his/her next of kin will be informed and may avail assistance from the City Social Services Development Department.

SECTION 42. ROAD CRASH INVESTIGATION. The Lead Agency shall investigate fatal crashes occurring within Ormoc City for purposes of policy development. Findings from the investigation shall be submitted to the Road Safety Working Council and/or the appropriate office for proper action.

SECTION 43. MONITORING AND EVALUATION OF RESPONSE TIME. The CDRRMO shall monitor and evaluate the efficiency of the City's post-crash response through the monitoring and recording of response times from the time the call was received to the time that relief is rendered.

The CDRRMO shall identify and recognize the barangay emergency response team with the fastest and most frequent response times and the barangay emergency response team that fails to respond to emergencies, and shall make recommendations on incentives to improve response times. Barangay emergency response teams that fail to respond to an emergency referred by the CDRRMO must submit a written explanation to the CDRRMO providing the reasons for such failure, copy furnished to the Punong Barangay.

SECTION 44. ANNUAL REPORT ON POST-CRASH RESPONSE. The CDRRMO shall submit an annual report to the Lead Agency and the Road Safety Working Council on the number of road safety emergency calls received, response times of CDRRMO, and the response time and frequency of response of barangay emergency response teams.



ARTICLE VII. FINES AND PENALTIES

SECTION 45. PENALTIES FOR VIOLATIONS UNDER ARTICLE III.

Violations under Article III shall warrant the following fines and penalties:

SECTION NO.	VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD AND SUCCEEDING OFFENSES
Section 19.2.	Defacement, alteration or installation of road signs without authorization	Administrative fine of P2,000.00	Administrative fine of P3,500.00 or 8 hours Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion
Section 21.1.3.	Prohibition on using, straddling or blocking pedestrian lanes	Administrative fine of P500.00	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 21.2.4.	Prohibition on using, straddling or blocking bicycle lanes	Administrative fine of P500.00	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 21.3.1.	Prohibition against parking on designated parking slots for persons with disability and other groups with special needs	Administrative fine of P500.00	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 21.4.1	Prohibition against use of sidewalks by motor vehicles	Administrative fine of P2,000.00	Administrative fine of P3,500.00 or 8 hours Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion
Section 21.4.2	Prohibition against blocking of sidewalk for parking or other purposes	Administrative fine of P500.00	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion

SECTION 46. PENALTIES FOR VIOLATIONS UNDER ARTICLE IV.

Violations under Article IV shall warrant the following fines and penalties:

SECTION NO.	VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD AND SUCCEEDING OFFENSES
Section 26.1	Failure to maintain the vehicle design standards for tricycles during the duration of the franchise	Administrative fine of P2,000.00	Administrative fine of P3,500.00 with recommendation to LTFRB for suspension of franchise	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation to LTFRB of revocation of franchise, and recommendation for revocation of license
Section 26.2.	Prohibition on use of tricycles without a franchise	Administrative fine of P2,000.00 or 8 hours Community Service	Administrative fine of P3,500.00 or 8 hours Community Service	Fine of P5,000.00 with 3 months imprisonment, at the court's discretion
Section 26.3.	Limit on number of passengers of tricycles	Administrative fine of P500.00 or 8 hours Community Service	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment, at the court's discretion and recommendation for revocation of license
Section 26.4.	Limitation on route of tricycles	Administrative fine of P2,000.00	Administrative fine of P3,500.00 with recommendation for suspension of franchise	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license

SECTION NO.	VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD & FINAL OFFENSES
Section 27.	Failure to maintain the minimum safety standards of private vehicles passing through ornnoc city	Administrative fine of P500.00 or 8 hours Community Service	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 28.	Failure to maintain the vehicle safety standards for vehicles transporting goods	Administrative fine of P500.00 or 8 hours Community Service	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 29.1.	Failure to maintain the minimum design standards for animal-drawn carriages	Administrative fine of P500.00 or 8 hours Community Service	Administrative fine of P1,000.00 or 8 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 29.2.	Limitation on route of animal-drawn carriages	Administrative fine of P500.00 or 8 hours Community Service	Administrative fine of P3,500.00 or 8 hours Community Service	Fine of P5,000.00 with 30 days imprisonment at the court's discretion

SECTION 47. PENALTIES FOR VIOLATIONS UNDER ARTICLE V.

