Republic of the Philippines
# QUEZON CITY COUNCIL
Quezon City
21st City Council

PO21CC-550

94th Regular Session

ORDINANCE NO. SP-3110, S-2022

*AN ORDINANCE CREATING THE UTILITY WIRES AND POLES REGULATORY UNIT UNDER THE OFFICE OF THE CITY ADMINISTRATOR, ALLOWING SUMMARY CORRECTION OF HAZARDOUS DANGLING WIRES AND SUBSTANDARD POLES, AND OTHER RELATED PURPOSES.*

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*Introduced by Councilors FRANZ S. PUMAREN, PEACHY V. DE LEON, VICTOR V. FERRER, JR., PATRICK MICHAEL VARGAS, ERIC Z. MEDINA and DONATO "Donny" C. MATIAS.*

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*WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandates every Local Government Unit (LGU) to exercise powers essentials to the promotion of the general welfare, and within their territorial jurisdiction to ensure safety, maintain peace and order, and preserve the comfort and convenience of the inhabitants;*

*WHEREAS, Section 458 of the same Code empowers the Sangguniang Panlungsod of every City to regulate the placing of poles and ensure public safety against live wires and other similar hazards;*

*WHEREAS, Section 12 (m) Republic Act No. 537, as amended, otherwise known as the Revised Charter of Quezon City, provides that "Notwithstanding the provisions of any existing law to the contrary, the City Council shall have the exclusive power to provide for the inspection, placing, stringing, attaching, installing, repair and construction of gas, electric, telegraph, and telephone wires, conduits, meters and other apparatus or electrical appliances, and the condemnation and correction or removal of the same when dangerous and defective";*

*WHEREAS, there are rampant incidents of electrical, cable, phone and internet wires dangling and leaning poles that may cause inconvenience and public hazards. Many of such wires are dead including poles which are dilapidated or non-functional;*

*WHEREAS, it has been observed that some utility companies have failed to apply for the proper pole and attachment plan permit and certificate or other relevant permits for their utility wires and poles installations.*

*NOW, THEREFORE,*

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

*SECTION 1. DEFINITION OF TERMS. - As used in this Ordinance, the following terms shall have the meanings below:*

a. *UTILITY - refers to Organizations responsible for the installation, operation and maintenance of electrical power supply and communication line systems (PEC part 2).*

b. *PUBLIC UTILITY - refers to electrical power generating and distributing systems, road, rail, air and water transport, postal, telegraph and radio communications, internet and water companies, characterized by large investment because of their optimum scale is huge. They are natural monopolies whose prices, profits, and efficiency are not subject to competitive checks and they provide essential services to industries and constituents. The operations of public utilities are granted through special laws and ordinances. (Quezon City Revenue Code of 2012 Amended).*

c. *DANGLING WIRE - refers to any electrical, cable, phone, internet or other utility wire (collectively, "utility wires") that is loosely hanging, dead or installed in any manner that poses a danger to the public, or otherwise fails to comply with the standards required under National Building Code of the Philippines, Philippine Electrical Code Part 2, Philippine Electronics Code and other applicable rules or guidelines.*

d. *UTILITY POLES - refers to poles installed and maintained by licensed and registered Public Utility Company.*

e. *UNLICENSED WIRES AND POLES - refers to any utility poles and wires that do not have any proper Approved Pole and Attachment Plan Permit or Certificate prescribed under the National Building Code of the Philippines and Philippine Electrical Code Part 2 and the Philippine Electronics Code.*

f. *APPROVED POLE LOCATION PLAN PERMIT AND CERTIFICATE - refers to permit and certificate issued when a utility company applies for pole installation, relocation, repair and maintenance including other related appurtenances.*

g. *APPROVED ATTACHMENT PLAN PERMIT AND CERTIFICATE - refers to permit and certificate issued when a utility company applies for new electrical supply and communication line attachments.*

h. *ELECTRICAL WIRING PERMIT AND CERTIFICATE OF FINAL ELECTRICAL INSPECTION FOR URBAN POOR (INFORMAL SETTLER FAMILIES). - means Electrical Wiring Permit and Certificate Final Electrical Inspection issued specifically for applications involving Depressed Areas whose residents have no proper documents or whose ownership were still under processed for Community Mortgage Program (CMP) and without formal housing units/ structures.*

