

REPUBLIC OF THE PHILIPPINES  
SANGGUNIANG PANLUNGSOD  
PASAY CITY

ORDINANCE NO. 679, Series of 1996

AN ORDINANCE REGULATING EXCAVATIONS ON PUBLIC PLACES IN PASAY CITY AND IMPOSING PENALTIES FOR VIOLATION THEREOF

Sponsored by: Councilor ROBERTO L. ALVAREZ

WHEREAS the indiscriminate diggings on the streets of Pasay City have caused serious traffic problems, discomfort and inconvenience to our motorists and endangered the lives and properties of the residents;

WHEREAS, the completion of the on going work on the streets depends upon the whims and caprices of the contractors thereby prolonging the agony and suffering of the residents;

WHEREAS there is a need to regulate excavations on the streets of Pasay City for the general welfare of the City residents;

NOW THEREFORE be it ORDAINED as it is hereby ORDAINED, in session duly assembled, that:

SECTION 1. TITLE - This ordinance shall be otherwise known as the ROAD EXCAVATION CODE OF PASAY CITY;

SECTION 2. DECLARATION OF POLICY - It is hereby declared to be the policy of the City to safeguard life, health, property and public welfare and to this end, make it the purpose of this code to regulate and control all forms of excavations in the streets of Pasay City;

SECTION 3. DEFINITIONS - The following words whenever used in this Ordinance, shall mean as follows:

- a) Excavation.- Is any form of digging in the street of Pasay City;
- b) Street - It includes National, City and Barangay street in Pasay City;
- c) Logbook - Is a book in which is entered the daily progress of the works in the streets of Pasay City which shall be provided by the contractor and shall be kept at the job site at all times for the duration of the work and make available to the inspectors of the City Building Official and the Barangay Officials of the place;
- d) Sign Board - Is a board to be provided by the contractor at the job site where the following entries are entered: THE NAME OF THE CONTRACTOR AND OWNER OF THE WORK, THE EXCAVATION PERMIT NUMBER, DATE OF COMMENCEMENT OF WORK AND DATE OF COMPLETION;

SECTION 4. EXCAVATION PERMITS - Any person who shall undertake any excavation in any streets of Pasay City shall secure excavation permit and pay the fees to the Office of the City Building Official as required by the National Building Code;

SECTION 5. CONDITIONS OF PERMIT.- The excavation permit whenever issued is subject to the following conditions:

- a) This permit does not guarantee the subsequent granting of the principal building permit under process and that the owner/applicants undertakes the work or project at his/her own risk;
- b) This permit and the logbook shall be kept at the job site at all times for the duration of the project;
- c) All public facilities such as streets, sidewalks curbs, gutters, electric post, power and communication lines, water, sewer and drainage lines and the like shall be properly protected against any damage and obstruction. Any facility and/or utility damaged shall be properly repaired and restored to its original condition by the owner/applicant subject to the approval of the Building Official and the Chairman of the Barangay where the project is located;
- d) The owner and contractor shall be jointly responsible for the safety, protection, security and convenience of the general public and his/her personnel, third parties, the works, equipment installation and the like. All wastes or discarded materials from the project shall be properly stored and disposed of. Water wastes shall be discharge directly into drainage lines. Pertinent provisions of the Building Code shall be complied with.
- e) This permit maybe suspended or revoked for violation of the provisions of the National Building Code or any provision herein contained,

SECTION 6. PERIOD OF COMPLETION OF PROJECT - The Building Official shall determine the period of completion of the project which shall be placed in the permit;

SECTION 7. EXTENSION OF PERIOD OF COMPLETION.- The period of completion maybe extended upon application by the owner or contractor of the project, on reasonable grounds;

SECTION 8 DUTIES OF OWNER OR CONTRACTOR OF PROJECT - It shall be the duty of the owner or contractor conducting excavation on the streets of the City to:

- Section 8.(a)1. To keep the permit and maintain a logbook at the job site at all times for the duration of the projects,
- 2. To put up Sign Board stating therein the name of the owner and contractor of the project, the Excavation Permit Number, the date of completion of the project, including any extension, if there is any,

