Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
19th City Council

PO19CC-520

90th Regular Session

ORDINANCE NO. SP- 2510 *, S-2016*

AN ORDINANCE CREATING A TASK FORCE TO REGULATE AND MONITOR THE INSTALLATION OF POLES AND DISTRIBUTION LINES AND ENSURE ITS PROPER AND SAFE MAINTENANCE OF EVERY POWER OR ELECTRICITY GENERATING COMPANY, TELEPHONE, COMMUNICATION AND COMMUNITY CABLE ANTENNA TELEVISION UTILITIES WITHIN QUEZON CITY.

Introduced by Councilors ANTHONY PETER D. CRISOLOGO, VOLTAIRE GODOFREDO L. LIBAN III, VINCENT DG. BELMONTE, FRANZ S. PUMAREN and DOROTHY A. DELARMENTE.

Co-Introduced by Councilors Ricardo T. Belmonte, Jr., Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Roderick M. Paulate, Ranulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Marvin C. Rillo, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Diorella Maria G. Sotto, Marivic Co-Pilar, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that "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 effected governance, and those of which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, xxx convenience of their inhabitants;

WHEREAS, Section 458 (5) (viii) of the same Code empowers the Sangguniang Panlungsod of every city to: xxx, regulate the placing of poles, and xxx; adopt measures to ensure public safety against xxx, live wires, and other similar hazards, to the life and property;

WHEREAS, it is the policy of the City Government to adopt measures to suppress nuisances and illegal structures that pose risk to the safety of the populace of Quezon City;

WHEREAS, the operation of public utility companies is a matter of privilege vested by authority of a legislative franchise and is thus vested with public interest;

WHEREAS, there are existing laws and ordinances that govern the operations and infrastructural standards of utility companies such as the National Building Code, the Philippine Electrical Code, Philippines Electronics Code and the rules and guidelines set by proper administrative agencies, yet those laws need to be supplemented by a local legislation that will further assure safety, convenience and protection of the people who are directly served by these public utility companies;

WHEREAS, the promotion and enhancement of the aesthetics of roads, plazas, buildings and public places is one of the urban upgrading thrust of the city government;

WHEREAS, dangling wires and " spaghetti " cables not only have become eyesore which divest the beauty of the city's historic buildings and cityscape, to the impairment of our growing tourism industry but also, poses safety and health hazard among our people, which cause fire, accident and disaster;

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NOW, THEREFORE,

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

ARTICLE I.- GENERAL PROVISIONS

SECTION 1. TITLE – This ordinance shall be known as the "Anti-Dangling Wire Task Force Ordinance of Quezon City".

SECTION 2. PRESCRIBED ACT- There is hereby created a Joint Executive-Legislative Task force to regulate and monitor all transmission and distribution lines of electricity utilities, telephone, communications and community cable antenna television utilities operating within Quezon City.

SECTION 3. COMPOSITION OF THE TASK FORCE – The Joint Executive-Legislative Task Force shall be composed of the following:

a. The Head of the City Engineering Department or his authorized representative as Task Force Chairperson;

b. The Head of the Office of the Building Official or his authorized representative as Task Force Co-Vice-Chairperson;

c. The Head of the Department of Public Order and Safety or his authorized representative as Task Force Co-Vice- Chairperson;

d. The City Secretary or his duly authorized representative;

e. The Chairman of Public Order and Safety as member;

f. The Chairman of Public works and infrastructure as member;

g. President of the Liga ng mga barangay;

h. Representatives from the Department of Public Works and Highway;

i. Representatives from the Metro Manila Development Authority;

j. Representatives from the private sector representing each electric utility;

k. Representatives from the private sector representing each Telephone Company;

l. Representatives from each of the CCTV and Cable companies.

SECTION 4. POWERS AND FUNCTIONS OF THE TASK FORCE – The Joint Executive-Legislative Task Force shall have the following powers:

a. The task force shall have the power to ensure compliance, examine and determine whether suppliers, installers and contractors of electric transmission and distribution lines, and cables of telephone, communications and community cable antenna television companies, complies with the safety standards and qualifications set out by applicable laws, rules and regulations, specifically in terms of maintenance and installation of cable, transmission and distribution lines, observing proper attire/ uniform and behavior, and compliance with safety protocols in personal protective equipment (PPE), and other related accessories. Accordingly, the task force shall notify and enable the concerned utility to resolve and reported concern within reasonable time.

