

Commonwealth of the Philippines
Department of the Interior
QUEZON CITY
City Council

ORDINANCE Numbered 31.

AN ORDINANCE REGULATING THE USE OF STREETS AND PUBLIC PLACES IN QUEZON CITY.

Be it ordained by the City Council of Quezon City,
that:

GENERAL PROVISIONS

SECTION 1. Free for use of public.- The streets and public places of the city shall be kept free and clear for the use of the public, and the sidewalks and crossings for the pedestrians, and the same may be used or occupied for other purposes only as may be provided by ordinance or regulation: Provided, That the holding of athletic games, sports, or exercises during the celebration of national holidays in any streets or public places of the city and on the patron saint day of any place or district may be permitted by means of a permit issued by the Mayor, who shall determine the streets or public places, or portions thereof, where such athletic games, sports, or exercises may be held: And provided, further, That the holding of any parade or procession in any street or public place is prohibited unless a permit therefor is first secured from the Mayor, who shall, on every such occasion, determine or specify the streets or public places for the formation, route, and dismissal of such parade or procession: And provided, finally, That all applications to hold a parade or procession shall be submitted to the Mayor not less than twenty-four hours prior to the holding of such parade or procession.

SEC. 2. Unauthorized usage, liability for damage.- Any person using the streets for unauthorized purposes shall be liable for all damage that may be sustained by reason of such use.

SEC. 3. Noncompliance with permit, liability for damage.- Any person using the streets for purposes requiring the authority of a permit shall be liable for all damage that may be sustained by reason of neglect or refusing to comply strictly with the provisions of such permit, and shall take necessary care and precautions for the safety of the public.

SEC. 4. Unauthorized obstructions removed.- Whenever the owner or person responsible for any unauthorized obstruction shall, after official notice from the proper department, refuse or neglect to remove the same within a reasonable time, such obstruction shall be deemed a public nuisance, and the city engineer is authorized to remove the same at the owner's expense.

SEC. 5. Authorized obstructions, removal, when and how.- Any person authorized to obstruct a street shall remove such obstruction within the time and in accordance with the provisions of the permit authorizing such obstruction, leaving the public way in the same condition as before, to the satisfaction of the city engineer.

SEC. 6. Temporary obstructions, directions for removal by police, etc.- Whenever any street is temporarily obstructed for any cause, the police or any officer of the office of the city engineer may issue such directions in regard to removal of such obstruction as may be required for public convenience and safety.

SEC. 7. Fences or railings around obstructions; travel of pedestrians.- Any department having charge of a public work requiring the obstruction of any street or public way, or any person placing an obstruction in the street under authority of a permit, shall erect and maintain a suitable fence or railing around such obstruction and place and maintain lights at such places and in such manner as to prevent danger to the public. Such obstructions shall not interfere with the necessary travel of pedestrians, and the department or person in charge of the work shall make suitable provisions for their accommodation.

SEC. 8. Compliance with provisions.- It shall be the duty of the police and the city engineer to see that the provisions of this title are in all cases strictly complied with.

OCCUPANCY FOR BUILDING

SEC. 9. Encroachments, conditions of.- No street shall be permanently encroached upon, except as otherwise expressly provided by ordinance. Permit for the temporary occupancy of such public property is included in the permit for the building, subject to the following conditions:

During the erection of the external walls of any building the owner or his agent shall cause that part of such building to be inclosed by a fence not less than one-half meter in height and not more than two meters from the building line. If such inclosing fence shall prevent the passage of the pedestrians on the sidewalk, the owner or his agent shall cause to be laid and maintained in good condition and repair, and free from rubbish, dirt, or materials, a temporary plank sidewalk of a width not less than one-third of the sidewalk and in no case less than one meter in width. If the building in process of erection be more than three stories in height and be set at or near the street line, there shall be built over the temporary sidewalk a roof having a framework covered by not less than two layers of planking five centimeters in thickness and not less than two and twenty-five one-hundredths meters in clear height.

SEC. 10. Dressing of materials.- The dressing of stone, lumber, and so forth, upon public property is forbidden.

SEC. 11. Danger lights.- Red-glass globe lanterns shall be displayed and maintained from sunset to sun-

rise whenever fences are built and excavations are opened. The number of these lanterns shall be determined by the chief of police.

SEC. 12. Covered ways.- Temporary covered ways across sidewalks or streets may be permitted for periods not to exceed forty-eight hours. Such covered ways shall afford a free passage of at least one meter in width along the middle of the sidewalk and a free passage for the vehicle width of the roadway. Permits for such covered ways will not be required, but such obstructions shall be under the control and regulation of the chief of police.

SEC. 13. Damage to pavements, sidewalks, or curbs.- Whenever the street pavement, sidewalk, or curb is damaged during the construction of a building or its repair, the necessary repairs to the same shall be done by the city at the expense of the owner.

REMOVAL OF EXPLOSIVES, BUILDINGS, GARBAGE, ETC.

SEC. 14. Corpses, dead animals, garbage, etc.- No corpse, or any dead animal, swine, garbage, rubbish, offal, or offensive material of any description, or any explosives or inflammable material shall be carried through the streets, except in vehicles licensed for such purposes; nor shall earth, mortar, sand, garbage, rubbish, offal, or other material be conveyed in such manner that any part thereof shall be scattered in any street.

SEC. 15. Moving buildings.- No person shall move or cause to be moved any building through any street without the written permission of the city engineer, and no person moving a building shall permit the same to stand on any street for a greater period than three days.

SEC. 16. Noxious substances.- No cart or other vehicle used for carrying putrid or offensive materials, night soil, or the contents of any water or earth closet, privy, vault, cesspool, or latrine, or having in them any other noxious substance shall occupy an unreasonable time in loading or unloading or in passing along any street or through any inhabited place or area, nor shall any unnecessary number of such carts or vehicles gather before any residence, building, or place of business.

VARIOUS USES

SEC. 17. Excavations.- It shall be unlawful for any person to make any cut, trench, or excavation in any street, or disturb or remove any public work or materials therein, without a permit to do so from the city engineer, which said permit shall be kept at the place of excavation while work is being done, and shall be exhibited whenever called for by inspectors, police, or other persons having authority to examine the same.

SEC. 18. Pipes and conduits.- It shall be unlawful for any person to lay pipes or conduits of any kind in a street or public place, without first obtaining a permit therefor from the city treasurer.

SEC. 19. Gas pipes.- All service pipes for gas must be placed at a minimum of sixty centimeters below the approved curb grade of street as shown by plans on file in the office of the city engineer, and no street shall be opened without the authorization of the city engineer. The installation of service pipe from the mains to the gas meters, together with the placing and connection of said meters, and repairs or alterations to the same, shall be executed only by the gas corporation. Should it become necessary in the case of emergency breaks for the corporation to open the street without due authorization, it shall be the duty of the corporation to notify the city engineer within twenty-four hours. All streets resurfacing will be done by the city at the expense of the corporation, but should the corporation at any time open a street after four o'clock postmeridian, it shall be its duty to install danger lights.

SEC. 20. Undermining.- It shall be unlawful for any person to dig under a street, sidewalk, or public place for any purpose, or cause the same to be undermined by digging or removing earth or stone from the abutting premises, without first obtaining a permit therefor from the city engineer.

SEC. 21. Private purposes.- It shall be unlawful to use any portion of any street, sidewalk, wharf, landing, or other public place for the purpose of storing material for the erection or repair of any building, or to store thereon material of any kind, or to use the same for any private purpose without first obtaining a permit therefor from the city engineer.

SEC. 22. Erecting obstructions.- It shall be unlawful to place or erect any post, fence, stand, building, or other obstruction, in whole or in part, upon a street, sidewalk, or public way, or to obstruct any street, drain, or gutter, without first obtaining a permit therefor from the city engineer.

SEC. 23. Depositing dirt, garbage, etc.- It shall be unlawful for any person to deposit any sand, dirt, garbage, rubbish, offal, or material of any description in any street.

SEC. 24. Grading and paving.- It shall be unlawful to grade, fill, or repave any part of a street, without first obtaining a permit therefor from the city engineer.

SEC. 25. Selling vehicles, merchandise, etc.- It shall be unlawful to sell or expose for sale in a street or public place, any vehicle or any horse or other animal attached thereto, or any goods, wares, or merchandise of any description, without first obtaining a permit therefor from the Mayor.

SEC. 26. Banners and musical instruments for advertising.- It shall be unlawful to bear or carry upon any street or sidewalk or on any wagon or any other

hicle in any public place, any banner or transparency for the purpose of advertising any trade, profession, business, festival, or place of amusement or to parade or play upon any musical instruments in any public place for advertising purposes, without first obtaining a permit therefor from the city treasurer, who is authorized to issue such permit only on the approval of the Mayor. There shall be paid for every permit granted for a parade or for playing musical instruments, as in this section provided, the sum of two pesos for each day for which such permit is granted: Provided, That such permits shall be issued only with the understanding that no band shall be permitted to play within seventy-five meters of any hospital.

SEC. 27. Begging, cooking, washing, etc.- It shall be unlawful for any person to beg, cook, wash clothes, horses, vehicles or other property, or commit any nuisance in the streets.

SEC. 28. Accompanying beggars.- No person shall serve as guide to, or accompany, any beggar to beg or solicit alms in any street or public place.

SEC. 29. Barbering.- It shall be unlawful for any person or persons to engage in the business of cleaning the ears, scraping the eyelids, or barbering upon any street.

SEC. 30. Peddlers.- Every person duly licensed to engage in the City in the business or calling of a hawker, peddler, or huckster shall not be permitted to sell or offer to sell his articles, or stop in any public place or street of the city, which the Mayor may, from time to time, designate, through proclamation, as improper places for plying his trade, when public interests so demand.

SEC. 31. Peddlers, proclamations by Mayor.- Every time the proclamation mentioned in the last preceding section is issued by the Mayor, it shall be published or advertised in a conspicuous place in the City Hall one week before it will take effect, specifying clearly the places in which the hawkers, peddlers, or hucksters can not sell their products or stop, and the period during which such proclamation will be effective. Once the proclamation issued by the Mayor is effective, no hawker, peddler, or huckster can sell or offer for sale their products, or stop in the place or places declared as improper during the period therein specified.

PUBLIC PLACES

SEC. 32. Parks.- Parks and other public places shall be reserved for purposes of recreation and amusement.

SEC. 33. Avenues and roads.- No person shall ride or drive upon any other part of any park or other public place than the avenues and roads regularly laid out for that purpose.

SEC. 24. Flower beds and grass plots.- No person shall walk on or over flower beds in any park or other public place, or on or over any grass plot which may be designated by any fence or sign as not open to the public.

SEC. 25. Dogs and other pet animals taken into.- No person shall take or allow to be taken into the Botanical Gardens or other public park dogs or other pet animals, unless the same are secured by a chain, cord, or other device, held by a person responsible for said animals.

SEC. 26. Penalty for violation.- Any violation of the provisions of this Ordinance shall be punished by a fine of not more than two hundred pesos, or by imprisonment for not more than six months, or by both, in the discretion of the court.

SEC. 27. Effectivity.- This Ordinance shall take effect upon its passage.

Unanimously passed, March 4, 1940.


TOMAS B. MORATO
City Mayor

TESTED:


A. D. WILLIAMS
City Secretary