Violations under Article V shall warrant the following fines and penalties:

SECTION NO.	VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD AND SUCCEEDING OFFENSES
Section 30.	Speeding	Administrative fine of P2,000.00 or 8 hours Community Service and attendance in a Road Safety Seminar	Administrative fine of P3,500.00 or 8 hours Community Service and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 30.8.	Prohibition against street racing	Administrative fine of P2,000.00 or 8 hours Community Service, attendance in a Road Safety Seminar and immediate impoundment of motor vehicle	Administrative fine of P3,500.00 with 8 hours Community Service, attendance in a Road Safety Seminar and immediate impoundment of motor vehicle	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license

SECTION NO.	VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD AND SUCCEEDING OFFENSES
Section 31.	Drink and drug driving	Administrative fine of P2,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P3,500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 32.	Mandatory use of protective helmets	Administrative fine of P1,000.00 or 8 hours Community Service, with impoundment and attendance in a Road Safety Seminar	Administrative fine of P2,000.00 or 8 hours Community Service, with impoundment and attendance in a Road Safety Seminar	Fine of P3,000.00 with 3 months imprisonment at the court's discretion with impoundment and recommendation for revocation of license
Section 33.	Children's safety aboard motor vehicles	Administrative fine of P2,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P3,500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 34.	Motorcycle overloading	Administrative fine of P500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P1,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 35.	Mandatory use of seatbelts for drivers and passengers	Administrative fine of P500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P1,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 36.	Anti-distracted driving	Administrative fine of P2,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P3,500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license

VIOLATION	FIRST OFFENSE	SECOND OFFENSE	
pedestrians	Administrative fine of P500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P1,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fi ir
1st	Administrative fine of P2,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P3,500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fi in ar re
1st blocking the x	Administrative fine of P2,000.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Administrative fine of P3,500.00 or 8 hours Community Service, and attendance in a Road Safety Seminar	Fi in ar re

SECTION 48. IMPOUNDMENT. The penalty of impoundment shall entail seizure and confiscation of the vehicle and storage of the same in the authorized impounding area. Failure to settle the necessary fines and redeem the impounded vehicle may subject the same to public auction. The Lead Agency, in coordination with the City Planning Office, shall designate an impounding area for purposes of this Ordinance.

SECTION 49. CONFISCATION OF LICENSE. The confiscation of the driver's license of the offender shall be a concurrent penalty but shall be returned after payment of administrative fine or after rendering community service. For third offenses, the Lead Agency shall make a recommendation to the LTO for the revocation of the offender's license and ban against the driver for reapplication. The Lead Agency shall ensure connectivity with the LTO information technology system for coordination on the recording of violations and imposition of penalties.

SECTION 50. COMMUNITY SERVICE. Community service may be performed, at the option of the offender, in lieu of payment of fines. Community service may include any kind of activity as determined by the Lead Agency that will redound to the benefit of the community and the City. The offender shall report to the office of the Lead Agency for community service assignments within twenty four (24) hours from issuance of Citation Ticket and right after compliance thereof.

SECTION 51. IMPRISONMENT. The Lead Agency, with the assistance of the City Legal Office, shall be responsible for the filing of cases with the appropriate court for the third and subsequent violations of this Ordinance which, subject to the discretion of the presiding judge, may result in the imposition of the penalty of imprisonment.

Failure of the offender to pay the administrative fine for the first offense or second offense, as the case may be, provided in this Article shall be a ground for filing a case in court. A fine of not less than One Thousand Philippine Pesos (Php1,000.00) but not more than Five Thousand Philippine Pesos (Php5,000.00) or render of community service and/or imprisonment of not more than three (3) months shall be imposed upon the discretion of the court.

ARTICLE VIII ENFORCEMENT AND ADJUDICATION

SECTION 52. UNIFORM ENFORCEMENT PROCEDURE. There shall be a uniform minimum enforcement procedure for violations of this Ordinance.

SECTION 52.1. VIOLATIONS OF DRIVERS.

- a) Upon detection of a violation, the law enforcement officer shall flag the offending driver or motor vehicle down or, if he/she is stationary, call his/her attention immediately.
- b) Upon apprehension, the law enforcement officer shall inform the offending driver of the violation, and demand the presentation of the driver's license of the offending driver and the motor vehicle certificate of registration and official receipt of registration.
- c) The law enforcement officer shall confiscate the driver's license and issue a City Citation Ticket to the offender, which shall serve as the driver's temporary driver's license for three (3) days from the date of issuance.

- d) The law enforcement officer shall indicate the following information in the City Citation Ticket:
 - i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - iii. Date of apprehension;
 - iv. name and address of the motor vehicle owner;
 - v. registering agency of the motor vehicle;
 - vi. certificate of registration number;
 - vii. violation committed;
 - viii. name and signature of the apprehending officer.
- e. The violator will report to the TEAM office for the assessment slip and determination of penalty fee.
- f. The violator will pay the corresponding fee to the City Treasurer's Office.
- g. The driver shall have three (3) days within which to pay the administrative fine except Saturday, Sunday or Holiday and comply with the attached penalties, or to file a protest in accordance with Section 56 herein, An additional surcharge of five percent (5%) for each day of delay or failure to pay the administrative fine shall be imposed until the full amount of fine and surcharge is paid. Provided, that if the last day falls on weekend or holiday same will be paid without surcharge on the following business day.
- h. Failure to file a protest within the period of three (3) days from the receipt of Citation Ticket shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner of the motor vehicle.

SECTION 52.2.VIOLATIONS OF OTHER INDIVIDUALS. Pedestrians and other individuals who violate this Ordinance shall be immediately apprehended and taken immediately to the nearest office or satellite office of the Lead Agency to pay the corresponding administrative fine or file a protest in accordance with Section 56 hereof. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the offender.

The law enforcement officer may likewise file a complaint against the offender before the proper court or office.

SECTION 52.3.VIOLATIONS OF BUSINESS ESTABLISHMENTS OR LEGAL ENTITIES. In case of violations of business establishments or legal entities, the law enforcement officer shall demand the presentation of the Mayor's permit or Building Permit, where necessary, and indicate the details found thereon in the inspection slip. Should the offender not be engaged in any business requiring a permit, his/her name and address shall be ascertained and indicated in the City Citation Ticket. The offender shall have five (5) days to settle the administrative fine or file a protest in accordance with Section 56 hereof. In case of failure to settle the fine, the name of the business establishment shall be forwarded to the BPLO for proper action.

Violations of this Code and failure to settle fines shall be ground for non-renewal of Business Permits.

SECTION 53. ENFORCEMENT PROCEDURE FOR NO CONTACT APPREHENSION.

SECTION 53.1. COVERAGE. The following violations may be enforced through no contact apprehension:

- a) Offenses under Article III - Safer Roads and Mobility
 - i. Section 21.1.3 - Prohibition on using, straddling or blocking pedestrian lanes
 - ii. Section 21.2.4 - Prohibition on using, straddling or blocking bicycle lanes
 - iii. Section 21.3.1 - Prohibition against parking on designated parking slots for persons with disability and other groups with special needs
 - iv. Section 21.4.1 - Prohibition against use of sidewalks by motor vehicles
 - v. Section 21.4.2 - Prohibition against blocking of sidewalk for parking or other purposes
- b) Offenses under Article IV - Safer Vehicles
 - i. Section 26.3 - Limit on number of passengers of tricycles
- c) Offenses under Article V - Safer Road Users
 - i. Section 30 - Speeding
 - ii. Section 32 - Mandatory use of protective helmets
 - iii. Section 33 - Children's safety aboard motor vehicles
 - iv. Section 34 - Motorcycle overloading
 - v. Section 35 - Mandatory use of seatbelts for drivers and passengers
 - vi. Section 36 - Anti-distracted driving
 - vii. Section 38.4 - Prohibition against counterflowing
 - viii. Section 38.6 - Prohibition against blocking the yellow traffic box

