ORDINANCE PROVIDING MECHANISM FOR DIGITAL REPORTING OF VIOLATIONS OF CITY ORDINANCE NO. 93-049, AS AMENDED, OTHERWISE KNOWN AS THE TRANSPORT AND TRAFFIC CODE OF NAGA CITY

CITY LEGISLATIVE OFFICE
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WHEREAS, the City Government of Naga recognizes the increasing demand for an efficient, modern, and transparent traffic management system to address congestion, road safety, and compliance within its jurisdiction;

WHEREAS, Ordinance No. 93-049, otherwise known as the Transport and Traffic Code of Naga City, establishes comprehensive rules governing parking, traffic movement, public utility vehicle routes, and road usage within the Central Business District (CBD) and other areas of the city;

WHEREAS, despite the existence of these regulations, violations such as illegal parking, unauthorized turns, improper loading and unloading, obstruction of pedestrian lanes, and non-compliance with observance of designated routes continue to contribute to traffic congestion and road safety risks, among others;

WHEREAS, advancements in technology now allow the use of automated systems, apps, including closed-circuit television (CCTV), digital imaging, and license plate recognition, to enforce traffic laws effectively without direct physical apprehension;

WHEREAS, the adoption of a digital enforcement reporting system will promote impartial ordinance implementation, minimize opportunities for human error and misconduct, and ensure that traffic violations are documented accurately and efficiently;

WHEREAS, a technology-driven enforcement system will strengthen the City's commitment to good governance, accountability, and public service;

WHEREAS, there is a need to integrate and enhance the enforcement mechanisms of Ordinance No. 93-049, as amended, through the establishment of a localized digital enforcement system tailored to the traffic conditions and needs of Naga City;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of the City of Naga, THAT:

SECTION 1. TITLE. This Ordinance shall be known as the "*CitiZend Ordinance*".

SECTION 2. DECLARATION OF POLICY. It is the declared policy of the City of Naga that public vigilance is a recognized partner for maintenance of public safety and order. Active citizen

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participation in pursuing the ends for the betterment of general welfare is an indispensable part of good governance.

Modern technology is an essential tool to enhance the pursuit of a safe and sound traffic system in the City of Naga and public safety in general.

SECTION 3. REPORTING. A digital enforcement reporting system is hereby created to address alleged violation/s of the Transport and Traffic Code of Naga City (City Ordinance No. 93-049, as amended).

Section 3.1. All reports shall contain the following information:

a. Nature of the violation or act being complained of;
b. Place, date, and time of report and alleged commission of violation;
c. Proof of commission or of the act being complained of in the form of live capture of photo or video either through MyNaga App, public CCTV, private CCTV, or any other form of digital image or video capable of authentication and verification. The proof should as far as practicable contain a metadata embedded including GPS coordinates, timestamp, and device ID, among others, into the file.
d. Identity of the person/s committing the alleged violation and the vehicle, if known; and
e. Identity, address, email, and other details of the reporter or source of report for proper verification. Anonymous reports may be allowed as long as the foregoing information are present.

Additional information may be required in the digital enforcement reporting system which are necessary or incidental to the above enumerated matters as may be determined by the Technical Working Group which is likewise created under Section 4 hereof.

Section 3.3. Area Scope. The Technical Working Group herein constituted shall define and may limit the scope of applicability of the digital enforcement reporting system especially focusing on the most frequently congested roads, around schools, and in the vicinity of public buildings, so as not to overwhelm the system and total operational efficiency of this Ordinance.

Section 3.2. Modes of digital reporting. The following shall be recognized modes of digital reporting under this Ordinance:

a. MyNaga App through in-app camera capture tool;
b. Public CCTV capture;
c. Private CCTV capture;
d. Such other digital modes of capture as long as the same is capable of authentication and is verifiable.

SECTION 4. NOTIFICATION PROCEDURE. The report submitted shall be reviewed by the Traffic Management Center (TMC) of the Public Safety Office which may act upon the same by

issuing a Notice of Violation against the registered owner of the vehicle being complained of, including the driver, through registered mail or email.

The owner and/or the driver, if different persons, of the subject vehicle may be held liable for any reported violation of traffic or transport ordinance in the City of Naga.