*Handwritten notes and signatures on the left margin, including a large signature at the top.*

*Handwritten notes and signatures on the left margin, including the word 'Wang'.*

*Handwritten notes and signatures on the left margin.*

*Handwritten notes and signatures on the left margin.*

*Handwritten notes and signatures on the left margin.*

*Handwritten notes and signatures on the left margin.*

*Large handwritten signature on the right margin.*

3. To provide safety measures in the excavation sites by putting up wooden barriers or fence on the excavation or cover up with steel plates and warning devices such as lights during night time;
4. To restore at its own expence, to the former condition any damaged public facilities such as streets, sidewalks curbs, gutters, electric post, water, power and communication lines, sewer and drainage lines, subject to the approval of Building Officials and Barangay Chairman of the place where the work is being done;
5. To clean, remove and haul all debris occasioned and brought about by the diggings immediately from the completion of the project,

**SECTION 9. SUPERVISION OF PROJECTS** - The Building Officer through his assigned inspectors shall, from time to time, inspect the project for compliance of the provisions of this ordinance and shall record in the logbook in the possession of the owner or contractor at the job site any violations of the ordinance and the stage of completion of the project, which entries shall be signed by the assigned inspectors, placing the date and time of the inspection,

**SECTION 10. MONITORING OF PROJECT** - The Barangay Chairman in whose jurisdiction the project is being undertaken shall from time monitor the performance of the owner or contractor and shall report to the Building Official and to the Office of the Mayor public facilities that has been damaged and those abandoned by the contractor without completing the project;

**SECTION 11. CONFISCATION OF BOND** - The Building Officer may confiscate the bond posted by the applicant or contractor for violation of any provision of the National Building Code and this Ordinance.

**SECTION 12. PENALTY** - Any person who violates any provision of this ordinance shall suffer imprisonment of ONE (1) year and fine of FIVE THOUSAND (P5,000.00) PESOS. If the violator is a corporation, partnership or association the president or its responsible officers shall be criminally responsible therefore. If the violator is foreigner, he shall be deported after serving the penalty hereto provided;

**SECTION 13. REPEALING CLAUSE** - All ordinances, regulations or parts thereof which are contrary to or inconsistent with any provision of this ordinance are hereby repealed or modified accordingly;

**SECTION 14. EFFECTIVITY CLAUSE** - This ordinance shall take effect upon its approval and publication in a newspaper of general circulation in Pasay City;

DONE in the City of Pasay this 1st day of **October** in the Year of Our Lord Nineteen Hundred and Ninety Six.

APPROVED:

**HON. PABLO P. CUNETA**  
City Mayor

**HON. WENCESLAO B. TRINIDAD**  
Vice Mayor & Presiding Officer

*Handwritten notes and signatures on the left margin:*  
 - "3-4-2" at the top left.  
 - A large, stylized signature or scribble in the middle left.  
 - "When" written vertically on the left side.  
 - "Pasay" written vertically on the left side.

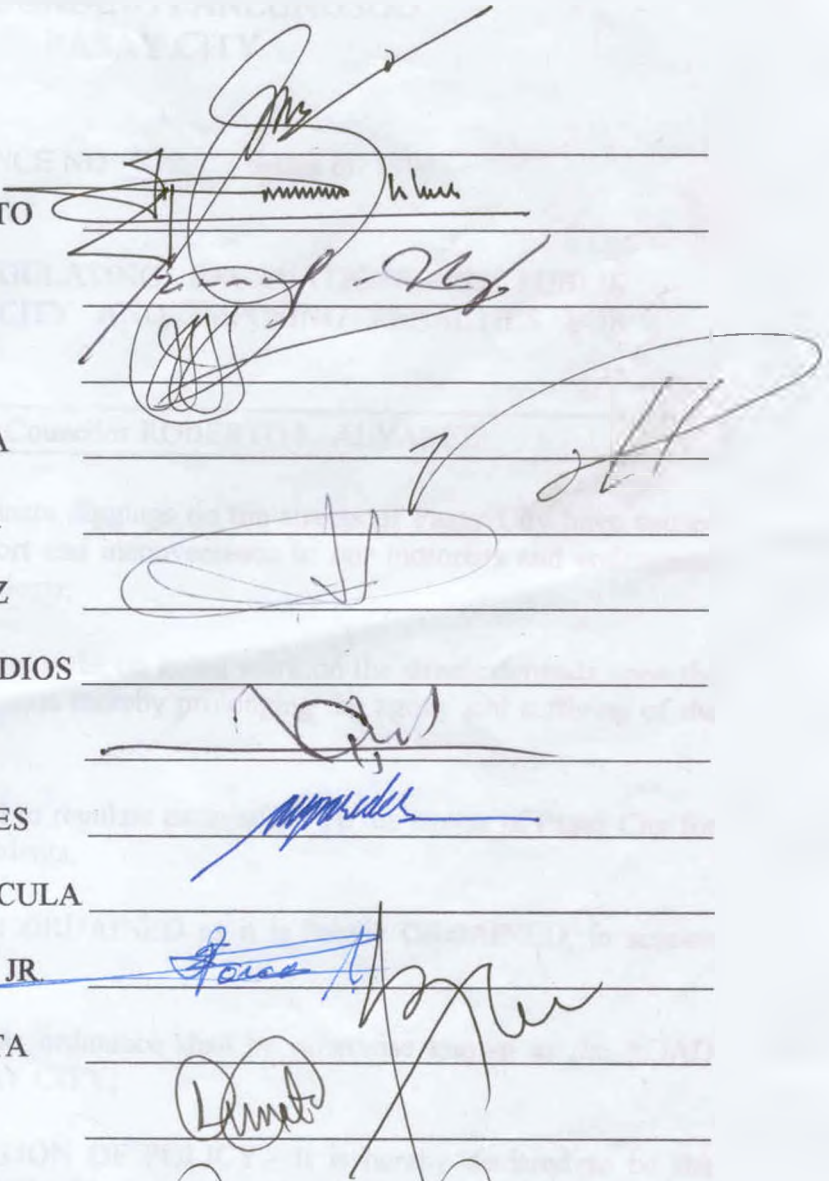
*Handwritten notes and signatures on the left margin:*  
 - A large, stylized signature or scribble in the middle left.  
 - A vertical line with a checkmark-like symbol on the left side.

*Handwritten notes and signatures on the left margin:*  
 - A large, stylized signature or scribble in the middle left.

*Handwritten signature on the right margin:*  
 - A large, stylized signature.

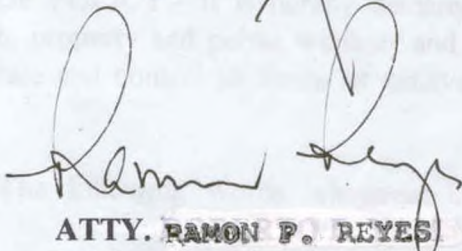
*Handwritten signature at the bottom center:*  
 - A large, stylized signature.

1. Hon. GREG F. ALCERA
2. Hon. ANTONINO G. CALIXTO
3. Hon. EMMANUEL M. IBAY
4. Hon. JUSTO C. JUSTO
5. Hon. ROMULO M. CABRERA
6. Hon. REYNALDO O. PADUA
7. Hon. ROBERTO L. ALVAREZ
8. Hon. EDITA V. VERGEL DE DIOS
9. Hon. ULDRICO C. ARABIA
10. Hon. ALBERTO V. PAREDES
11. Hon. EDUARDO I. ADVINCULA
12. Hon. TEODULO R. LORCA, JR.
13. Hon. GENEROSO F. CUNETTA
14. Hon. LEVINE A. CUNETTA



ATTESTED BY:

**DR. ANTONIO S. CO**  
City Administrator



**ATTY. RAMON P. REYES**  
Acting City Secretary