SECTION 53.2. PROCEDURE. No contact apprehension shall be conducted in accordance with the following procedure:

- a) Violations of drivers shall be recorded using the CCTV network of the City, in coordination with the Lead Agency.
- b) The Lead Agency shall have an officer assigned to detect violations through the CCTV Network. Upon detection of a violation, the officer on duty of the Lead Agency shall capture a photograph of the vehicle and the violation, with the plate number, date and time stamp visible.
- c) All violations detected shall be forwarded to the Lead Agency for the identification of the registered owner of the vehicle. The Lead Agency may coordinate with the Land Transportation Office for this purpose.

- d) Upon identifying the registered owner, the Lead Agency shall issue a Traffic Violation Receipt to the registered owner of the vehicle *via* registered mail or personal service. The Traffic Violation Receipt shall indicate the violation, and shall include a photograph showing the violation, the plate number, date and timestamp.
- e) The registered owner shall be presumed to be the driver of the motor vehicle unless he/she can prove that the motor vehicle was driven by another person.
- f) The registered owner shall have three (3) days from the date of receipt of the notice within which to settle the administrative fine indicated in the notice, or to file a protest in accordance with Section 56 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the administrative fine shall be imposed until the full amount of administrative fine and surcharge is paid.
- g) Failure to file a protest within the period shall be deemed a waiver of the right to protest, and shall result in the automatic resolution of the violation against the registered owner.
- h) In case of a protest based on the identity of the driver, the registered owner shall have the duty to provide under oath the name of the driver of the motor vehicle, his/her known address, and other details as may be required by the Lead Agency. Except in cases where the protest is based on stolen vehicles, no protest based on the identity of the driver shall be allowed unless the alleged driver at the time of violation is identified.

Upon a finding that the registered owner is not the driver of the motor vehicle at the time of the violation, the Lead Agency shall send a notice to the driver, as identified by the registered owner, subject to the requirements herein.

SECTION 54. ENFORCEMENT PROCEDURE FOR SPECIAL CASES.

SECTION 54.1. SPEED ENFORCEMENT PROCEDURE. The enforcement of speed limits in the City shall be uniformly conducted, in accordance with the following procedure:

SECTION 54.1.1. VIOLATION DETECTED USING SPEED GUNS.

- a) Upon detection of a speeding violation using speed guns, the law enforcement officer shall flag the offending driver or motor vehicle down.
- b) Upon apprehension, the law enforcement officer shall inform the offending driver of the violation and show him/her the speed detected by the speed gun. The law enforcement officer shall demand the presentation of the driver's license of the offending driver and motor vehicle certificate of registration and official receipt of registration.

- c) The law enforcement officer shall confiscate the driver's license and issue a City Citation Ticket against the offender, which shall serve as the driver's temporary driver's license for three (3) days from the date of issuance.
- d) The law enforcement officer shall indicate the following information in the City Citation Ticket:
 - i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - iii. Date of apprehension;
 - iv. name and address of the motor vehicle owner;
 - v. registering agency of the motor vehicle;
 - vi. certificate of registration number;
 - vii. violation committed;
 - viii. name and signature of the apprehending officer.
- e) The violator will report to the TEAM Office for the assessment slip and determination of penalty fee.
- f) The violator will pay the corresponding fee to the City Treasurer's Office.
- g. The driver shall have three (3) days within which to pay the administrative fine except Saturday, Sunday or Holiday and comply with the attached penalties, or to file a protest in accordance with Section 56 herein, An additional surcharge of five percent (5%) for each day of delay or failure to pay the administrative fine shall be imposed until the full amount of fine and surcharge is paid. Provided, that if the last day falls on weekend or holiday same will be paid without surcharge on the following business day.
- h. Failure to file a protest within the period of three (3) days from the receipt of Citation Ticket shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner of the motor vehicle.

SECTION 54.1.2. VIOLATION DETECTED USING SPEED ENFORCEMENT CAMERAS.

- a) Upon detection of a speeding violation using speed enforcement cameras, the Lead Agency shall issue a notice to the registered owner of the motor vehicle *via* registered mail or personal service.
- b) The notice shall indicate the speed limit of the road where the violation was committed and shall include a photograph of the vehicle with the speed detected by the camera at the time of violation shown legibly.
- c) The registered owner shall be presumed to be the driver of the motor vehicle unless he/she can prove that the motor vehicle was driven by another person.
- d) The registered owner shall have three (3) days from the date of receipt of the notice within which to settle the administrative fine indicated in the notice, or to file a protest in accordance with Section 56 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the administrative fine shall be imposed until the full amount of administrative fine and surcharge is paid.

- e) Failure to file a protest within the period shall be deemed a waiver of the right to protest, and shall result in the automatic resolution of the violation against the registered owner.
- f) In case of a protest based on the identity of the driver, the registered owner shall have the duty to provide under oath the name of the driver of the motor vehicle, his/her known address, and other details as may be required by the Lead Agency. Except in cases where the protest is based on stolen vehicles, no protest based on the identity of the driver shall be allowed unless the alleged driver at the time of violation is identified.

Upon a finding that the registered owner is not the driver of the motor vehicle at the time of the violation, the Lead Agency shall send a notice to the driver, as identified by the registered owner, subject to the requirements herein.

SECTION 54.2. DRINK - DRIVING ENFORCEMENT PROCEDURE. The enforcement of this section shall be uniformly conducted in accordance with the following procedure:

SECTION 54.2.1.VIOLATION.

- a) The law enforcement officer shall cause the driver suspected of driving under the influence of alcohol to undergo any or a combination of the following preliminary field sobriety tests, prior to the initial test for blood alcohol concentration:
 - i. Walk a straight line test;
 - ii. Finger to nose test;
 - iii. Stand on one leg test;
 - iv. Horizontal gaze nystagmus ("follow the penlight").
- b) In the event that the suspected driver fails any of the preliminary sobriety tests, or when there is strong reason to believe that he or she is intoxicated, the law enforcement officer is mandated to subject him or her to the BAC breath test with a portable breath analyzing device or any modification thereof.
- c) In the event that a suspected driver's BAC level exceeds the BAC limit, he shall be immediately cited for violation of this Ordinance.
- d) The law enforcement officer shall inform the offending driver of the violation, and demand the presentation of the driver's license of the offending driver and the motor vehicle certificate of registration and official receipt of registration.
- e) The law enforcement officer shall confiscate the driver's license and issue a City Citation Ticket to the offender, which shall serve as the driver's temporary driver's license for three (3) days from the date of issuance.
- f) The law enforcement officer shall indicate the following information in the City Citation Ticket:

- i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - iii. date of apprehension;
 - iv. name and address of the motor vehicle owner;
 - v. registering agency of the motor vehicle;
 - vi. certificate of registration number;
 - vii. violation committed;
 - viii. name and signature of apprehending officer.
- g) The violator will report to the TEAM Office for the assessment slip and determination of penalty fee.
- h) The violator will pay the corresponding fee to the City Treasurer's Office.
- i) It shall be the duty of the law enforcement officer to detain the driver in an authorized holding area, or bring him or her to the nearest police station until such time that he is able to comply with the allowed BAC level. If the driver is unaccompanied when he/she is apprehended, the motor vehicle shall be impounded in the authorized impounding area.
- j) The driver shall have three (3) days within which to settle the administrative fine except Saturday, Sunday or Holiday and comply with the attached penalties, or to file a protest in accordance with Section 56 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the administrative fine shall be imposed until the full amount of fine and surcharge is paid. Provided that, if the last day falls on weekend or holiday same will be paid without surcharge on the following business day.
- k) Failure to file a protest within the period of three (3) days from the receipt of Citation Ticket shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner.

SECTION 54.2.2. RANDOM SOBRIETY TEST CHECKPOINT.

- a) During sobriety test checks at authorized checkpoints, the law enforcement officer shall flag down base on probable cause for sobriety test. Except if the apprehending officer finds probable cause that the driver is under the influence of alcohol. The law enforcement officer shall explain that a random sobriety check is being conducted pursuant to this Ordinance, inform the driver that the proceedings are being recorded by video, and request the driver to undergo a BAC breath test with a portable breath analyzing device or any modification thereof.
- b) In the event that the driver's BAC exceeds the established BAC limit, he/she shall be asked to park at a nearby designated parking area and shall be prohibited from driving until such time that he or she is able to comply with the allowed BAC level. If he or she refuses to comply, he/she shall be requested to alight the vehicle and shall be apprehended for violation of this Ordinance.

- c) Random sobriety checkpoints shall have appropriate signages. The conduct of random sobriety checks shall be recorded using video cameras, body cameras and/or mobile phone cameras.
- d) Law enforcement officers deployed for random sobriety checkpoints shall have a deployment order signed by the head of the Lead Agency and shall wear an identification card with their name and 2x2 photograph. The deployment order shall state the protocol for the random sobriety checkpoint.
- e) Law enforcement officers shall record the plate number of all vehicles flagged down, and the name, license number and plate number of the driver of vehicles who registered a BAC level of 0.05% or such level of intoxication as established jointly by the DOH, NPC, and DOTr.

SECTION 54.3. DRUG-DRIVING ENFORCEMENT PROCEDURE. The enforcement of this section shall be uniformly conducted in accordance with the following procedure:

SECTION 54.3.1. VIOLATION.

- a) If the law enforcement officer has probable cause to believe that a person is driving under the influence of dangerous drugs and/or other similar substances, he/she shall be immediately apprehended for violation of this Ordinance.
- b) The law enforcement officer shall inform the offending driver of the violation, and demand the presentation of the driver's license of the offending driver, the motor vehicle certificate of registration, and official receipt of registration.
- c) The law enforcement officer shall confiscate the driver's license and issue a City Citation Ticket to the offender, which shall serve as the driver's temporary driver's license for three (3) days from the date of issuance.
- d) The law enforcement officer shall indicate the following information on the City Citation Ticket:
 - i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - iii. date of apprehension;
 - iv. name and address of the motor vehicle owner;
 - v. registering agency of the motor vehicle;
 - vi. certificate of registration number;
 - vii. violation committed;
 - viii. name and signature of the apprehending officer.
- e) The violator will report to the TEAM Office for the assessment slip and determination of penalty fee.
- f) The violator will pay the corresponding fee to the City Treasurer's Office.

- g) It shall be the duty of the law enforcement officer to detain the driver in an authorized holding area or bring the driver to the nearest police station to be subjected to a drug screening test and, if necessary, a drug confirmatory test as mandated under Republic Act no. 9165. If the driver is unaccompanied when he/she is apprehended, the motor vehicle shall be impounded in the authorized impounding area.
- h) The driver shall have three (3) days within which to settle the administrative fine except Saturday, Sunday or Holiday and comply with the attached penalties, or to file a protest in accordance with Section 56 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the administrative fine shall be imposed until the full amount of fine and surcharge is paid. Provided that, if the last day falls on weekend or holiday same will be paid without surcharge on the following business day.
- i) Failure to file a protest within the period of three (3) days from the receipt of Citation Ticket shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner.

SECTION 55. USE OF CAMERAS. Law enforcement officers may use video cameras, body cameras, mobile phone cameras, or other means to record apprehensions for violation of this Ordinance. Nothing in this provision shall affect the validity of the apprehension, or admissibility of other evidence to prove the commission of a violation or the validity of the apprehension.

SECTION 56. PROTEST ADJUDICATION. The Traffic Adjudication Office, created under the Lead Agency, shall have jurisdiction over protests in relation to this Ordinance. The process of filing a protest is as follows:

- a) Within three (3) days from the issuance of the City Citation Ticket, the driver or registered owner may file a protest with the Traffic Adjudication Office, attaching therein all evidence which he/she may wish to present.
- b) The Traffic Adjudication Office shall conduct an investigation and hearing, and shall have the authority to issue summons to law enforcement officers, drivers, and registered owners of motor vehicles, and receive evidence in relation to the protest.
- c) Within thirty (30) days from the filing of the protest, the Traffic Adjudication Office shall decide on the protest and inform the driver and/or registered owner of its decision.

In case of dismissal of the protest, the driver or registered owner shall have three (3) days within which to settle the fine indicated in the decision. Otherwise, the driver or registered owner shall be issued a clearance by the Lead Agency, indicating that the driver/registered owner has been cleared of the violation, cancelling the City Citation Ticket, and directing the appropriate office to return the confiscated license.

SECTION 57. EFFECT OF FAILURE TO SETTLE FINES AND SERVE PENALTIES. In the event of failure to settle the administrative fines or penalties within the period provided in this Ordinance, the Lead Agency in coordination with City Legal Office shall, after ninety (90) days from the time the fine or penalty becomes due, file a complaint before the appropriate court for the enforcement of said fines or penalties. The Lead Agency shall also submit the information of the offending driver and registered owner to the LTO and LTFRB, requesting the said office to hold in abeyance the registration or issuance of franchise of the motor vehicle involved in the violation until such time that the fine is settled and/or the penalty is served.

**ARTICLE IX
MISCELLANEOUS PROVISIONS**

SECTION 58. BUDGET AND APPROPRIATION. The amount of ONE MILLION FIVE HUNDRED THOUSAND PHILIPPINE PESOS (PHP1, 500,000.00) from the general fund of the Ormoc City Government is hereby appropriated for the first year of implementation of this Ordinance, with the following priority procurement:

1. Procurement of laser speed guns
2. Procurement of laser speed cameras
3. Procurement of breath analyzers
4. Procurement of drug testing kits
5. Procurement of communication devices for law enforcement officers and barangay officers
6. Procurement of body cameras
7. Procurement of CCTV cameras
8. Training and seminars for law enforcement officers
9. Manufacture and installation of road signs
10. Information, education, and communication (IEC) materials
11. Publication of IEC materials
12. Additional human resources
13. Printing of City Citation Ticket
14. IT requirements for connectivity with the LTO information technology system
15. Materials and/or office supplies needed for the filing of appropriate cases with the proper court
16. Other instruments or devices needed for the effective implementation of this ordinance

All administrative fines collected pursuant to this Ordinance shall be earmarked for implementation of road safety ordinances and policies, in addition to the budget to be appropriated from the general fund for subsequent years, which shall not be less than the amount of the prior year's appropriation.

Other items required to be procured for the implementation of this Ordinance or the Ormoc Road Safety Action Plan shall be submitted by the Lead Agency or responsible office or agency as part of their budget plan for the succeeding years.

SECTION 59. PROCUREMENT. The Office of the Mayor is hereby authorized to cause the procurement of the items enumerated in the preceding section in accordance with the above budget program and in compliance with Republic Act No. 9184 otherwise known as the "Government Procurement Reform Act."

SECTION 60. INFORMATION, EDUCATION, AND COMMUNICATION CAMPAIGN. The Lead Agency, in coordination with the PAIAO, shall conduct a continuing information, education, and communication (IEC) campaign on the implementation of this Ordinance, and other enforcement activities. The IEC campaign shall be launched six (6) months prior to the implementation of this Ordinance.

SECTION 61. REPEALING CLAUSE. All ordinances, resolutions, executive orders, memorandum circulars and administrative orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 62. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.


SECTION 63. EFFECTIVITY. This ordinance shall take effect within fifteen (15) days after its publication in a newspaper of general circulation and after the posting of copies of this ordinance in conspicuous locations within ormoc city for a period of fifteen (15) days.

ENACTED, September 01, 2020.

RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez, the City Administrator; the City Legal Officer; the City Treasurer; the City Planning Development Office; the DRRMO; TEAM; the City Director, Ormoc City Police Office; the PNP; the PNP-Traffic Division; the City Engineering Office; the DPWH; LTO; BPLO; CGSO; PAIAO; the City Agriculture's Office; the President, Liga ng mga Barangay; all Punong Barangays in Ormoc; the City Prosecutor's Office; the Municipal Trial Court in Cities; the City Local Government Operations Officer-DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Pahlungsod

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer

APPROVED:

RICHARD I. GOMEZ
City Mayor

04 SEP 2020
(Date)

DEMO COPY