



Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
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EXCERPT FROM THE MINUTES OF THE CY 2022-48th REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON DECEMBER 01, 2022 AT 10:05 O'CLOCK IN THE MORNING

PRESENT:

HON. ADRIAN S. CAMPOSAGRADO	-	SB Member & Temporary Presiding Officer
HON. NERI T. CAMIÑA	-	SB Member
HON. REYNALDO E. TUMABOTABO	-	SB Member
HON. JULIUS T. LEDESMA	-	SB Member
HON. NORBERTO T. TURALBA	-	SB Member
HON. JERRY T. TUARES	-	SB Member
HON. JOEL L. SAYSON	-	SB Member
HON. DYOSA MARIE TERUÑEZ	-	SKMF President

OFFICIAL TRAVEL: (To attend the 2nd Year Anniversary & World Aids Day Celebration, December 1, 2022, at Guimbal Amphitheater, Public Plaza, Guimbal, Iloilo)

HON. ANA ROWENA A. PERERA	-	SB Member
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ABSENT:

HON. LUGEN T. ORTILANO	-	Vice Mayor (Special Privilege Leave)
HON. MARIBETH L. TUPINO	-	Liga President (Special Privilege Leave)

Municipal Ordinance No. 2022-010

AN ORDINANCE REGULATING THE INSTALLATION OF TELECOMMUNICATION WIRES, POWER/ELECTRICAL LINES/WIRES, CABLES AND OTHER FACILITIES FOR CONVEYANCE OF ELECTRICITY AND COMMUNICATIONS, AND PROHIBITING THE INSTALLATION OF SUB-STANDARD WOODEN POST WITHIN THE MUNICIPALITY OF TIGBAUAN, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Movant & Author: HON. JULIUS T. LEDESMA and

Co-Author: HON. JERRY T. TUARES

Sponsoring Committees:

- COMMITTEE ON JUSTICE, HUMAN RIGHTS & GOOD GOVERNMENT
Chairperson: Hon. Julius T. Ledesma
Vice Chairperson: Hon. Adrian S. Camposagrado
Members: Hon. Ana Rowena Perera, Hon. Joel L. Sayson & Hon. Dyossa Marie T. Terunez
- COMMITTEE ON PEACE & ORDER AND PUBLIC SAFETY
Chairperson: Hon. Jerry T. Tuares
Vice Chairperson: Hon. Neri T. Camina
Members: Hon. Joel L. Sayson, Hon. Norberto T. Turalba & Hon. Maribeth Tupino

Seconded by: Hon. Neri T. Camina, Hon. Reynaldo E. Tumabotabo, Hon. Julius T. Ledesma, Hon. Jerry T. Tuares, Hon. Joel L. Sayson and Hon. Dyossa Marie Teruñez

WHEREAS, as stated in Section 5, Article II of the 1987 Philippine Constitution that the maintenance of peace and order, protection of life, liberty and property, and the promotion of general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, it is the thrust of the Local Government Unit of Tigbauan to protect the lives, limbs and properties of the general public, and to promote development of our town as one avenue to achieve orderliness and prosperity;

WHEREAS, it has become unabated that poses hazard, danger and inconvenience to motorists, pedestrians and the public in general. It was likewise observed regarding haphazard, improper/inadequate installation and indiscriminate connections of telecommunication, power/electrical lines/ wires and cable, quoted as "spaghetti wires" is unsightly and an eyesore with cause visual pollution and runs inappropriate to our healthy and clean environment, and at times due to its low installation, it is sideswiped by tall and big trucks/buses and heavy equipment;

WHEREAS, it is imperative to respond to the need of the public for public safety.

Section 1. TITLE- This Ordinance shall be known as "*AN ORDINANCE REGULATING THE INSTALLATION OF TELECOMMUNICATION WIRES, POWER/ELECTRICAL LINES/WIRES, CABLES AND OTHER FACILITIES FOR CONVEYANCE OF ELECTRICITY AND COMMUNICATIONS, AND PROHIBITING THE INSTALLATION OF SUB-STANDARD WOODEN POST*"

Section 2. SCOPE – This Ordinance shall cover all telecommunication wires, power lines/wires, cables and other facilities for the conveyance of electricity and communications, prohibiting the installation of sub-standard wooden post.

Section 3. Any existing improper/inadequate, disorderly manner of installation and indiscriminate connections of telecommunications, power/electrical lines/wires, cable and the like which are unsightly and an eyesore that causes visual pollution shall be removed and/or fixed and rehabilitated/ upgraded by responsible persons/ owners/ company management/head of agency/ entity and/ or corporation who owns or control the same and to undertake the rehabilitation within a period of one (1) year from the effectivity of this Ordinance.

