

Republic of the Philippines
City of Iloilo
OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE 31ST REGULAR SESSION OF THE 10TH SANGGUNIANG PANLUNGSOD OF THE CITY OF ILOILO, PHILIPPINES, HELD AT THE SESSION HALL, 6TH FLOOR CITY HALL BUILDING, PLAZA LIBERTAD, ILOILO CITY, ON TUESDAY, AUGUST 18, 2020.

PRESENT:

HON. JEFFREY P. GANZON
City Vice Mayor & Presiding Officer

Hon. Lyndon V. Acap
Hon. Lady Julie Grace L. Baronda (Asst. Floor Leader)
Hon. Romel D. Duron, Floor Leader
Hon. Ely A. Estante, Jr.
Hon. Rudolph Jeffrey O. Ganzon
Hon. Carlos C. Javellana
Hon. Leila G. Luntao, SK Federation President Ex Officio
Hon. Mandrie T. Malabor
Hon. Maria Irene D. Ong, Liga ng mga Barangay President Ex Officio
Hon. Eduardo L. Peñaredondo
Hon. Jose Efrain G. Treñas, III
Hon. Alan A. Zaldivar

SP Records Section	
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Member
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Member

ABSENT:

Hon. Frances Grace V. Parcon
Hon. Candice Magdalane A. Tupas

Member
Member

REGULATION ORDINANCE NO. 2020-087
AN ORDINANCE ENSURING THE CONTINUOUS AND UNINTERRUPTED DISTRIBUTION OF ELECTRICITY IN THE CITY OF ILOILO AND THE PROTECTION OF INTEGRITY AND RELIABILITY OF DISTRIBUTION FACILITIES AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Sponsored by Hon. Romel D. Duron, and unanimously co-sponsored by all Members present;

WHEREAS, Republic Act 11361 also known as The Anti-Obstruction of Power Lines Act was signed into law on August 08, 2019 to ensure uninterrupted conveyance of electricity from generating plants to end users.

WHEREAS, The Anti-Obstruction of Power Lines Act will save our transmission, sub-transmission and distribution systems and possibly minimize damages in times of calamities and realized greater power reliability and system efficiency.

WHEREAS, the new law aims to keep all power line corridors free of any obstructions that may disrupt the supply of electricity from power plants to consumers.




NOW THEREFORE, be it ordained, as it is hereby ordained by the Sangguniang Panlungsod of Iloilo City, in session assembled, that:



Section 1. Short Title.- This ordinance shall be referred to as the Anti-Obstruction of Electric Distribution Lines and Facilities Ordinance.

Section 2. Operative Principle.- The general welfare of the City of Iloilo includes the provision of continuous and reliable supply of electric power to ensure public safety and promote a sustainable economic development.


Section 3. Coverage.- This ordinance shall cover all electric power distribution lines and other related facilities for the conveyance of electricity within the City of Iloilo and facilities of the National Grid Corporation of the Philippines (NGCP).

Section 4. Definition of Terms. – As used in this ordinance, the following terms shall mean:

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- A. *Distribution of Electricity*- refers to the delivery of electricity from the distribution facility to the premises of the end user.
 - B. *Dangerous Structure or Building* - refers to those which structurally unsafe; or which constitute a fire hazard not provided with safe egress, or are otherwise dangerous to human health; or which in relation to existing use constitute a hazard to safety, health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, or abandonment; or which otherwise contribute to the pollution of the site or the community to an intolerable degree. It also refers to any building or structure which has any or all of the conditions or defects described in Section 1.01.08 (b), Republic Act 6541, otherwise known as the National Building Code of the Philippines”: Provided, that such condition or defect exists to the extent that life, health, property, safety of the public or its occupants are endangered.
 - C. *Distribution Lines* - refers to the portion of the distribution system pertaining to the line wires;
 - D. *Distribution System* - refers to the system of wires and associated facilities belonging to a franchised distribution utility extending between the delivery points on the transmission or sub-transmission system or generator connection and the point of connection to the premises of the end user.
 - E. *Distribution Utility* - refers to any electric cooperative, private corporation, or government-owned utility which has a franchise to operate a distribution system including those whose franchise covers economic zones;
 - F. *End User* - refers to any person or entity requiring the supply and delivery of electricity for its own use;
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- G. *Hazardous activities* - refers to burning of waste and other materials, excavation, quarrying, construction and other activities of the same nature and character, which are performed partially or wholly inside the power line corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity;
- H. *Hazardous improvements* - refers to structures, building, and improvements of whatever kind, whether temporary or permanent in character and regardless of the purpose for which they are intended, which are located partially or wholly inside the power line corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity;
- I. *Owner or Operator of Power Lines* - refers to generation companies, transmission owner and its concessionaire, IDUs (Independent Distribution Utilities), other Distribution entities, and entities which have ownership or responsibility for the operation and maintenance of power lines;
- J. *Philippine Electrical Code* - refers to the set of rules which provide for the safety in electrical installation, construction, operation and maintenance, and the utilization of electricity mandated under the new Electrical Engineering Law;
- K. *Power Lines* - refer to transmission lines, sub-transmission lines, distribution lines, and generation dedicated point to point lines, and other connection assets including the poles and towers used to support the lines, and related facilities constructed or erected used for the purpose of conveyance of electricity;
- L. *Power Line Obstruction* - refers to any hazardous activity or hazardous improvement and other similar circumstances that threaten or endanger the continuous and uninterrupted conveyance of electricity;
- M. *Sabotage*- refers to deliberately destroy, damage, or obstruct electrical lines or electric facilities.
- N. *Tall Growing Plants* - refers to plants, vines and other plant species which grow or have the potential to grow more than three (3) meters height from the ground;
- O. *Power Line Corridor* - refers to the land beneath, the air spaces surrounding and the area traversed by the power lines including its horizontal, vertical, and similar clearance requirements shall constitute the power line corridor, which shall at times be kept clear and free from any power line obstructions, dangerous structures, hazardous activities and improvements. And other similar circumstances in accordance with the provisions of this ordinance.
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Section 5. Prohibited Acts. -It is hereby declared unlawful for any person, whether natural or juridical, public or private, to:

