



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Resolution No. 186-11
Series of 2023

A RESOLUTION URGING ALL ELECTRONIC COMPANIES AND TELECOMMUNICATION COMPANIES TO CORRECT ALL DANGLING UTILITY WIRES AND SUBSTANDARD UTILITY POSTS WITHIN THE CITY OF PASIG, AND FOR OTHER PURPOSES.

Authors: Councilors Paul Roman C. Santiago, Noel L. Agustin, Mark Gil M. Delos Santos and Marion Rosalio M. Martires

WHEREAS, Section 16 of R.A. No. 7160 or the "Local Government Code of 1991" states that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, Section 458(a) of R.A. No. 7160 authorizes the Sangguniang Panlungsod, as the legislative body of the city, to approve resolutions for the general welfare of the city and its inhabitants;

WHEREAS, Section 458(a)(4)(i) of R.A. No. 7160 authorizes the Sanggunian to declare, prevent, or abate any nuisance for the purpose of regulating the use of land, buildings, and structures within the city in order to promote general welfare;

WHEREAS, Article 694 of the Civil Code of Philippines states that any condition of property which injures or endangers the health or safety of others is a nuisance;

WHEREAS, Article 695 of the Civil Code of the Philippines states that a nuisance that affects a community, neighborhood, or any considerable number of persons, although the extent of the annoyance, danger or damage upon individuals may be unequal is a public nuisance;

WHEREAS, all dangling utility wires and substandard utility posts within the city that do not meet the standards required under pertinent rules and regulations pose as serious threats to the safety of the public and therefore must be corrected;

WHEREAS, the Sangguniang Panlungsod of Pasig expressly declares all these wires and posts as public nuisances and that these must be corrected through the proper proceedings provided under the law;

NOW, THEREFORE, on motion duly seconded, the Sangguniang Panlungsod resolved, as it is hereby resolves, to urge all electronic companies and telecommunication companies to correct all dangling utility wires and substandard utility posts within the City of Pasig.

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APPROVED, this 14th day of **August 2023** at Pasig City.

HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

HON. CORAZON M. RAYMUNDO
City Councilor

HON. SIMON GERARD R. TANTOCO
City Councilor

HON. SYVEL ASILO-GUPILAN
City Councilor

HON. PAUL ROMAN C. SANTIAGO
City Councilor

HON. NOEL L. AGUSTIN
City Councilor

HON. RODERICK MARIO U. GONZALES
City Councilor

HON. QUINA A. CRUZ
City Councilor

HON. REGINO S. BALDERRAMA
City Councilor

HON. MARION ROSALIO M. MARTIRES
City Councilor

HON. RIGOR J. ENRIQUEZ
LIGA President

HON. GEORGIA LYNNE P. CLEMENTE
SK Fed. President

HON. MARIA LUISA "ANGELU" M. DE LEON
City Councilor
Minority Floor Leader

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LUNGSOD NG

PASIG

[Handwritten signature]
HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

[Handwritten signature]
HON. ROBERT VINCENT JUDE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer

APPROVED:

[Handwritten signature]
HON. VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

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ATTY. NICOLO JOEL B. GUTIERREZ
Acting City Council Secretary

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**COMMITTEE ON INFRASTRUCTURE & COMMITTEE ON TECHNOLOGY,
COMMUNICATION AND ENERGY**

JOINT COMMITTEE HEARING

Date and Time: **August 2, 2023/Wednesday/ 1:30pm**
Venue: Gallery, Session Hall 7th Floor, Sanggunian Panglungsod Pasig City Hall

- I. **OPENING PRAYER**
- II. **CALL TO ORDER**
- III. **ROLL CALL**

A. COMMITTEE MEMBERS Present;

HON. COUN. NOEL L. AGUSTIN - *Chair. Infrastructure*
HON. COUN. RAYMUND FRANCIS S. RUSTIA - *Vice-Chair. Tech./Member-Infra.*
HON. COUN. MARK GIL M. DELOS SANTOS - *Vice Chair-Infra./ Member-Tech.*
HON. COUN. PAUL ROMAN C. SANTIAGO - *Member-Infra./Member-Tech.*
HON. COUN. CORAZON M. RAYMUNDO - *Member-Tech.*
HON. COUN. RODERICK MARIO U. GONZALES
HON. COUN. MARION ROSALIO M. MARTIRES

B. DEPT. CONCERNED/ RESOURCE PERSONS/ GUESTS

ATTY. MALOU MARTIN- *Land Management Office*
ATTY. JASON ABABA - *Office of the City Mayor*
ENGR. FRANCIS JEROME P. RONQUILLO - *OIC- Office of the Bldg. Official*
ENGR. ARTAXERXES V. GERONIMO-*OIC-City Engineering Office*
MS. JACQUILINE B. GALICIA - *Representative-DRRMO*
ENGR. RENZ JEFFERSON F. CRUZ - *City Engineering Office*
PLt. Col. RODRIGO M. DE DIOS (Ret.) - *OIC- TPMO*
MS. MELANIE B. DE MESA- *Business Permit and Licensing Office*
MR. ALVIN FRANCIS FLORES - *Meralco Company*
ATTY. LEOPONVILLE GITAU- *Meralco Company w/ 4 more representatives*

SECRETARIAT

MS. MARIENE ROCAMORA
MS. AGNES THERESA CARAAN
MS. BONA SAN JOSE

C. READING OF PROPOSED RESOLUTION

Proposed Resolution No. 338-2023, "**A RESOLUTION DECLARING ALL DANGLING UTILITY WIRES AND SUBSTANDARD UTILITY POSTS WITHIN THE CITY THAT DO NOT MEET THE STANDARDS REQUIRED UNDER PERTINENT RULES AND REGULATIONS AS PUBLIC NUISANCES, AND FOR OTHER PURPOSES**"

Proposed Resolution No. 120-2023, "**AN ORDINANCE ASSIGNING ADDITIONAL FUNCTIONS AND RESPONSIBILITIES TO THE CITY ENGINEER AND PROVIDING THE PROCEDURE FOR THE ABATEMENT OF DANGLING WIRES AND SUBSTANDARD POSTS DECLARED AS PUBLIC NUISANCE, AND FOR OTHER PURPOSES**"

RECEIVED

Last Regular Session dated July 24, 2023, the above Proposed Resolution No. 338-2023 and Proposed Ordinance No.120-2023 were referred to Joint Committees on Infrastructure Committee and on Technology Communication and Energy . And served with notice, members convened, and there being quorum, hearing was conducted

IV. DISCUSSION, QUESTIONS AND ANSWERS :

1. Along with Resolution No. 338-2023, and two (2) more measures, Ordinance No. 120 and Ordinance 121-2023 were considered altogether for discussions since the matters raised were essentially similar and to find a common ground in order to address the concerns about the dangling wires and its utility posts be declared public nuisance .
2. Office of Mayor-Legal advised to determine first what is public nuisance and if the said dangling wires are within the its purview ; what kind of nuisance, nuisance per se or per accidens
Further, who will define the so called dangling wires and how to abate it for public safety.

Realizing however the legal predicaments and the possibility to challenge the validity of action of City Council in the court of law, or otherwise asserting City of Pasig authority to regulate, it was moved and seconded to amend Proposed Resolution No. 338-2023.

Thus the Title be read; **“A RESOLUTION URGING ALL TELCOS’ AND ELECTRIC COMPANIES TO CORRECT ALL DANGLING UTILITY WIRES AND SUBSTANDARD UTILITY POSTS WITHIN CITY OF PASIG, AND FOR OTHER PURPOSES”**

Also it was moved that since the Title already amended and no longer declare dangling wires and substandard posts as public nuisance, the justifications and authorities being referred to in the “Whereas Clauses” of the previous draft be reconciled.

Thus, the manifestation duly seconded to have appropriate amendments in the body of Proposed Resolution No. 338-2023 duly aligned with amended title.

3. Joint Committee decided that the Proposed Ordinances 120 and 121 be considered as one ordinance, thereby incorporating the additional functions of City Engineering Office mentioned in Ordinance 120 since the Office already part and member of the Task Force to be created under the Proposed Ordinance 121.

At this juncture, it was moved and seconded, that this particular concerns be openly raised during the Regular Session in a motion for the deferment of Proposed Ordinance 120-2023, while the Committee Hearing of Proposed Ordinance 121-2023 be continued.

D. RECOMMENDATIONS/RESOLUTIONS

Therefore, after thorough evaluation of the two (2) measures, the Joint Committees recommended the following ;

1. Proposed Resolution 338-2023 be amended. Thus, the title be read **“A RESOLUTION URGING ALL TELCOS’ AND ELECTRIC COMPANIES TO CORRECT ALL DANGLING UTILITY WIRES AND SUBSTANDARD UTILITY POSTS WITHIN CITY OF PASIG, AND FOR OTHER PURPOSES”**

1.a Contents and body be amended accordingly reconciled and aligned with Title.

1.b To proceed the 2nd Reading in the next Regular Session, for approval of 11th Sangguniang Panglungsod ng Pasig

2. Proposed Ordinance No. 120-2023, be deferred upon manifestation before the august body in the next Regular Session and for approval of 11th Sangguniang Panglungsod ng Pasig City.

E. ADJOURMENT

There being no more matters to discuss, meeting was adjourned 3:00 PM.

V. RECOMMENDING APPROVAL.

HON. COUN. NOEL "Buboy" L. AGUSTIN
Chairman - Infrastructure
2nd District, City of Pasig

HON. COUN. MARIA LUISA "Angelu" DE LEON
Chairperson-Technology, Communication and Energy
2nd District, City of Pasig

HON. COUN. MARK GIL M. DELOS SANTOS
Majority Leader , Vice Chairman- Infrastructure

HON. COUN. RAYMUND FRANCIS S. RUSTIA
Vice Chairman- Tech, Communication, and Energy

HON. COUN. PAUL ROMAN C. SANTIAGO
Member- Infrastructure

HON. COUN. SIMON GERARD R. TANTOCO
Member-Infrastructure

HON. COUN. CORAZON M. RAYMUNDO
Member -Tech, Communication and Energy

HON. COUN. RODERICK MARIO U. GONZALES

HON. COUN. MARION ROSALIO M. MARTIRES

HON. COUN. QUIN A. CRUZ

HON. COUN. REGINO S. BALDERRAMA

HON. COUN. SYVEL A. GUPILAN

HON. COUN. RIGOR J. ENRIQUEZ

