Republic of the Philippines
Province of Samar
Municipality of Pinabacdao
OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN
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SANGGUNIANG PANLALAWIGAN
PROVINCE OF SAMAR
RECEIVED
BY: MA. RUBIE M. PAGUNTALAN
DATE: FEB 20 2025

February 20, 2025

HON. ARNOLD V. TAN
Vice Governor
Province of Samar
Capitol Building
Catbalogan City, Samar

Thru: **ATTY. JOSE CRISOSTOMO Y. GUADES**
Secretary to the Sangguniang Panlalawigan

Sir;

Respectfully transmitting herewith copies of **Municipal Ordinance 25-002**, entitled: **"AN ORDINANCE REGULATING THE INSTALLATION OF TELECOMMUNICATION WIRES, POWER/ELECTRICAL LINES/WIRES, CABLES AND OTHER FACILITIES FOR CONVEYANCE OF ELECTRICITY AND COMMUNICATIONS, AND PROHIBITNG THE INSTALLATION OF WOODEN POST WITHIN THE MUNICIPALITY OF PINABACDAO, AND PROVIDING PENALTIES FOR VIOLATION THEREOF."**, approved by the Sangguniang Bayan of Pinabacdao, Samar on February 17, 2025, for review and proper action.

Sincerely,

MARY BERNARDETTE T. QUIJANO
Secretary to the Sangguniang Bayan

AN ORDINANCE REGULATING THE INSTALLATION OF TELECOMMUNICATION WIRES, POWER/ELECTRICAL LINES/WIRES, CABLES AND OTHER FACILITIES FOR CONVEYANCE OF ELECTRICITY AND COMMUNICATIONS, AND PROHIBITNG THE INSTALLATION OF WOODEN POST WITHIN THE MUNICIPALITY OF PINABACDAO, AND PROVIDING PENALITIES FOR VIOLATION THEREOF.

Republic of the Philippines
Province of Samar
Municipality of Pinabacdao
OFFICE OF THE SANGGUNIANG BAYAN

Municipal Ordinance No. 25-002
Series of 2025

AN ORDINANCE REGULATING THE INSTALLATION OF TELECOMMUNICATION WIRES, POWER/ELECTRICAL LINES/WIRES, CABLES AND OTHER FACILITIES FOR CONVEYANCE OF ELECTRICITY AND COMMUNICATIONS, AND PROHIBITNG THE INSTALLATION OF WOODEN POST WITHIN THE MUNICIPALITY OF PINABACDAO, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, as stated in Section 5, Article II of the 1987 Philippine Constitution that the maintenance of peace and order, protection of life, liberty and property, and the promotion of general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, as stated in Section 447, Article 5 of the Republic act No.7160 known as local Government code of 1991 Regulate the placing, stringing, attaching, installing, repair and construction of all electric, telegraph and telephone wires, conduits, meters and other apparatus; and, provide for the correction, condemnation or removal of the same when found to be dangerous, defective or otherwise hazardous to the welfare of inhabitants.

WHEREAS, it is the thrust of the Local Government Unit of Pinabacdao to protect the lives, limbs and properties of the general public, and to promote development of our town as one avenue to achieve orderliness and prosperity;

WHEREAS, it has become unabated that poses hazard, danger and inconvenience to motorists, pedestrians and the public in general. It was likewise observed regarding haphazard, improper/inadequate installation and indiscriminate connections of telecommunication, power/electrical lines/wires and cables, quoted as "spaghetti wires" is unsightly and an eyesore which cause visual pollution and runs inappropriate to our healthy and clean environment, and at times, due to its low installation it is sideswiped by tall and big trucks/buses and heavy equipment;

WHEREAS, it is imperative to respond to the need of the public for public safety.

Section 1. Title – This Ordinance shall be known as "**AN ORDINANCE REGULATING THE INSTALLATION OF TELECOMMUNICATION WIRES, POWER/ELECTRICAL LINES/WIRES, CABLES AND OTHER FACILITIES FOR CONVEYANCE OF ELECTRICITY AND COMMUNICATIONS, AND PROHIBITNG THE INSTALLATION OF WOODEN POST.**"

Section 2. Scope – This Ordinance shall cover all telecommunication wires, power lines/wires, cables and other facilities for the conveyance of electricity and communications, and prohibiting the installation of wooden post.

TelCom Wires

Section 3.Definition of terms- as used in this ordinance:

- **Installation**, means the action or process of installing something or of being installed.
- **Communication**- means sending or receiving information, such us phone lines or computer.
- **Spaghetti wires**- refers to a complex entanglement of cables from various electronic devices that requires an extensive amount of time to sort trough and organize.
- **Administrative Fines**- means a monetary penalty by compliance officer pursuant to this chapter for the violation of this ordinance.

