



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on March 1, 2021 at Lingayen, Pangasinan, the following provincial ordinance was approved:

Authored by SP Member Nestor D. Reyes and
co-authored by all Members of the Sangguniang Panlalawigan

PROVINCIAL ORDINANCE NO. 260-2021

AN ORDINANCE PROHIBITING ANY OBSTRUCTION ON PUBLIC ROADS AND OTHER SIMILAR PUBLIC PLACES WITHIN THE TERRITORIAL JURISDICTION OF THE PROVINCE OF PANGASINAN AND PROVIDING PENALTIES THEREOF

WHEREAS, DILG Memorandum Circular No. 2019-121, dated July 29, 2019, directed all local government units to clear roads of illegal obstructions, and Section 17 (b) of RA 7160, otherwise known as the Local Government Code of 1991, mandates all provincial, city, municipal and barangay governments to manage and maintain roads within their jurisdiction as a basic service and facility;

WHEREAS, DILG Memorandum Circular No. 2020-027, dated February 7, 2020, directed all local government units to continue the implementation of the presidential directive during the 2019 State of the Nation Address to clear roads of illegal obstructions;

WHEREAS, DILG Memorandum Circular No. 2020-027 provided for the following objectives for the implementation of the program: 1) additional roles of local chief executives, 2) guidelines for road clearing operations, and 3) monitoring, assessment and validation of road clearing and re-claiming policy of the government;

WHEREAS, in order to solve the pressing problem of improper use of streets, sidewalks, alleys and bridges, the enactment of an ordinance is proper for the promotion of the general welfare;

NOW THEREFORE, on motion of SP Member Nestor D. Reyes and co-authored by all Members of the Sangguniang Panlalawigan, duly seconded, it was –

Be it enacted by the Province of Pangasinan in session assembled:

SECTION 1. TITLE. - This Ordinance shall be known as “ROAD CLEARING ORDINANCE OF THE PROVINCE OF PANGASINAN”;



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SECTION 2. SCOPE OF APPLICATION. This Ordinance shall cover all kinds of obstructions on public roads and other public places in the Province of Pangasinan committed by individuals, entities and companies and those obstructions committed by persons while driving or operating motor vehicles and other forms of conveyances.

SECTION 3. PURPOSES.

1. To ensure the protection of road users and pedestrians by prohibiting any illegal use and putting up of structures, objects and other similar items and activities along the thoroughfares of the Province of Pangasinan.
2. To ensure continuous and free traffic flow in the thoroughfares of the province by prohibiting any person, entity and business establishments to install permanent or temporary obstructions on sidewalks, streets, and highways or any portion of the road-right-of way as constituted by existing laws, rules and ordinances.

SECTION 4. DEFINITION OF TERMS. – For purposes of this Ordinance, the following terms shall have the following corresponding meaning:

- a. Road Clearing** – shall mean the removal of illegal or unauthorized road obstructions along the road right-of-way which encompasses the entire width of the road carriageway (including travelway for motor vehicles and road shoulders) and sidewalk.
- b. Public Roads** – means all streets, roads, bridges, highways and other thoroughfares constructed and maintained by the national government or by any local government unit.
- c. Obstructions** – are structures, materials, whether permanent or temporary, movable or immovable or activities within the road right-of-way that impede the free and clear passage of motor vehicles or pedestrians and/or pose danger or cause injury to motorists, pedestrians, or occupants of nearby structures.

SECTION 5. PROHIBITION – It shall be prohibited and considered unlawful for any person or group of persons, entity or company to obstruct the free flow of people, goods and vehicles through a road network by using, utilizing or otherwise appropriating any road, street, sidewalk, or pedestrian walkway, avenue, alley, bridge, park and other public place or portion thereof, for commercial or personal purposes. The prohibition includes all kinds of obstructions such as but not limited to: