



Republic of the Philippines
City of Davao



Office of the Sangguniang Panlungsod

17th City Council
29th Regular Session
Series of 2014

PRESENT:

Councilor	Karlo S. Bello	- Acting Vice Mayor
Councilor	Nilo M. Abellera Jr.	
Councilor	Ma. Belen S. Acosta	
Councilor	Victorio U. Advincula Jr.	
Councilor	Al Ryan S. Alejandre	
Councilor	Leonardo R. Avila III	
Councilor	Joanne M. Bonguyan-Quilos	
Councilor	Louie John J. Bonguyan	
Councilor	Danilo C. Dayanghirang	
Councilor	Jimmy G. Dureza	
Councilor	Edgar R. Ibuyan Sr.	
Councilor	Leah A. Librado-Yap	
Councilor	Rene Elias C. Lopez	
Councilor	Diosdado Angelo A. Mahipus Sr.	
Councilor	Berino L. Mambo-o Sr.	
Councilor	Bonifacio E. Militar	
Councilor	Tomas J. Monteverde IV	
Councilor	Myrna G. L'Dalodo-Ortiz	
Councilor	Antoinette G. Principe-Castrodes	
Councilor	Mary Joselle D. Villafuerte	

ON OFFICIAL BUSINESS:

Vice Mayor	Paolo Z. Duterte	- Acting City Mayor
Councilor	Bernard E. Al-ag	
Councilor	April Marie C. Dayap	

ABSENT:

Councilor	January N. Duterte	- On Sick Leave
Councilor	Marissa P. Salvador-Abella	- On Vacation Leave
Councilor	Rachel P. Zozobrado	- On Domestic Emergency Leave

ORDINANCE NO. 0177-14 Series of 2014

AN ORDINANCE PLACING UNDERGROUND ALL ELECTRICAL AND TELECOMMUNICATION WIRES AND CABLES WITHIN THE VICINITY OF CITY HALL AND THE SANGGUNIANG PANLUNGSOD OF THE CITY OF DAVAO

Be it ordained by the Sangguniang Panlungsod of Davao City in session assembled that:

SECTION 1. TITLE - This Ordinance shall be known as "**AN ORDINANCE PLACING UNDERGROUND ALL ELECTRICAL AND TELECOMMUNICATION WIRES AND CABLES WITHIN THE VICINITY OF CITY HALL AND THE SANGGUNIANG PANLUNGSOD OF THE CITY OF DAVAO**";

SECTION 2. DEFINITION OF TERMS - As used in this Ordinance the following terms are defined as follows:

- (a) Wires - refers to electrical and telecommunications wires;
- (b) Cables - an insulated conductor or group of conductors protected by a waterproof coat that are installed aerial or underground ;
- (c) Installation - an assemblage of power/telecommunications equipment in a given location, designed for coordinated operation, properly erected and wired;
- (d) Juridical person - refers to corporations, institutions and entities engaged in the businesses mentioned in this Ordinance;
- (e) Telecommunications - any process which enables a telecommunications entity to relay and receive voice, data, electronic messages, written or printed matter, fixed or moving pictures, words, music or visible or audible signals or any control signals of any design and for any purpose by wire, radio or other electromagnetic, spectral, optical or technological means (Reference: RA 7925)
- (f) Public Telecommunications Carrier (PTC) - shall refer to a duly enfranchised and NTC certified telecommunications carrier and/or entity duly authorized by law including the government to provide public telecommunications services (Reference: NTC MC- No. 9-7-93)
- (g) Service entrance - the conductors and equipment for delivering electric energy from the serving utility to the wiring system of the premises served (Reference: 2009 Philippine Electrical Code, part 1, Volume 1)

SECTION 3. COVERAGE -This Ordinance shall cover the City Hall and Sangguniang Panlungsod area, commencing from the Philippine National Bank (PNB) in C.M. Recto Street to Andres Bonifacio Rotunda in A. Pichon Street, to Jaltan Food House in A. Pichon St. through City Hall Drive to Lachmi Emporium in San Pedro St., completing the circuit at PNB C.M. Recto St., as shown in Annex "A" hereof;

SECTION 4. PURPOSE - This Ordinance is enacted for the following purposes:

- (a) To bolster the image of the City of Davao as internationally competitive, capable of attracting investments while ensuring sustainable development in its midst;
- (b) To provide the populace of the City of Davao with a clear model of a sustainable and aesthetic response to the rising demands of progress and their impact to the environment;
- (c) To enhance safety and security for the offices of the City Government of Davao particularly City Hall and Sangguniang Panlungsod and other establishments in the vicinity;

SECTION 5. UNDERGROUND PASSAGE - All electric utility companies and public telecommunication carriers servicing the City of Davao shall place underground all electrical and telecommunications wires and cables within the area covered by this Ordinance.

