ORDINANCE NO. 0022
Series of 2012

ORDINANCE REGULATING LOADING AND UNLOADING OF ALL VEHICLES IN THE DESIGNATED “BAGSAKAN AREAS” IN THE MARIKINA PUBLIC MARKET ZONE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Introduced by Councilor ERNESTO M. FLORES
Co-Sponsored by Councilor FRANKIE C. AYUSON
Councilor RONNIE S. ACUÑA
Councilor ARIEL V. CUARESMA
Councilor WILFRED S. REYES
WHEREAS, Section 458, paragraph (5), sub-paragraph (iv) of the Local Government Code of 1991 provides that the Sangguniang Panlungsod is empowered to:

"xxx (v) Regulate the use of streets, avenues, alleys, sidewalks
xx establish bus and vehicle stops and terminals or regulate the
use of the same by privately-owned vehicles which serve the public
xx regulate garages and the operation of conveyances for
hire xxx";

WHEREAS, the City Council, through Resolution No. 22, Series of 2010, recognizes the necessity of coming up with a regulation to squarely address the problem of unregulated loading and unloading of goods in the market zone;

WHEREAS, however, the City Government of Marikina, in support of the above-mentioned measure issued Executive Order 003-11, which provides rules and regulations governing the experimental scheme for the “Bagsakan Area” in the Marikina Public Market Zone which took effect for a period of one (1) month;

WHEREAS, ninety percent (90%) of the market stallholders as well as the consumers gave a positive response to the scheme and the Committee on Transportation and Traffic decided to formally enact the corresponding ordinance for its implementation;

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the CITY COUNCIL of MARIKINA in session duly assembled that:

SECTION 1. The City Government of Marikina hereby regulates loading and unloading of all vehicles in the designated “Bagsakan Areas” in the Marikina Public Market Zone.

SECTION 2. Coverage. The Marikina Market Zone shall be governed by the following rules:

A. NIGHT TIME DELIVERY. The Marikina Market Zone is open for delivery vehicles from 9:00 p.m. to 5:00 a.m. Unloading of commodities shall be limited to two (2) hours from the time of parking. The zone shall include the following:

a. P. Burgos Street – west side from Kapt. Venciong Street to Sumulong Highway. Inner road is no parking and no loading/unloading.

b. E. dela Paz Street – west side from Kapt. Venciong Street to Sumulong Highway. E. dela Paz Street, fronting wet section parking area is no parking and no loading/unloading.

c. E. Jacinto Street – west side from W. Paz Street to Sumulong Highway and
d. West side of Shoe Avenue from Kapt. Venciong Street to Villalon Street and parking area between Freedom Park Road II and Jacamar Street.
B. DAY TIME DELIVERY. Daytime delivery is open from 11:00 a.m. to 3:00 p.m. Unloading of commodities in the following areas shall be limited to two (2) hours from the time of parking.

a. P. Burgos Street – west side from Kapt. Venciong Street to Sumulong Highway. Inner road is no parking and no loading and unloading.
b. E. dela Paz Street – west side from Kapt. Venciong Street to Sumulong Highway. E. dela Paz Street, fronting wet section parking areas is no parking and no loading/unloading.
c. E. Jacinto Street – west side from W. Paz Street to Sumulong Highway;

C. OTHER COVERAGE. The following business establishments shall be governed by these rules:
   a. Delivery vehicles of Grocery Stores are allowed to park and load/unload their goods anytime of the day, one vehicle at a time and in front of their establishment only, except these establishments located along P. Burgos Street with six (6) to ten (10) wheelers delivery vehicles will be allowed only between 11:00 a.m. to 3:00 p.m or 9:00 p.m. to 5:00 a.m. of the following morning.
   b. Delivery vehicles of Grocery Stores fronting the west section of Dela Paz Street are allowed to load and unload at wet section parking area. They will be given one (1) parking slot from 1:00 p.m. to 5:00 p.m. only.

SECTION 3. Cleanliness. Cleanliness of bagsakan area should be observed otherwise violators will be penalized in accordance with Ordinance No. 75, Series of 2002.

SECTION 4. Blocking of Driveways. No vehicle shall block driveways of residential/business establishments any time of the day.

SECTION 5. Implementing Authority. The Office of the Market Administrator, in coordination with other concerned offices/departments, shall ensure the efficient implementation of this Ordinance.

SECTION 6. Penalty Clause. Any person or persons caught violating this Ordinance shall be penalized as follows:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Offense</td>
<td>P1,000.00</td>
</tr>
<tr>
<td>Second Offense</td>
<td>P2,000.00</td>
</tr>
<tr>
<td>Third Offense</td>
<td>P3,000.00 plus confiscation of Driver’s License</td>
</tr>
</tbody>
</table>

SECTION 7. Separability Clause. If for any reason or reasons, any part of this Ordinance shall be declared unconstitutional or invalid, the provision or provisions which are not affected thereby, shall continue to be in full force and effect.
SECTION 8. Effectivity. These rules shall take effect upon its approval until repealed or amended or modified accordingly.

APPROVED by the CITY COUNCIL of MARIKINA this 25th day of April, 2012.

I hereby certify to the passage of the foregoing Ordinance which was duly approved by the CITY COUNCIL of MARIKINA during its 15th Regular Session held on April 25, 2012.

NORALYN R. TINGCUNCO
Acting City Council Secretary

ATTESTED:

RONNIE S. ACUNA
City Councilor

FRANKIE O. AYUSON
City Councilor

JOSEPH B. BANZON
City Councilor

SERAFIN Y. BERNARDINO
City Councilor

ARIEL V. CUARESMA
City Councilor

ANNA B. DAYAO
City Councilor

MARK ALBERT J. DEL ROSARIO
City Councilor

CARISSA F. CARLOS
City Councilor

MARIO M. DE LEON
City Councilor

ERNESTO M. FLORES
City Councilor

SUSANA P. MAGTUBO
City Councilor

ELMER B. NEPOMUCENO
City Councilor

ROMMEL F. ORTIZ
City Councilor

EVA AGUIRRE-RAZ
City Councilor
XY-ZAR DIAZEN
City Councilor

DOMINGO N. DELA PAZ
City Councilor/Liga President

WILFRED S. REYES
City Councilor

PAUL DANIEL P. BELMONTE
City Councilor/SK Fed. President

JOSE FABIAN L. CADIZ, M.D.
City Vice Mayor/Presiding Officer

APPROVED by the HON. CITY MAYOR on 03 MAY 2012

DEL R. DE GUZMAN
City Mayor

ORDINANCE NO. 022
Series of 2012
Page 5 of ..........05