# QUEZON CITY COUNCIL

Quezon City
18th City Council

PO2011-209

*51st Regular Session*

*ORDINANCE NO. SP-2135, S-2012*

*AN ORDINANCE REGULATING THE CONSTRUCTION OF HUMPS, SPEED BUMPS OR ANY PROTUBERANCE ON PUBLIC ROADS WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY.*

---

*Introduced by Councilor ANTHONY PETER D. CRISOLOGO.*

*Co-Introduced by Councilors Francisco A. Calalay, Jr., Dorothy A. Delarmente, Ricardo T. Belmonte, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Alfredo D. Vargas III, Eden "Candy" A. Medina, Julienne Alyson Rae V. Medalla, Roderick M. Paulate, Godofredo T. Liban II, Julian ML. Coseteng, Allan Benedict S. Reyes, Jose Mario Don S. De Leon, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Edcel B. Lagman, Jr., Jesus Manuel C. Suntay, Jessica Castelo Daza, Raquel S. Malañgen, Vincent DG. Belmonte, Marvin C. Rillo and Ranulfo Z. Ludovica.*

---

*WHEREAS, under Section 16 of Republic Act No. 7160, also known as the General Welfare Clause of the Local Government Code of 1991, 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 effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support the promotion of health and safety and preserve the comfort and convenience of its inhabitants;*

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

QUEZON CITY PUBLIC LIBRARY

*WHEREAS, Section 21 (d) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that: "any city xxxx may, by a duly enacted ordinance, xxxx regulate the use of any local street, road and thoroughfare";*

*WHEREAS Section 458 of Republic Act No.7160, otherwise known as the Local Government Code of 1991, states, that: (a) The sangguniang panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the city as provided for under Section 22 of this Code, and shall, approve ordinances and pass resolutions necessary for an efficient and effective city government.*

*WHEREAS, MMDA Memorandum Circular No. 01-2003 states that the presence of road humps along major roads has been identified as one of the major causes of traffic obstruction in Metro Manila, therefore, the removal of road humps in the streets and avenues has been part of their program in the clearing operations.*

*WHEREAS, the aforementioned circular also states that in the event that there is a compelling need to construct any hump, concerned groups are required to secure the recommendation of the Local Government Unit where the hump will be constructed.*

*WHEREAS, the use of this traffic-calming device is arguably effective in our streets because;*

1. *It can effectively reduce vehicle speeds*
2. *It may reduce traffic volume a little if there is a high volume of cut through traffic.*
3. *It protects crossing pedestrians from speeding vehicles.*

*WHEREAS, although the construction has succeeded in compelling drivers of motor vehicles to slow down and avoid accidents, the flip side is that these humps are themselves sources of some fatal accidents on the road and pose significant danger due to the following;*

QUEZON CITY PUBLIC LIBRARY
LAW
Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

1. its placement is not strategically studied accordingly
2. its physical design is poorly constructed
3. it does not have pavement markings to make it visible on surface roads.
4. it is not accompanied by warning signage.

*WHEREAS, most erection of these traffic-calming devices continue to be done without professional expertise and so they construct those speed checks haphazardly and continue to be unauthorized by the national and local government, and therefore are in need of regulation or prohibition.*

*NOW, THEREFORE,*

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

## *ARTICLE I.- GENERAL PROVISIONS*

### *SECTION 1. – DEFINITION OF TERMS*

*Speed Bumps – a traffic-calming device, protruding from the pavement in a parabolic or circular shape.*

*Rumble strips –TRS or Transverse Rumble Strips, a traffic-calming device or sleeper lines designed to warn drivers to slow down by causing a tactile vibration and audible rumbling of the vehicle.*

*Protuberance – something that bulges out or extends beyond or above a surface.*

*Road – national, local or public road.*

*Application – a letter of intent submitted to the city government for approval of an issuance of clearance for installation of humps.*

*Clearance – an authorization letter permitting an application for installation of humps.*

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH
Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

*SECTION 2. REGULATED ACTS – No person, natural or juridical shall construct any kind of hump or place any kind of protuberance, on any public road within the territorial jurisdiction of Quezon City, without first securing a clearance from the Office of the City Mayor through the City Engineer.*

*SECTION 3. ROLES OF CITY DEPARTMENTS / BARANGAYS*

*3.1. Roles of the Barangay Operations Center (BOC)*

*3.1.1. Upon effectivity of this ordinance, the BOC is hereby required to direct all barangays to submit to its office an inventory of all humps or protuberance, located in their area of jurisdiction, specifying the following;*

*a. Inventory list (indicating its designation, location and description if it is permanent/temporary).*

*b. Mapped Location*

*3.1.2. Upon completion of inventory, submit to the DPOS and City Engineering Department its compiled data.*

*3.2. Roles of the Barangay*

*3.2.1. Submit to Barangay Operations Center (BOC) an inventory of all humps/protuberance in their local jurisdiction.*

*3.2.2. The Barangay Public Safety Officers (BPSO) are tasked to monitor illegally constructed humps or any protuberance.*

