



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 92-070

AN ORDINANCE PENALIZING THE REMOVAL OF ROADBLOCKS, OR OTHER WISE FACILITATING ACCESS INTO CONCRETE PAVEMENTS UNDERGOING CURING.

Author: Hon. Fiel Rosales

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - CURING PERIOD - for purposes of this Ordinance, the curing period for concrete pavements shall be 28 days except when certified otherwise by the City Engineer.

SECTION 2. - RESPONSIBILITY FOR ROADBLOCKS. - It shall be the responsibility of the contractor to erect roadblocks at each end of the concrete pavement, and on the traffic side of a newly paved lane if the pavement is one lane of a multi-lane road. The roadblock at each end shall have signboards showing the last day of pouring and the date the road will be opened to regular traffic.

The Barangay Captain shall not accept a road-concreting project unless the same have the requisite roadblocks and signboards.

It shall be the responsibility of the Barangay Captain to ensure that the roadblocks are maintained for the duration of the curing period. For this purpose, the Barangay Captain may assign any member of the Barangay Council nearest the project to look after roadblocks

SECTION 3. - PROHIBITIONS. - For the duration of the curing period, the following are prohibited:

- a) Removal of the roadblocks and/or signboards.
- b) Removal or aggregates, or of any other covering such as plastic sheets or “trapal” placed by the contractor on the pavement.
- c) Driving, pushing, or otherwise bringing any vehicle on any portion of a pavement.

For the purpose of this ordinance, a pavement shall be considered still within its curing period, i.e. uncured, if it is inside two roadblocks.

SECTION 4. - PENALTIES. – The following penalties shall apply:

- a) For violation of Sec. 3(a) and Sec. 3(b), a fine of P500.00 for the first offense, P1,000.00 for the second and succeeding offenses, and/or imprisonment of 10 days at the discretion of the court. In addition, the offender shall be liable for the cost of restoring the roadblocks to their original state and/or of the cost of the covering which was removed.

- b) For violation of Sec. 3(c), a fine of P 3,000 for the first offense, P5, 000 for the succeeding offenses and/or imprisonment of 15 days at the discretion of the court. In addition, he offender shall be jointly liable with the contractor for the cost of restoring the pavement in accordance with existing laws and ordinance for any defect which may appear on the pavement within the first of its life.
- c) Barangay Captains who accept road-concreting projects without the requisite shall be jointly liable with the contractor for any defect which may appear on the pavement within one year from his acceptance. For this purpose, the Internal Control Officer of the City Government, or any body tasked with the inspection of projects prior to payment, shall execute an affidavit to that to that effect which instrument shall form part of the voucher. A copy of said instrument shall be kept on file for one year with the City Legal Officer.

SECTION 5. - LIGHT VEHICLE. - Light vehicles may be allowed entry of pavements after two weeks of curing reckoned from the date of last pouring but the driver of such vehicles shall be responsible for returning the roadblocks to their original state every time he enter/exits the blocked enclosure.

For the purpose of this section, light vehicles shall mean two to three vehicles.

SECTION 6. - ROLE OF BARANGAY COUNCIL. - Responsibility for the enforcement of this ordinance shall primarily vested on Barangay Councils in coordination with the office of the City Mayor.

SECTION 7. - ACCRUAL OF PENALTIES. - Penalties collected in accordance with this ordinance shall accrue to a trust fund for benefit where the project is located.

SECTION 8. - ADDITIONAL RULES AND REGULATIONS. - The City Mayor are hereby authorized to issue additional rules and regulations consonant with this Ordinance to ensure its effective implementation.

SECTION 9. - SEPARABILITY CLAUSE. - Any provision or portion of this ordinance found unconstitutional should not impair the enforcement of the rest of this ordinance.

SECTION 10. - Any ordinance, executive order, rules and regulations, or parts thereof, inconsistent with this ordinance are hereby deemed repealed, amended or modified accordingly.

SECTION 11. - EFFECTIVITY. – This ordinance shall take effect upon its approval.

ENACTED: December 23, 1992.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

LOURDES V. ASENCE
Vice Mayor & Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor