



Republic of the Philippines  
Province of Eastern Samar  
Municipality of Can-avid

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**OFFICE OF THE SANGGUNIANG BAYAN**

Excerpt from the Minutes of the Sangguniang Bayan of Can-avid, Eastern Samar, held  
last August 12, 2019

**Present:**

HON. VILMA A. GERMINO	Vice Mayor/ Presiding Officer
HON. WILFREDO B. BUSA	SB Member
HON. NORBERTO C. HOBAYAN, JR.	SB Member
HON. GIL A. CEBRERO, JR.	SB Member
HON. BRANDO G. GULFERIC	SB Member
HON. MELVIN C. COSO	SB Member
HON. SALVADOR C. BUSA	SB Member
HON. OMER J. OBIENA	SB Member
HON. PIA C. ELGERA	SB Member
HON. ALPHE P. GERMINO	MSK President/Ex-Officio Member
HON. WILFREDO P. LEGUA	ABC President/ Ex-Officio Member

**Absent:** None

Municipal Ordinance No. 05, Series of 2019

**AN ORDINANCE PROHIBITING AND PENALIZING ANY PERSON, NATURAL OR JURIDICAL FROM CAUSING OBSTRUCTIONS ON STREETS, SIDEWALKS, AVENUES, ALLEYS, BRIDGES, PARKS AND OTHER SIMILAR PUBLIC PLACES IN THE MUNICIPALITY OF CAN-AVID, EASTERN SAMAR AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

**BE IT ENACTED** by the Sangguniang Bayan of the Municipality of Can-avid, Eastern Samar in session duly assembled;

**SECTION 1. TITLE.** This Municipal Ordinance shall be known and cited as the "Anti-Street Obstruction Ordinance of the Municipality of Can-avid, Eastern Samar.

**SECTION 2. SCOPE OF APPLICATION.** This Municipal Ordinance covers all kinds of obstructions on the Streets and other Public places in the Municipality of Can-avid, Eastern Samar committed by individuals, entities and companies other than those obstructions committed by persons while driving or operating motor vehicles and all other terms of conveyances.

**SECTION 3. PROHIBITION.** It is prohibited and considered unlawful for any person or groups of persons, entity or company to obstruct the free flow of people, goods and vehicles through the Municipal Streets/Roads, networks by using, utilizing otherwise appropriating and street sidewalk or pedestrian, walkway, avenue, alley, bridge, park and other public place or portion includes all kinds of obstructions and is not limited to the following:

a. To utilize as shop, working area, warehouse/Bodega, office or for any other purpose related to the conduct of his/her business.

b. To utilize an extension in the conduct of any business undertaking;

c. vending or selling of foods, kakanin, taho, junk foods, mineral water, peanuts ,candies, hard boiled eggs, fruits) magazines, newspapers, cigarettes, flowers, brooms, watches or jewelries shoes and other footwear and /or any other items;

- d. Conduct of shoe-shine occupation;
- e. Seeking of alms or solicitation of funds for whatever activity;
- f. Stationing of persons, with Disabilities or PWD's e.g. blind with guitar, cripple with a crutch, mother with a baby and the like to beg/ask for charity;
- g. Conduct of family gatherings/celebration, picnics or parties and merry-making activities and drinking alcoholic or intoxicating beverages;
- h. Doing household chores such as washing clothes, hanging clothes and/or bathing.
- i. Vehicle garage and/or vehicle repair.
- j. To utilize for the conduct of other activities related to transport i.e. barkers/call boys inviting passengers to board for Hire- vehicles queue of passengers waiting to board for hire vehicles and as terminals of for hire- vehicles;
- k. garbage dumping site;
- l. Setting up of Basketball court/goal, playing basketball or scheduling a seasonal competition;
- m. Use of sidewalk to strap/hitch animals, fowls and the like, with or without cage/pen;
- n. Storing of soft drinks or wine/liquor bottles and cases (empty or not);
- o. Storing of Junks, motor Vehicles and/or parts and other recyclable materials;
- p. Use of sidewalk for storage of construction materials for sale (pipes, tubing's, lumber, cement and the like);
- q. House extension or stall/store extension, including installation of roots or awnings;
- r. Installation of permanent or picket fence;
- s. Use of sidewalk for plants, trees and plant boxes;
- t. To place stones/rocks/cement slabs/ Hollow blocks and/or car tires;
- u. To place wood or iron structure, especially those mark with "no parking" sign; and
- v. Signs or signboards of a Business placed on or above sidewalks and detached from the establishment;

Conduct of religious activities, such as preaching, processing or holding of a wake or other community affairs like fiestas, games/amusement activities should be coordinated with the Barangay Council concerned and the Traffic and Parking Management Office.

All items, goods and structures found on or along roads, streets, avenues, alleys, sidewalks, bridges, parks and other public places shall be confiscated by the Municipal Government without prior notice. The same shall be treated as common or ordinary garbage and shall be disposed of as such.

Provided, that food commodities maybe given to the Municipal Jail as food for the detainees or street children. The Municipal Government shall not be held liable for any damage arising from the removal, confiscation or disposal of the said items.

**SECTION 4.** It shall be unlawful for owners of residential and commercial establishments which are located along national or Municipal Roads/streets to allow sidewalk vendors to use the street frontage of their establishments to sale their goods and other merchandise or to give consent to the use of an area inside their establishments in order to avoid being apprehended by enforcers on sidewalk vendors.

**SECTION 5. PENALTIES.** Violations of this Ordinance shall upon conviction be penalized as follows:

For the first Offense a fine of **Five Hundred (Php.500.00) Pesos.**

For the Second Offense a Fine of **One Thousand (Phgp.1, 000.00) Pesos.**

For the Third and Succeeding Offenses a fine of **Two Thousand (Php.2, 000.00) Pesos** or imprisonment of one (1) month or both at the discretion of the Court.

**SECTION 6.** If the Offender is an organization, partnership or corporation, the penalty provided for under this Ordinance shall be imposed upon the President or General Manager or Managing Partner or the person-in-charge of the Organization, partnership or corporation;



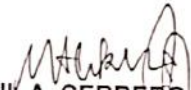


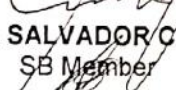
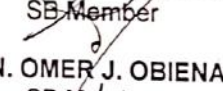
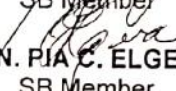
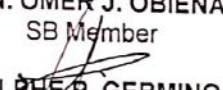

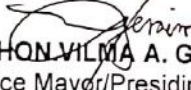

**SECTION 7. REPEALING CLAUSE.** All Ordinances, resolutions, executive orders and other issuances which are inconsistent with any of the provisions of this code are hereby repealed or modified accordingly.

**SECTION 8 – Effectivity-** This Municipal Ordinance shall takes effect immediately upon its approval or **Ten (10) days** upon Publication with the newspaper of general circulation or within three (3) conspicuous places in the Municipality.

**ADOPTED & APPROVED** this 12<sup>th</sup> day of August, 2019 at Can-avid, Eastern Samar.

**WE HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING ORDINANCE**

ATTESTED:

	<b>HON. WILFREDO B. BUSA</b> Senior SB Member
	<b>HON. NORBERTO C. HOBAYAN, JR.</b> SB Member
	<b>HON. GIL A. CEBREIRO, JR.</b> SB Member
	<b>HON. BRANDO G. GULFERIC</b> SB Member
	<b>HON. MELVIN C. COSO</b> SB Member
	<b>HON. SALVADOR C. BUSA</b> SB Member
	<b>HON. OMER J. OBIENA</b> SB Member
	<b>HON. PIA C. ELGERA</b> SB Member
	<b>HON. ALPHE P. GERMINO</b> MSK President/ Ex-Officio Member
	<b>HON. WILFREDO P. LEGUA</b> ABC President/ Ex-Officio Member
	<b>HON. VILMA A. GERMINO</b> Vice Mayor/Presiding Officer
	Approved: <b>GIL NORMAN P. GERMINO</b> Municipal Mayor

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I HEREBY CERTIFY that this is true and correct copy of Ordinance No. 05, Series of 2019, adopted & approved by the Sangguniang Bayan last August 12, 2019 **REGULAR SESSION.**

**ROMEO H. APAREJADO, JR., AB, LLB**  
Sangguniang Bayan Secretary

(Not valid without Official Seal)