Section 4. Any existing sub-standard and rotten wooden post shall be removed and shall be upgraded into a standard wooden pole by responsible persons/owners/ company management/ head of agency/ entity and/or corporation who owns or control the same and to undertake the rehabilitation within a period of one (1) year from the effectivity of this Ordinance.

Section 5. Telecommunication and cable companies/corporations within the territorial jurisdiction of the Municipality of Tigbauan shall be required to provide and/or install name tags and color-coding scheme to their respective poles/post, lines/wires and cables for identification purposes

Section 6. It shall be the liability of the company management/head of agency/corporation in case of accident to motorists, pedestrians, and the general public caused by the improper, inadequate and disorderly manner of installation of telecommunication, power/electrical lines/ wires, cables and the like.

Section 7. The Office of the Municipal Engineer is tasked with the duties and responsibilities to monitor, check and implement that all installations of telecommunication, power/ electrical poles/posts, lines/wires, cable and the like are properly installed in accordance with the Provisions of the National Building Code of the Philippines (P.D 1096) and other related laws, rules and regulations.

Section 8. ADMINISTRATIVE FINES AND SANCTIONS. Any Person holding managerial position in public/ private telecommunication, power/ electric and cable companies/ corporations/cooperatives/entities who shall fail to comply and violate the provisions of this Ordinance shall be penalized as follows:

Failure to comply with Section 3, 4, and 5 shall be subject to the following:

1. One (1) month after the lapse of the One (1) year period- A fine of two thousand five hundred pesos (P2,500.00) and shall suffer the penalty of *arresto menor* in its minimum period.
2. Two (2) months after the lapse of the One (1) year period – A fine of two thousand five hundred pesos (2,500.00) and shall suffer the penalty of *arresto menor* in its maximum period.
3. Three (3) months and succeeding months after the lapse of the One (1) year period – A fine of two thousand five hundred pesos(P2,500.00), revocation of Business Permit and shall suffer the penalty of *arresto mayor* in its minimum period.

4. One (1) year of after the lapse of the One (1) year period- A fine of two thousand five hundred pesos (P2,500.00) and shall suffer the penalty of *arresto mayor* in its maximum period and cannot be granted a Business Permit for two (2) consecutive years.

For Violation of Section 7:

1. 1st Offense- a fine of Two Thousand Pesos (P2,000) and shall suffer the penalty of *arresto menor* in its minimum period.
2. 2nd Offense- a fine of Two Thousand Five Hundred Pesos (P2,500) suspension of Business Permit, and shall suffer a penalty of *arresto menor* in its maximum period, or both fine and imprisonment shall be imposed at the discretion of competent Court.
3. 3rd Offense- a fine of Two Thousand Five Hundred Pesos (P2,500) revocation of Business Permit, and shall suffer the penalty of *arresto mayor* in its maximum period.
4. 4th and subsequent violation of Section 7 shall be penalized with a fine of Two Thousand Five Hundred Pesos (P2,500) and shall suffer the penalty of *arresto mayor* in its maximum period and cannot be granted a Business Permit for two (2) consecutive years.

Section 9. SEPARABILITY CLAUSE. Should any provision (s) of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of other provisions not so declared.

Section 10. REPEALING CLAUSE. Any Ordinance, rules and regulations or part thereof which are inconsistent or in conflict with the herein ordinance are hereby repealed, amended or modified accordingly;

Section 11. EFFECTIVITY. This ordinance shall take effect fifteen (15) days after its approval and publication through posting of the text thereof in the Municipal Hall and three (3) conspicuous places in the Municipality of Tigbauan.

ENACTED, December 1, 2022.

CERTIFIED CORRECT:



MARLENE T. NAVA
SB Secretary

ATTESTED:



ADRIAN S. CAMPOSAGRADO

S.B. Member & Temporary Presiding Officer

APPROVED:



ATTY. VIRGILIO T. TERUEL
Municipal Mayor

(Date signed)

HON. LUGEN T. ORTILANO
Municipal Vice Mayor
Sangguniang Bayan Members:

HON. JULIUS T. LEDESMA, O.D.
HON. NORBETO T. TURALBA
HON. JERRY T. TUARES, C.E.

HON. ANA ROWENA ARIAS-PERERA, R.N. M.A.N.
HON. MARIBETH LEDESMA-TUPINO, LnB President
HON. DYOSA MARIE TERUÑEZ, SKMF President

HON. ADRIAN S. CAMPOSAGRADO
HON. NERI T. CAMIÑA
HON. REYNALDO E. TUMABOTABO
HON. JOEL L. SAYSON