Section 4. Any existing improper/inadequate, disorderly manner of installation and indiscriminate connections of telecommunications, power/electrical lines/wires, cable and the like which are unsightly and an eyesore that causes visual pollution shall be removed and/or fixed and rehabilitated/upgraded by responsible persons/owners/ company management/head of agency/ entity and/or corporation who owns or control the same and to undertake the rehabilitation within a period of one (1) year from the affectivity of this Ordinance.

Section 5. Any existing wooden post shall be removed and shall be upgraded into a concrete or metal pole by responsible persons/owners/ company management/head of agency/ entity and/or corporation who owns or control the same and to undertake the rehabilitation within a period of one (1) year from the effectivity of this Ordinance.

Section 6. Telecommunication and cable companies/corporations within the territorial jurisdiction of the Municipality of Pinabacdao shall be required to provide and/or install name tags and color coding scheme to their respective poles/posts, lines/wires and cables for identification purposes.

Section 7. It shall be the liability of the company management/head of agency/ corporation in case of accident to motorists, pedestrians and the general public cause the improper, inadequate and disorderly manner of installation of telecommunication, power/ electrical lines/wires, cables and the like.

Section 8. The Office of the Municipal Engineer is tasked with the duties and responsibilities to monitor, check and implement that all installation of telecommunication, power/ electrical poles/posts, lines/wires, cable and the like are properly installed in accordance with the Provisions of the National Building Code of the Philippines (P.D. 1096) and other related laws, rules and regulations.

Section 9. Administrative Fines and Sanctions. Any Person holding managerial position in public/private telecommunication, power/electric and cable companies/corporations/cooperatives/entities who shall fail to comply and violate the .

provisions of this Ordinance shall be penalized as follows:

Failure to comply with Sections 3, 4, and 5 shall be subject to the following:

- One (1) month after the lapse of the One (1) year period– A Fine of two thousand five hundred pesos (P2, 500.00) and shall suffer the penalty of *arresto menor* in its minimum period.

- Two (2) months after the lapse of the One (1) year period– A fine of two thousand five hundred pesos (P2, 500.00), suspension of Business Permit and shall suffer the penalty of *arresto menor* in its maximum period.

- Three (3) months and succeeding months after the lapse of the One (1) year period– A fine of two thousand five hundred pesos (P2, 500.00), revocation of Business Permit and shall suffer the penalty of *arresto mayor* in its minimum period.

- One (1) year of after the lapse of the One (1) year period– A fine of two thousand five hundred pesos (P2,500.00) and shall suffer the penalty of *arresto mayor* in its maximum period and cannot be granted a Business permit for two (2) consecutive years.

For Violation of Section 7:

- 1st Offense - a fine of two Thousand Pesos (P2,000.00) and shall suffer the penalty of *arresto menor* in its minimum period.

- 2nd Offense - a fine of Two Thousand Pesos (P2,500.00), suspension of Business Permit, and shall suffer a penalty of *arresto menor* in its maximum period, or both fine and imprisonment shall be imposed at the discretion of competent Court.

- 3rd Offense – A fine of Two Thousand Five Hundred (P2,500.00), revocation of Business Permit, and shall suffer the penalty of *arresto mayor* in its minimum period.

- 4th and subsequent violation of Section 7 shall be penalized with a fine of Two Thousand Five Hundred (P2,500.00) and shall suffer the penalty of *arresto mayor* in its maximum period and cannot be granted a Business permit for two (2) consecutive years.

Section 9. Separability Clause. Should any provision(s) of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of the other provisions not so declared;

Section 10. Repealing Clause. Any Ordinance, rules and regulations or part thereof which are inconsistent or in conflict with the herein ordinance are hereby repealed, amended or modified accordingly.

Section 11. Effectivity. This Ordinance shall take effect fifteen (15) days after its approval and publication through posting of the text thereof in the Municipal Hall and three (3) conspicuous places in the Municipality of Pinabacdao.

ENACTED this 17th day of February, 2025.

HON. JOSE SANTIAGO T. QUIJANO
SB Member

HON. ELISEO B. CABORNAY JR.
SB Member

HON. JOEL R. PACAYRA
SB Member

HON. NESTOR C. OCENAR
SB Member

HON. ARLYN C. MABUTE
SB Member

HON. ROSEMARIE T. BADENAS
SB Member

HON. NINO A. RAGA
SB Member

HON. REYNALDO C. TUAZON
SB Member

HON. WILMA P. ESOY
ABC Pres./Ex-Officio Member

HON. JOSEPH UDDANE O. GACULA
SK Fed. Pres./Ex-Officio Member

I HEREBY CERTIFY the correctness of the foregoing Ordinance which was duly adopted by the Sangguniang Bayan of Pinabacdao, Samar during its regular session.

MARY BERNADETTE T. QUIJANO
Secretary to the Sangguniang Bayan

TelCom Wires

ATTESTED:

HON. EDGAR M. TONELETE
Vice- Mayor/Presiding Officer

APPROVED BY HIS HONOR, THE MAYOR, ON 18 FEB 2025 **:**

HON. TEODORICO A. MABAG

Municipal Mayor

TelCom Wires