The TMC may summarily dismiss or reject reports which are unverifiable, incomplete, patently meant to harass and prank, or fraudulent, fake, or do not appear to involve any violation of an existing city ordinance.

The City Mayor, shall endeavor to enter into a data sharing agreement with the Land Transportation Office so that vehicles found to be in violation of any city transport and traffic ordinance subject of the report may be tagged with "temporary alarm" which may be removed upon compliance or settlement of penalty.

Should the corresponding registered vehicle information be different from the actual vehicle being complained of, the said finding shall be reported to the Philippine National Police, the Land Transportation Office, or the Highway Patrol Group for their action.

All actions taken by the TMC shall be contained in a log for audit purposes.

Section 4.1. For reports of violation of ordinances which are not under the scope of City Ordinance No. 93-049, as amended, the same shall be forwarded to the proper office of LGU Naga, or other government agencies, for their appropriate action. The office where the report was forwarded shall likewise review the report and may act upon the same by issuing an order to comment against the person being complained of. The course of action to be pursued in this instance, if any, will be governed by the respective ordinance or law violated, if any.

Section 4.2. The Notice of Violation shall be in writing and contain the following information:

a. All those required in Section 3.1 except the identity of the reporter;
b. A control number for proper referencing;
c. An order requiring the person being complained of to submit comment or statement by way of answer to the allegations in the report not later than five (5) days from receipt thereof either manually, electronically, or through the MyNaga app. The person being complained of may likewise submit evidence in support of his or her defense; and
d. Signature of the head of the Public Safety Office or other duly authorized representative who is a traffic enforcer.

Section 4.3. After receipt of the answer, the report and the answer shall be forwarded to the City Legal Office which shall issue its decision not later than seventy-two (72) hours upon receipt, excluding non-working days. The decision and finding of the City Legal Office shall be final.

A copy of the decision shall be sent to the person being complained of and should the decision find the person being complained of guilty of violation of the traffic ordinance, he or she has seventy-two (72) hours to settle the same upon receipt otherwise, a 'temporary alert' will be made in the subject vehicle registration which may be lifted upon compliance with the penalty imposed.

Section 4.4. Settlement. At any time, the registered owner or driver of the vehicle subject of the report may settle the imposable penalty relative with the transport or traffic ordinance so violated. Upon settlement of the penalty, any pending procedure as mandated in the foregoing provisions shall be terminated. Should an alarm be created in the registration of the vehicle, the same shall likewise be lifted.

Section 4.5. An ***online payment system*** shall likewise be developed by the city to facilitate faster and convenient transactions for purposes of settling penalties for violations of City Ordinance No. 93-049, as amended, in relation with this Ordinance.

A minimal fee may be charged to the user of such online payment system.

SECTION 5. TECHNICAL WORKING GROUP. A technical working group composed by the City Mayor or her duly authorized representative, as chairperson, the City Legal Office and the Public Safety Office as co-chairpersons, a representative from the MyNaga App, a member of the Sangguniang Panlungsod, a representative from the Philippine National Police, a representative from the Land Transportation Office - Naga City, and a representative from the Naga City People's Council shall convene, deliberate, and promulgate the implementing rules and guidelines of this Ordinance within thirty (30) days from its effectivity.

Section 5.1. The Technical Working Group, through the Implementing Rules and Guidelines, may require a phased execution of this Ordinance for a more operational efficiency by selecting only a number of specific violations of traffic and transport ordinances, limiting the scope of digital reporting only to certain roads or areas in the city, conducting activities to promote public awareness and compliance, and provision for a grace period in the implementation thereof for not more than sixty (60) days.

SECTION 6. FUNDING. The amount necessary for the implementation and continued operation of this Ordinance shall be allocated in the annual budget or through such supplemental budgets as may be so necessitated.

SECTION 7. PENALTIES. Any person who intentionally files a report to vex, harass, or otherwise impute a non-existent offense or crime, while knowing that the same is fraudulent, fake, prank, or grossly misleading, shall suffer the penalty of not less than one (1) month to not more than one (1) year imprisonment with a fine of Five Thousand Pesos (P5,000).

SECTION 8. REPEALING CLAUSE. All ordinances, executive orders, rules and regulations, or parts thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed, modified, or amended, accordingly.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days upon approval.

ENACTED.