*3.2.3. Process Barangay Clearance / Letter of Intent for construction of humps and planning of protuberance that may be submitted by, but not limited to;*

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH
Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

a. Private Subdivisions
b. Private or Public Schools / Daycare Centers
c. Private / Public Hospitals and Clinics
d. Business Establishments
e. Any local resident

3.3. Roles of the City Engineering Department

3.3.1. Provide a basic specifications as to the construction methodology and design (materials, thickness, width, height) of humps or protuberance;

3.3.2. Provide alternative options in place of humps or protuberance;

a. RUMBLE STRIPS (specifying its construction methodology and design)

b. WARNING SIGNS (SLOW DOWN, HUMPS AHEAD, INTERSECTION AHEAD etc.) and any other applicable signages.

3.3.3. Review all existing speed bumps/humps and determine if it is to be altered, modified or demolished.

3.3.4. Review all applications for construction of humps or protuberance, and recommend to the City Mayor its approval or disapproval.

3.4. Roles of the Department of Public Order and Safety (DPOS)

3.4.1. By way of a Technical Working Group (TWG) with City Engineering Department and BOC, review the said inventory and submit to the City Mayor its recommendation for approval in altering, modifying or demolishing either humps or protuberance.

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional
QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

*SECTION 4. – ADMINISTRATIVE PROVISIONS*

*1) Any person, natural or juridical, desiring to construct / place any kind of protuberance on any road within this City shall submit an application to the City Mayor or City Government through the Office of the City Engineer and Department of Public Order and Safety (DPOS).*

*2) Upon receipt of the said application, the DPOS Chief/OIC or his duly authorized representative shall coordinate with the City Engineer/OIC or his duly authorized representative to discuss the merits of the application. Thereafter, their joint or individual recommendation shall be submitted to the City Mayor for its approval/disapproval.*

*3) No clearance shall be issued without the written recommendation of both the City Engineer and the Officer-in-Charge of DPOS stating that the construction or placing protuberance is:*

*3.1 In compliance with Section 4 of this ordinance;*

*3.2 Will not obstruct the smooth flow of the traffic;*

*3.3 Will not pose a hazard to pedestrians;*

*3.4 Will not physically destroy public/private vehicles;*

*4) The City Engineer shall evaluate all existing humps or protuberance and shall make proper recommendation for the demolition if found to be violative of the provisions in this article, otherwise the person who cause the construction thereof must comply with paragraphs (1), (2), and (3) of this section.*

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional
QUEZON CITY PUBLIC LIBRARY

SECTION 5. – RULES AND REGULATIONS

1) ALL HUMPS / SPEED BUMPS are prohibited within the territorial jurisdiction of Quezon City.

2) ALL HUMPS / SPEED BUMPS or any protuberance shall be inventoried by the City Government and the DPOS and Engineering Department are hereby authorized to alter, modify or demolish the said structure to conform to the necessary specifications presented by the Department of Engineering.

3) Exceptions- humps/speed bumps shall be allowed only along schools, hospital zones, entry/exit points or inter-sections of private/public subdivisions and highly hazardous and thickly populated areas as long as it is not on any main road;

- A warning sign shall be installed
- Humps to have paved margins

4) The City Engineer and the Officer-in-Charge of the DPOS shall issue the necessary implementing rules and regulations or implementing guidelines for the effective enforcement, within one (1) month of the approval of this ordinance.

SECTION 6. – PENALTY CLAUSE – A fine of Five Thousand Pesos (P5,000.00) or an imprisonment of not more than six (6) months or both at the discretion of the court shall be imposed on any person, firm or corporation who will violate the provisions of this ordinance.

SECTION 7. ENFORCEMENT - This ordinance shall be enforced and implemented by the DPOS and BPSO's within their respective jurisdiction.

SECTION 8. - REPEALING OR AMENDATORY CLAUSE - Any provisions of existing ordinances, rules and regulations and/or parts thereof inconsistent with the provisions of this ordinance are hereby repealed and/or modified accordingly.

QUEZON CITY PUBLIC LIBRARY

nitro PDF professional
download the free trial online at nitropdf.com/professional

*SECTION 9. SEPARABILITY CLAUSE – Should any portion or provision of this ordinance be declared unconstitutional or invalid, the other parts or provisions thereof not affected thereby shall remain and continue to be in full force and effect.*

*SECTION 10. - EFFECTIVITY - This Ordinance shall take effect immediately after its publication in a newspaper of local circulation and upon posting thereof at a conspicuous place in the City Hall and at every Barangay Hall within the territorial jurisdiction in the city.*

*ENACTED: February 27, 2012.*

**MA. JOSEFINA G. BELMONTE**
**Vice Mayor**
**Presiding Officer**

*ATTESTED:*

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

*APPROVED:* 18 APR 2012

**HERBERT M. BAUTISTA**
**City Mayor**

*CERTIFICATION*

*This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 27, 2012 and was PASSED on Third/Final Reading on March 5, 2012.*

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

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional