



Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council
64th Regular Session

INDEXED

PO 2002-282

ORDINANCE NO. SP **1253** S-2003

AN ORDINANCE HOLDING THE OWNERS, ADMINISTRATORS, AND SUPERVISORY PERSONNEL OF PRIVATE PAY-PARKING AREAS AND OTHER RELATED BUSINESS PAVEMENTS/EASEMENTS FOR PARKING PURPOSES LIABLE FOR THE LOSS OR DAMAGE OF PERSONAL BELONGINGS INSIDE THE VEHICLES THEREOF.

Introduced by Councilors BERNADETTE HERRERA-DY, WENCEROM BENEDICT C. LAGUMBAY, WILMA AMORANTO-SARINO, VICTOR V. FERRER, JR., ELIZABETH A. DELARMENTE, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ALLAN BUTCH T. FRANCISCO, ERIC Z. MEDINA, MARY ANN L. SUSANO, JORGE L. BANAL, JULIAN M.L. COSETENG, FRANZ S. PUMAREN, DANTE M. DE GUZMAN, JESUS MANUEL C. SUNTAY, ALMA F. MONTILLA, ANTONIO E. INTON, JR., JANET M. MALAYA, RICARDO R. DEL ROSARIO, RESTITUTO B. MALAÑGEN and XYRUS L. LANOT.

WHEREAS, Article 1170 of the "Civil Code of the Philippines", provides that, "Those who in the performance of their obligation are guilty of fraud, negligence, or delay and those who in any manner contravene the tenor thereof, are liable for damages.";

WHEREAS, private pay-parking areas, easements, pavements and other similar nature in Quezon City provides a temporary safety place as part or incidental to the use of their facilities or services;

WHEREAS, by stipulating in their rules and regulations or contracts that they will not be responsible for loss, damage and injury occurring within the premises due to the neglect of the security personnel;

WHEREAS, it is the responsibility of these pay-parking areas, other parking easements/pavements and other areas similar in nature to ensure the safety of vehicles as well as their valuable belongings and to secure their premises from any violence or untoward crime.

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NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY
IN SESSION ASSEMBLED:

SECTION 1. The act of any owner, administrator and supervisory personnel of private pay-parking areas and other related business easements/pavements for parking purposes, within Quezon City, to refrain from stipulating in their contracts that they are not responsible for any loss, damage and injury occurring within their premises is hereby prohibited.

SECTION 2. Stipulations to that effect shall be declared as null and void being contrary to the provisions of this Ordinance and it is hereby required that part of the security measures of these parking areas is the prevention of incidents leading to the loss or damage of vehicles and/or valuable personal belongings.

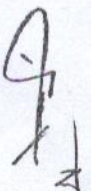
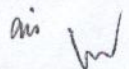
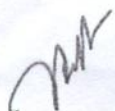
SECTION 3. Penalties. Any owner, administrator, director, manager or any supervisory personnel of any private pay-parking areas and/or business establishments that will violate this Ordinance shall be penalized with a fine of not more than Five Thousand Pesos (P5,000.00) and suspension of business permit of the establishment concerned for a period of not more than sixty (60) days.

SECTION 4. Implementing Guidelines. The Local Chief Executive or the City Mayor is hereby clothed to promulgate rules and regulations necessary to effectively enforce the provisions of this Ordinance.

SECTION 5. Posting. A copy of this Ordinance shall be given to private pay-parking areas, business easements/pavements used for parking purposes and other similar in nature within Quezon City for their guidance.

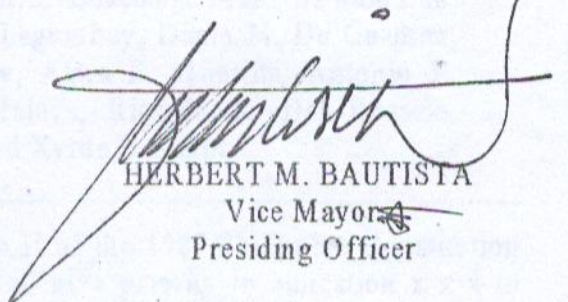
SECTION 6. Repealing Clause. All existing ordinances and resolutions, executive orders, rules and regulations inconsistent herewith are hereby repealed and superseded or modified accordingly.

SECTION 7. Separability Clause. Should any provision of this Ordinance be declared unconstitutional or invalid by any Court of competent jurisdiction, other parts or provisions hereof which are not affected thereby shall remain valid and binding.



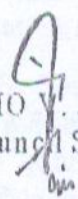
SECTION 8. Effectivity. This Ordinance shall take effect after fifteen (15) days from its publication in at least three (3) local newspapers upon approval.

ENACTED: May 6, 2003.



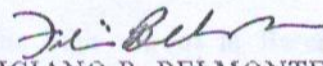
HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

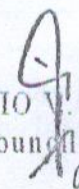
APPROVED: JUN 20 2003



FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on May 6, 2003, was finally PASSED on Third Reading by the City Council on May 20, 2003.



EUGENIO V. JURILLA
City Council Secretary

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