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b. To enforce the rules and regulations, code requirements and governing laws regarding the aforesaid poles and distribution lines such as those embodied in the Philippine Electrical Code part 1 and 2, the National Building Code (P.D. No. 1906). The said enforcement is to ensure compliance with the applicable laws, rules and regulations shall be made possible by notifying and enabling the concerned utility to resolve any reported concern within reasonable time or by reporting such matter of non-compliance to the proper governmental agencies capable of enforcing and penalizing such utilities.

c. Gather, review and address all reports, notices, complaints and such other relevant information relating to any cables, wires, distribution lines and poles which may or have been installed within the jurisdiction of Quezon City.

d. Formulate a corrective action plan and time table that will address all reports, notices, and complaints which have been submitted, including complaints or reports filed by any of the members of the task force, for appropriate action.

e. Provide recommendatory action for the repair and abatement of any cable, wire, distribution line which fails to meet the required tension mandated by law and ensure that the same are not sagging and within the prescribed tension limits, as well as any pole which fails to meet the required tillage of pole to any Local Government Agency, Office and Department, including the public sector and removal of any unused or unutilized lines that pose danger to safety.

f. Promulgate such other rules and regulations that will govern the administration of the Task Force in the execution of its functions and powers.

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SECTION 5. ROLE OF THE EXECUTIVE DEPARMENT - The City Engineering Department, Building Official and Department of Public Order and Safety shall undertake the following:

a. *Conduct monthly meetings with the members of the task force and arrange for its logistics, in order to monitor the progress of the implementation of this ordinance.*

b. *Coordinate with the local Barangay in order to receive reports and complaints with regard to any wire, cable, transmission line and poles.*

c. *Identify priority areas which need immediate repair or abatement.*

d. *City Engineering Department or his duly authorized representative sitting as chairperson shall preside over all meetings of the taskforce.*

e. *The Building Official or Department of Public Order and Safety or their duly authorized representatives shall exercise such functions of the chairman in the absence of the latter.*

f. *The City Secretary or his authorized representative shall document and record all matters discussed during the meetings of the task force.*

SECTION 6. ROLE OF THE LEGISLATIVE DEPARTMENT – The Chairman on Public Order and Safety and the Chairman of Public Works and Infrastructure shall undertake the following:

a. *Serve as liaison with the concerned utilities in charge with the repair and abatement of any report or complaints regarding wires, cables, transmission lines and poles.*

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b. Prepare and propose resolutions and ordinances which will address the problems and issues which have been raised to the taskforce and requires legislation.

c. Research, collate and compile existing ordinances and resolutions which are relevant to the purpose of the Task Force and if necessary, propose amendments or modifications to the same during session of the Quezon City Council.

d. Represent the general welfare of the city by raising issues of the public and voice out the latter's concerns with regard to safety, security and ensure implementation of ordinances in aid of legislation.

SECTION 7. ROLE OF THE PRIVATE SECTOR – The representatives of the electricity utilities, Cable Companies, CCTV companies and Telephone Companies shall undertake the following:

a. Act as representative and serve as liaison with the proper private companies who own, operate and control wires, cables, transmission lines and poles in need of repair.

b. Actively participate in the task force's goal of clearing and/or repairing unused, inactive and/or sagging wires, cables and transmission lines and repair or abate poles which are in danger of falling.

c. Submit reports to the Task Force regarding concerns of the utilities in order to expeditiously implement the projects, as may be necessary, for appropriate action.

SECTION 8. MANDATORY PARTICIPATION – In order to ensure proper representation of all utility companies operating or have cables, transmission or distribution lines and poles within.

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SECTION 9. MEETINGS – The task force shall have a regular meeting to be conducted every 2nd week of the month to exercise the functions and duties defined in this ordinance. Members of the task force shall be notified of the time and date of the meeting or any changes concerning the same.

SECTION 10. BARANGAY PARTICIPATION – Within thirty (30) days from the promulgation of this ordinance, all local barangay units within the jurisdiction of Quezon City is instructed to investigate, receive complaints and thereafter report to the task force any wires, cables, transmission lines and poles that are in need of repair or requires to be abated on account of the same posing serious threat or danger to safety of the general public if left unrepaired.

SECTION 11. PENALTIES AND FINES – In the event the utility company fails to act upon the powers/duties stated in Section 4 or participate in the task force as stated in Section 7. The following penalties shall be imposed:

a.	First Offense	–	One Thousand Pesos (P1,000.00)
b.	Second Offense	–	Three Thousand Pesos (P3,000.00)
c.	Third Offense or Subsequent offenses	–	Five Thousand Pesos (P5,000.00)

SECTION 12. SEPARABILITY CLAUSE – If any provision or portion of this ordinance is found to be a violation of the constitution and is declared invalid, the provisions or portion hereof which are not so declared shall remain to be in full force and effect.

SECTION 13. REPEALING CLAUSE – All ordinances, executive orders and rules and regulations or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

SECTION 14. EFFECTIVITY – This ordinance shall take effect upon its approval and fifteen (15) days after publication in a newspaper of local circulation.

ENACTED: March 14, 2016.

MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 15 JUL 2016

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 14, 2016 and was PASSED on Third/Final Reading on June 6, 2016.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III