

ORDINANCE NO. 2008-068

AN ORDINANCE DESIGNATING CONVENIENT AND SAFE BICYCLE AND MOTORCYCLE PARKING SPACES FOR REGISTERED BICYCLES AND MOTORCYCLES AT THE CITY'S CENTRAL BUSINESS DISTRICTS BY PROVIDING PARKING FACILITIES SUCH AS BICYCLE RACKS AND IRON HOOKS AND APPROPRIATING FUNDS FOR THE PURPOSE:-

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Chairman, SP Committee on Public Safety

WHEREAS, Section 16, Chapter 2 of Republic Act 7160, otherwise known as the Local Government Code of 1991, which is hereunder quoted, provides that:

"**SECTION 16. General Welfare** - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. With their respective territorial jurisdictions, local government units shall x x x, promote health and safety, x x x, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

WHEREAS, the Naga City Government should provide bicycle and motorcycle parking spaces and install bicycle racks and iron hooks to address problems of off-street parking for bicycles and motorcycles and of theft and vandalism cases, recognized as a significant deterrent to bicycle and motorcycle use;

WHEREAS, healthy lifestyle will be promoted as more residents of the city will be encouraged to use bicycles while shopping and commuting and it will help curb problems of pollution and traffic congestion at the city's central business districts;

WHEREAS, biking has many benefits for the people and it is good for the health and for the environment and the people of the city could also save on gasoline expenses;

WHEREAS, the support the city government could provide is to designate and construct bicycle racks at safe and convenient public spaces;

WHEREAS, parking spaces with bike racks and iron hooks should be free of charge because charging for bike racks and iron hooks would really be a disincentive to our bikers/cyclists and motorcycle users, and besides, bike racks and iron hooks are cheap and easy to install, and it would not need much capital investment from the Naga City Government;

WHEREAS, bicycle and motorcycle parking needs to be visible, accessible, easy to use, and convenient and bike racks need to support the whole bike (not just one wheel) and enable the user to lock the frame and wheels of the bike with a chain, padlock, cable or U-shaped lock while iron hooks should be

strongly fixed on the ground/flooring and also enable the user to lock either the front or rear wheel with a chain, padlock, cable or U-shaped lock. Parking should preferably be in plain view without being in the way of pedestrians or passing vehicles. And if any of these criteria are not met, there is a good chance cyclists/bikers and motorcycle users won't use what is provided and will park wherever they think their bike or motorcycle would be safe.

NOW, THEREFORE, BE IT ORDAINED, by the Honorable Members of the Sangguniang Panglungsod duly assembled that:

ARTICLE I
GENERAL PROVISIONS

SECTION 1. TITLE. - This Ordinance shall be known and may be cited as the **"NAGA CITY BICYCLE AND MOTORCYCLE PARKING AREA ORDINANCE"**.

SECTION 2. BASIS OF ORDINANCE. - This Ordinance is hereby enacted pursuant to Section 16, Chapter 2 of Republic Act 7160, otherwise known as the Local Government Code of 1991.

SECTION 3. LIBERAL CONSTRUCTION. - This Ordinance shall be liberally construed to give full force and effect to the objectives and purposes for which it was enacted.

ARTICLE II
PURPOSE AND OBJECTIVES

SECTION 4. - The purposes and objectives of this ordinance are as follows:

- a) To put up or designate safe parking areas for registered bicycles and motorcycles in the City of Naga that will provide comfort to all bicycle users and motorists;
- b) To introduce an environment-friendly legislation and program that could also promote a healthy lifestyle as it encourages regular exercise;
- c) To promote the use of bicycles as means of transportation; and
- d) To prevent theft and vandalism of bicycles and motorcycles and address the problem of traffic congestion in the city's business districts.

ARTICLE III
DEFINITION OF TERMS

SECTION 5. - For purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

- a) **Bicycle** - shall refer to any light two-wheeled vehicle with a steering handle, saddle, and pedal and it includes the popularly used mountain bike in the City of Naga;

- b) **Bicycle Parking Facility** - means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein;
- c) **Secured Bicycle and Motorcycle Parking Area** - bicycle and motorcycle parking area which is convenient, safe, clean and well-lighted, near building entrances, and out of pedestrian paths;
- d) **Bicycle Racks** - bicycle parking facility that shall allow the bicycle to be supported upright by its frame in two places and should allow the frame and one or both wheels to be secured by locking the frame and one wheel of each bicycle parked therein with the use of either the U-locks or cable locks.

ARTICLE IV

BICYCLE AND MOTORCYCLE PARKING DESIGN STANDARDS AND REQUIREMENTS

SECTION 6. - LOCATION AND DESIGN STANDARDS OF PARKING FACILITIES INCLUDING THE BICYCLE RACKS AND IRON HOOKS SYSTEM. - Bicycle and motorcycle parking facilities shall enable the user to secure the bicycle or motorcycle by locking the frame and one wheel parked therein. The bicycle and motorcycle parking facilities that shall be designated and installed by the City Government of Naga in public and city owned spaces particularly in the central business districts shall be governed by the following design standards and requirements:

- a) Bicycle and motorcycle parking facilities should be located in close proximity to the buildings' entrances and in highly visible well-lighted areas to minimize theft and vandalism;
- b) If required bicycle and motorcycle parking facilities are not visible from the street or main building entrance, a sign must be posted at the main building entrance indicating the location of the parking. Where bicycle and motorcycle parking facilities are not clearly visible to approaching cyclists and motorists, signs shall be posted to direct them to the facilities;
- c) Bicycle rack and iron hook to be installed shall be securely anchored to the lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism and theft;
- d) Bicycle and motorcycle parking facilities shall not impede pedestrian or vehicular circulation, and should be harmonious with their environment both in color and design. Parking facilities should be incorporated whenever possible into building design or street furniture;
- e) Racks and iron hooks must not be placed close enough to a wall or other obstruction so as to make use difficult. An aisle or other space shall be provided to bicycles and motorcycles to enter and leave the parking facility;

- f) The bike rack should allow the bicycle to be supported upright by its frame in two places and should allow the frame and one or both wheels to be secured. The frame shall support a bicycle in a stable position without damage to frame, wheels, or components. Racks must be easily usable with chain and padlock, U-locks, and cable locks. These high security locks are increasingly popular due to increasing bicycle theft levels and the rising price of new bicycles. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down;
- g) Bike and motorcycle parking facilities within car parking areas shall be separated by a physical barrier to protect bicycles and motorcycles from damage by cars or vehicles, such as curbs, wheel stops, poles or other similar features. Bicycle or motorcycle parking spaces are to be clearly marked as such and shall be separated from car parking by some form of physical barrier designed to protect bikes and motorcycles from being hit by a car or vehicle;
- h) Bicycle and motorcycle parking facilities should be designed to accommodate arrange of bicycle and motorcycle shapes and sizes and facilitate easy locking without interfering with adjacent bike or motorcycle;
- i) Outdoor bicycle and motorcycle parking facilities shall be surfaced in the same manner as the car or vehicle parking area and shall be equally level. Lighting and other security design features shall be provided in these parking facilities equivalent to that provided in the facilities for car parking spaces.

A safe parking location is one in which activity around the bicycles or motorcycle is easily observable. Bike racks and iron hooks located in remote locations such as alleys or behind landscaping gives thieves time to work.

SECTION 7. - RESPONSIBILITY OF BICYCLE AND MOTORCYCLE PARKING FACILITIES' USERS. - In this Ordinance, the bicycle and motorcycle users are encouraged to be equipped with chain and padlock, U-lock, and cable locks as the City Government of Naga shall designate and install parking facilities with safely anchored and lockable bicycle rack and motorcycle iron hook system.

ARTICLE V **SCOPE OF REGULATIONS**

SECTION 8. - SCOPE OF REGULATIONS. - All of the city's business districts shall have bicycle and motorcycle parking facilities with safely anchored and lockable bicycle rack and iron hook system in feasible areas to be determined by the Public Safety Office (PSO) in coordination with the Naga City Police Office.

ARTICLE VI

IMPLEMENTING OFFICE

SECTION 9. - The Public Safety Office (PSO) in coordination with the Naga City Police Office shall, within thirty (30) days from approval of this Ordinance, recommend to the Sangguniang Panlungsod the bicycle rack and iron hook system design and the designated parking spaces/areas for bicycles and motorcycles at the central Business Districts of the city, subject to the final approval by the Sanggunian.

ARTICLE VII **PENALTY**

SECTION 10. - For bicycle and motorcycle users who shall not follow proper parking procedures or by illegally parking their bicycle or motorcycle outside parking spaces/areas provided by this Ordinance, he/she shall be charged for violation of Section 7 (18) of Ordinance No. 2001-086 which provides, that:

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"18. For illegal parking and traffic obstruction a fine of not less than three hundred (P300.00) pesos".

ARTICLE VIII

SECTION 11. FUNDING REQUIREMENT. - The funding for the administration and enforcement of this ordinance shall be taken from or charged against the existing appropriation for Local Development Fund as may be approved by the City Mayor.

ARTICLE IX **EFFECTIVITY OF THE ORDINANCE**

SECTION 12. SEPARABILITY CLAUSE. - Any provision or portion of this ordinance found to be violative of the constitution or invalid shall not impair the other provisions or parts thereof which shall continue to be in force and in effect.

SECTION 13. REPEALING CLAUSE. - Ordinances, rules and regulations or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance, are hereby repealed or modified accordingly.

SECTION 14. EFFECTIVITY. - This ordinance shall take effect immediately upon its approval and publication in local newspapers of general circulation and information campaign has been undertaken.

ENACTED: September 9, 2008.

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

(SGD) GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

(SGD) JOHN G. BONGAT
City Councilor &
Acting Presiding Officer

APPROVED:

(SGD) JESSE M. ROBREDO
City Mayor