- A. Plant or cause to be planted tall growing plants, including plants of whatever kind, variety, or height within the power line corridor;
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Housing and Land Use Regulatory Board (HLURB), and the concerned LGUs (City Engineer's Office and CENRO), as provided by Republic Act 11361;

- E. To stop, prevent, or prohibit the conduct of hazardous activities; and
- F. Perform either analogous acts or activities which will cause the prevention and removal of any power line obstruction.

Section 7. Prevention and Removal of Power Line Obstruction on Private Property.-

The owner or operator of power lines shall have the primary duty and responsibility to remove power line obstructions. In cases where the power line corridor is wholly or partially located within the private property, the property owner shall coordinate and assist the owner or operator of power lines by facilitating the necessary access in order to perform the acts enumerated in section 6.

The property owner shall have the primary duty and responsibility to prevent power line obstructions and to inform the owner or operator of the power line of their existence. In the performance of these acts the property owner shall be entitled to necessary assistance such as, but not limited to, education and information, and technical and manpower support from the owner or operator of power lines.

In the event that the property owner fails to perform any duty and responsibility under the preceding paragraphs, the owner or operator of power lines shall have the right to access the power line corridor in order to undertake the acts enumerated under section 6: provided, that the entry to private property may only be effected after due notice to , and proper coordination with the property owner: Provided, however, That the foregoing shall no longer be required to avert an imminent danger posed by a power line obstruction in accordance with Article 432 of the Civil Code.

Section 8. Assistance from the Local Government Units, Philippine National Police, and Armed Forces of the Philippines.- In the performance of the acts under Section 6 and 7, the owner or operator of the power lines may seek the assistance of LGU Officials (City Engineer's Office and CENRO), the Philippine National Police, or the Armed Forces of the Philippines (AFP); Provided, That the LGU officials (City Engineer's Office and CENRO), the PNP, or the AFP shall render such assistance, as may be deemed necessary.

Section 9. Permits.- Building Officials of LGUs shall require the building owner who will be undertaking construction or maintenance activities surrounding, adjacent, or proximate to the power line corridor to give due notice, to and coordinate with the concerned owner or operator of the power lines prior to the issuance of a building permit.

Section 10. Penalties-Without prejudice to civil and administrative liability, the penalty of imprisonment of one (1) month or a fine of Five Thousand Pesos (Php5,000.00) at the discretion of the court shall be imposed upon any person, both natural and juridical, found guilty of committing any of the prohibited acts specified in Section 5 of this ordinance.

If the offenses are committed by or in conspiracy with an officer or employee of the owner or operator of the power line, such officer or employee shall suffer the same penalty provided herein.

The local building official who issued a building permit in violation of Section 9 of this ordinance shall be meted the same penalty provided herein.


Section 11. Separability Clause.- Any portion or provision of this ordinance, which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

Section 12. Repealing Clause.- All other ordinances, rules, regulations, and other issuance or parts thereof, which are inconsistent with this ordinances are hereby amended, modified, or repealed accordingly.

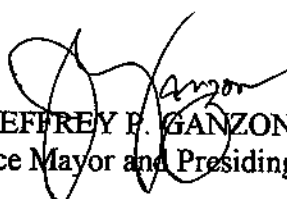
Section 13. Effectivity- This Ordinance shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.


ENACTED, August 18, 2020.

I hereby certify to the correctness of the above quoted-ordinance.


RUTH H. ARROYO
Secretary to the Sanggunian 8/18/20

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:


JEFFREY P. GANZON
City Vice Mayor and Presiding Officer

APPROVED

JERRY T. TREÑAS
City Mayor 8/19/2020