All building owners within the covered area shall provide service entrances compatible for underground electrical and telecommunications wires and cables;

SECTION 6. PENALTY PROVISIONS - The following penalties shall be imposed on any or all violators of this Ordinance:

- a. After three (3) notices, any person or entity who violates this Ordinance, shall be fined the amount of P 5,000.00
- b. After the fourth and final notice, cancellation of his/her business permit;
- c. If the violation is committed by a partnership, corporation, association, firm, or other juridical entity including government-owned or controlled corporation, the penalty shall be imposed on the president, general manager and each of the officers of these entities. In addition, the penalty shall also include the cancellation of its business license;

SECTION 7. COSTS - The cost for placing underground the electrical and telecommunication wires and cables including the restoration of the excavated streets/sidewalks shall be jointly shared among the electric utility companies and public telecommunication carriers as determined in the integrated design/ plan as formulated by the Wires and Cables Technical Team;

SECTION 8. WIRES AND CABLES TECHNICAL TEAM - To ensure that the objectives of the Ordinance is attained, there shall be created a Wires and Cables Technical Team through an Executive Order of the City Mayor;

SECTION 9. FUNCTIONS - The Wires and Cables Technical Team shall have the following functions:

- a. Formulate and Implement the integrated design/plan within 30 days upon its creation;
- b. Establish coordinative and working relationship among members of the team;
- c. Supervise and monitor the full implementation of the Ordinance;
- d. Recommend additional provisions or actions that will promote and strengthen the objectives of this Ordinance;

SECTION 10. COMPOSITION - The team shall be composed of the following, to wit:

- a) Chair - City Mayor to be represented by the City Administrator
- b) Vice-Chair - City Engineer's Office
- c) Members:
 1. Chair of the SP Committee on Transportation and Communications
 2. City Building Official
 3. Department of Public Works and Highways (DPWH)
 4. National Telecommunications Commission (NTC)
 5. Davao City Water District (DCWD)
 6. City Planning and Development Office (CPDO)
 7. Public Safety and Security Command Center (PSSCC)
 8. City Transport and Traffic Management Office (CTTMO)
 9. Davao Light and Power Company (DLPC)
 10. PLDT/SMART
 11. Globe
 12. Two (2) representatives from owners of the establishments within the affected area
 13. DCTECH
 14. SKYCABLE
 15. BAYANTEL
 16. Bureau of Fire Protection;

SECTION 11. CLEAN-UP AND RESTORATION - Within ninety (90) days after the full implementation of this Ordinance, all aerial wires, cables and poles shall be removed by the respective electric utility company and public telecommunication carrier;

The streets/sidewalks that were excavated shall be properly restored;

SECTION 12. NOTICE TO THE PUBLIC - Upon the approval of this Ordinance, copies thereof shall be posted by the Secretary of the City Council at all the entrances of City Hall and the Sangguniang Panlungsod buildings and given to all electric companies and public telecommunication carriers and all establishments within the area covered.

SECTION 13. EFFECTIVITY - This Ordinance shall take effect upon approval hereof.

ENACTED, August 1, 2014, by a majority vote of all the Members of the Sanggunian present.

CERTIFIED CORRECT:

Charito N. Santos
CHARITO N. SANTOS
Secretary to the Sangguniang Panlungsod
(City Government Department Head II) *ch*

ATTESTED:

Karlo S. Bello
KARLO S. BELLO
Acting Vice Mayor
cms / chad

APPROVED: _____, 2014

LAPSED
DEEMED APPROVED AFTER THE LAPSED OF
TEN (10) DAYS PER SEC. 54 (b), R.A. 7160

RODRIGO R. DUTERTE
City Mayor *R. Duterte*

ATTESTED:

ATTY. J. MELCHOR V. QUITAIN
City Administrator