*SECTION 2. CREATION. - The Utility Wires and Poles Regulatory Unit ("Unit") is hereby created as an administrative unit under the Office of the City Administrator. The existing Anti-Dangling Wires Task Force of the City Engineering Department shall be absorbed into the Unit. From time to time, the City Mayor may detail available officers and staff of the Office of the Building Official or the City Engineering Department, or other suitable offices or departments, as members of the Unit.*

*The City Mayor shall designate any suitably qualified regular permanent officer or employee of the Office of the Building Official or the City Engineering Department to serve as the Action Officer of the Unit.*

*SECTION 3. FUNCTIONS. - The Unit shall fulfill the following functions and responsibilities:*

a. *Issue, regulate and revoke all Private and Public/ Government applications for Approved Pole and Attachment Plan Permit and Certificate including applications for Wiring Permit and Certificate of Final Electrical Inspection for Depressed Areas or Urban Poor Settlement/ Informal Settlers Families (ISF's) as appropriate in accordance with the National Building Code of the Philippines (PD 1096) and other referral Codes.*

*In this regard any existing function of the Office of the Building Official with respect to the processing and issuance of Poles, Wires or Cable Attachment Permits and Certificates including Applications for Wiring Permit and Certificate of Final Electrical Inspection for Urban Poor Residents or Depressed areas and Informal Settler Families (ISF's).*

*Consequently, the Action Officer of the Unit shall recommend for the approval of the City Administrator and the City Mayor a schedule of fees on Permits and Certificates for the Approved Pole Location and Attachment Plan including Wiring Permit and Certificate of Final Electrical Inspection for the said Depressed Area Applications (Urban Poor Settlements/ Informal Settler Families).*

*b. Summarily take down dangling wires and dilapidated poles without need of notice or court action, when, in the reasonable determination of the Unit, such dangling wires pose an impending and serious hazard, and that immediate action is necessary to prevent electrocution, fire or other irreversible harm or damage to persons or property.*

*c. Take down and confiscate any unlicensed wires and poles when the responsible company has failed to apply for the necessary pole and attachment permit, or to pay the proper fees in this regard, within 30 days from receipt of notice from the Unit to apply for such permit and certificate, or pay such fees.*

*The unit may retain custody of any such confiscated wires and poles until such time that the company in question has paid the applicable fees.*

*d. Coordinate with lead agencies concerned, both local and national on the imposition of COLOR CODING and DECAL TAGGING for purposes of utility company identification and administer the testing and calibration of measuring instruments such as Kilowatt-Hour Meters, Regulators and Transformers.*

*e. Handle properly and safely any emergency pole and cable clearing operation activities including TREE TRIMMING by coordinating with all UTILITY COMPANY, CUSTOMER, END USER and other agencies of the City.*

*f. Recommend to the Business Permits and Licensing Department (BPLD) the suspension or revocation of the Business Permit or any Utility Company and their respective sub-contractors or other entity responsible for unlicensed dangling wires and substandard poles installed.*

*g. Otherwise enforce and implement with respect to utility wires and poles the National Building Code of the Philippines, Philippine Electrical Code Part 1 and 2, Philippine Electronics Code and other pertinent rules and guidelines.*

*SECTION 4. REPEALING CLAUSE. - All other Ordinances, Executive Orders or parts thereof which are inconsistent with provisions of this Ordinance are hereby repealed, amended or modifies accordingly.*

*SECTION 5. EFFECTIVITY CLAUSE. - This Ordinance shall take effect upon posting at prominent places in Quezon City Hall for a minimum period of three (3) consecutive weeks and upon publication in a newspaper of general circulation within the territorial jurisdiction of Quezon City, in accordance with Section 511 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.*

*ENACTED: March 21, 2022.*

GIAN G. SOTTO
City Vice Mayor
Presiding Officer

*ATTESTED:*

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: APR 08 2022

MA. JOSEFINA G. BELMONTE
City Mayor

*CERTIFICATION*

*This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 21, 2022 and was PASSED on Third/Final Reading under Suspended Rules on the same date.*

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III