



Republic of the Philippines  
Province of Iloilo  
**MUNICIPALITY OF BINGAWAN**



**Sangguniang Bayan**

**EXCERPT FROM THE MINUTES OF THE 124<sup>th</sup> REGULAR SESSION OF THE 13<sup>th</sup> SANGGUNIANG OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO, HELD AT THE SESSION HALL ON NOVEMBER 14, 2018.**

Present:	Hon. Matt P. Palabrica, Ph.D.	Vice Mayor/Presiding Officer
	Hon. Joy L. Quimba	SB Member
	Hon. Jose C. Rabago, Jr.	SB Member
	Hon. Lorens M. Belloga	SB Member
	Hon. Ted Peter P. Plagata	SB Member/Floor Leader
	Hon. Nemesio A. Cachite	SB Member
	Hon. Eduardo A. Dalipe	SB Member
	Hon. Ramil P. Artuz	Ex-officio SB Member/LIGA President
	Hon. Ramil C. Castroverde	Ex-officio SB Member/SKMF President
Absent:	Hon. Jofe C. Celeste	SB Member

**ORDINANCE NO. 264  
(Series of 2018)**

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Sponsored by the Committee on Agriculture, Cooperatives, & Agrarian Matters  
Chairperson: Hon. Matt P. Palabrica, Ph.D.  
Vice Chairperson: Hon. Nemesio A. Cachite  
Members: Hon. Ted Peter P. Plagata  
Hon. Jose C. Rabago, Jr.  
Hon. Lorens M. Belloga  
.....

**AN ORDINANCE PROHIBITING THE DRYING OF PALAY AND OTHER FARM PRODUCE ALONG ALL PUBLIC ROADS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO.**

**WHEREAS**, the 1987 Constitution of the Republic of the Philippines declares that the state promotes the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

**WHEREAS**, the Local Government Code of 1991 accords every Local Government Unit the power and authority to promote general welfare within its territorial jurisdiction including the protection of life and property of its constituents;

**WHEREAS**, Article VIII, Section 65 of the Municipal Traffic Management Code of 2010 states that “no person shall use any portion of any public roads, inclusive of all national, provincial, municipal and barangay within the territorial jurisdiction of the Municipality, for the drying of whatever kind of cereals, buri palms or other agricultural products or for other similar purposes without written permission from the BTMC. Any person who violates this provision shall be imposed a fine of Two Hundred Fifty Pesos (Php 250.00), or imprisonment of five (5) days or both at the discretion of the court”;

**WHEREAS**, the Department of Public Works and Highways issued a Department Order No. 41-2013 totally banning the drying of palay and other farm produce along national highways;

**WHEREAS**, the Local Government Unit of Bingawan aims to eliminate road accidents caused by drying of palay, corn and other crops on public roads and highways or any open spaces intended for vehicle use in the Municipality of Bingawan;

**NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG BAYAN, IN SESSION ASSEMBLED, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW THAT:**

**Section 1. Title.** This Ordinance shall be known as “An Ordinance Prohibiting the Drying of Palay and other Farm Produce Along All Public Roads in the Municipality of Bingawan, Province of Iloilo”.

**Section 2. Prohibited Acts.** The following acts are declared unlawful, prohibited and deemed punishable by this Ordinance:

- a. Drying of palay, corn and other crops on public roads and highways or any open spaces intended for vehicle use within the territorial jurisdiction of the Municipality of Bingawan;
- b. Putting of stones and barriers along the public roads and highways to protect their palay, com and other crops from being overrun by vehicles.

**Section 3. Enforcement.** The members of the Bingawan Municipal Police Station, Punong Barangay, Kagawads of the Sangguniang Barangay and the duly appointed Barangay Tanods are hereby authorized to apprehend any person who violates this Ordinance.

**Section 4. Administrative Provision.** For the effective implementation of this ordinance, the Municipal Mayor is hereby empowered to promulgate implementing rules and regulations not inconsistent with the provisions of this Ordinance.

**Section 5. Repealing Clause.** All ordinances, administrative circulars and executive orders, or parts thereof that are found inconsistent with the provision of this Ordinance are hereby repealed or amended accordingly.

**Section 6. Penalty Clause.** Any person violating this Ordinance shall be subjected to the following penalties:

First Offense	Php 1,000.00
Second Offense	Php 1,500.00
Third Offense	Php 2,500.00 or imprisonment not more than 6 months, or both fine and imprisonment at the discretion of the court.

**Section 7. Effectivity.** This ordinance shall take effect after 10 days from the date a copy thereof is posted in at least two (2) conspicuous places in the Municipal Hall and after the publication in the newspaper of general circulation in the locality.

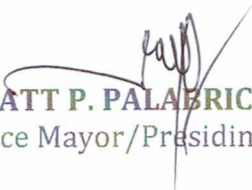
**UNANIMOUSLY APPROVED.**

ENACTED this 14<sup>th</sup> day of November 2018.

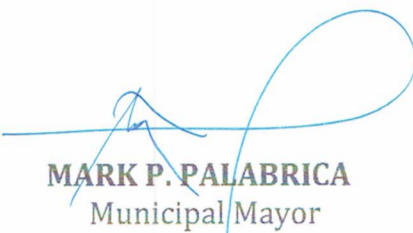
**CERTIFIED CORRECT:**

  
**JULIO C. CASTIGADOR**  
SB Secretary

**ATTESTED:**

  
**MATT P. PALABRICA, Ph.D.**  
Vice Mayor/Presiding Officer

**APPROVED:**

  
**MARK P. PALABRICA**  
Municipal Mayor

Signed on: 28 NOV 2018