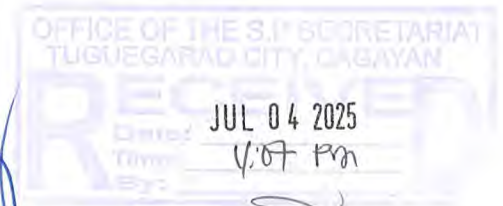


**A DRAFT ORDINANCE REGULATING THE HANGING, NAILING AND WIRING OF  
TARPAULINS, STREAMERS, BANNERS, ADVERTISING MATERIALS, POLITICAL  
ADS AND ANY OTHER RELATED MATERIALS IN ELECTRICAL POSTS,  
TELECOMMUNICATIONS LINES POSTS AND LGU-OWNED STREETLIGHTS  
POSTS**

Author:

Hon. Tirso V. Mangada

**WHEREAS**, the state has the power to regulate activities within its aerial domain in consonance with public welfare and safety;

**WHEREAS**, it is the policy of the State to safeguard life, health, property, and public welfare consistent with the general welfare principle of Republic Act 7160, otherwise known as Local Government Code of 1991;

**WHEREAS**, RA 11361 ensures “uninterrupted conveyance of electricity from generating plants to end users, and protect the integrity and reliability of the country’s transmission, sub-transmission, and distribution systems by keeping the land beneath, the air spaces surrounding, and the area traversed by power lines clear of dangerous obstructions.”;

**WHEREAS**, that posters and tarpaulins placed and hung on electric posts, telecommunication posts, and streetlights posts pose several concerns on the side of the public and the electric and telecommunication distribution utilities especially during calamities such as typhoon;

**WHEREAS**, that regulating the hanging, nailing and wiring of tarpaulins, streamers, banners, advertising materials, political ads and any other related materials in electrical posts, telecommunications lines posts and LGU-owned streetlights posts will not hinder personnel in-charge of the latter in the facilitation of repair and maintenance.

**NOW THEREFORE, BE IT ORDAINED**, by the Sangguniang Panlungsod of Tuguegarao City, in session duly assembled, that:

**SECTION 1. TITLE** - This Ordinance shall be known as “**ANTI-UNAUTHORIZED POSTING, INSTALLATION, OR DISPLAY OF POSTERS AND OTHER PUBLICITY MATERIALS ORDINANCE OF TUGUEGARAO CITY.**”

**SECTION 2. DECLARATION OF POLICY** - It shall be declared the policy of Tuguegarao City to take an active role to maintain public order, safety, and the aesthetic value of the city, prevent damage to utility infrastructure and avoid public hazards, ensure that public spaces, especially those serving essential services, are protected from unauthorized and unsafe installations.

**SECTION 3. SCOPE AND APPLICABILITY** - The provisions of this Ordinance shall apply to all acts of hanging, nailing and wiring of tarpaulins, streamers, banners, advertising materials and any other related materials in electrical posts, telecommunications lines posts and LGU-owned streetlights posts found in both public and private places in the territory and within the jurisdiction of Tuguegarao City.

**SECTION 4. DEFINITION** - As used in this Ordinance, the following terms or phrases shall be construed to mean:

- A. ELECTRICAL POSTS** - Utility poles used by power distribution companies (e.g. CAGELCO);
- B. TELECOMMUNICATION LINES POSTS** - Poles used by companies providing internet, cable, or telecommunication services;
- C. LGU-OWNED STREETLIGHTS POSTS** - Poles installed by the City Government;
- D. POSTER** - A bill or placard for posting often in a public place; especially, one that is decorative or pictorial;
- E. STREAMER** - A long narrow piece of colored paper or plastic that is used as a decoration. It may be made of cloth or tarpaulin displayed to announce an event or promote a product;
- F. BANNER** - A strip of cloth -with a design, picture, or writing on it;
- G. POLITICAL AD** - Any political campaign paraphernalia used during electoral campaign by political candidates; it may be made of paper, cloth, or tarpaulin in varying sizes;
- H. OTHER ADVERTISING MATERIALS** - Any notices or announcements that promote a business, profession, service or entertainment, or a commodity sold or offered for public/private use.

**SECTION 5. PROHIBITED ACTS** - The following acts are prohibited under this Ordinance:

- a. Hanging, nailing, wiring, or posting any tarpaulin, streamer, banner, advertisement, or political ad on:
  - Electrical posts (public or private);
  - Telecommunication poles;
  - LGU-owned streetlight posts;

- Any other utility pole or structure intended for public services.
- b. Using metal wires or sharp objects to hang materials that may damage infrastructure or cause electrical hazards.
- c. Posting of expired, worn-out, or torn materials that degrade the urban aesthetics of the city.

**SECTION 6. EXEMPTIONS** - The following may be exempted from this prohibition upon written approval of the City Mayor or a designated office by the Local Chief Executive:

- a. Government announcements related to public safety or events;
- b. Emergency or disaster-related notifications;
- c. Materials approved under a special permit for temporary installation for not more than 15 days, subject to renewal.

**SECTION 6. PERMIT AND CLEARANCE** - Any individual, organization, or business wishing to display promotional materials in public places must first secure a 'Permit to Post' from the City Government. The following shall be required:

- \* Description and purpose of materials;
- \* Location and duration;
- \* Consent from utility company (if applicable);
- \* Payment of corresponding fees, if any.

**SECTION 7. PENALTIES** - Violators of this Ordinance shall be penalized as follows:

**First Offense** - Written Warning and Removal of Material within 24 hours

**Second Offense** - P1,000 fine and confiscation of material

**Third Offense** - P2,500 fine and/or community service for 2 days

**Fourth and Subsequent Offenses** - P5,000 fine and/or imprisonment of up to 30 days subject to the discretion of the court

If the violator is a business entity, the City may suspend or revoke permits or licenses as necessary.

**SECTION 8. ENFORCEMENT** - The following offices shall be authorized to enforce this Ordinance:

- \* City Engineering Office
- \* City Public Order and Safety Office (POSO)
- \* City Information Office

- \* Barangay Officials

- \* Any other deputized personnel designated by the City Mayor

These offices shall conduct regular inspections and may remove unauthorized materials without prior notice.

**SECTION 9. SEPARABILITY CLAUSE.** - If, for any reasons, any part of the provision of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 10. REPEALING CLAUSE.** All Ordinance, Resolutions, Circular, Memorandums, or Rules and Regulation inconsistent with the provision of this Code are hereby repealed and modified accordingly.

**SECTION 11. EFFECTIVITY CLAUSE.** - This Ordinance shall take effect ten (10) days after its posting at Tuguegarao City Transparency Boards.