

**[VALENZUELA CITY ORDINANCE NO. 252 Series
of 2015, November 23, 2015]**

SANGGUNIANG PANLUNGSOD

***** Excerpts from the minutes of the 101st Regular Session of the 6th City Council of Valenzuela held on November 23, 2015 at 3:03 P.M. at the City Council's Session Hall, 3rd Floor, Legislative Building, Valenzuela City Hall, Karuhatan, Valenzuela City, Metro Manila.**

AN ORDINANCE AMENDING ORDINANCE NO. 29, SERIES OF 2005, AS AMENDED BY ORDINANCE NO. 32, SERIES OF 2011, ENTITLED: AN ORDINANCE REGULATING THE PLACING, INSTALLING OR CONSTRUCTION OF CELL SITES IN THE CITY OF VALENZUELA, ALSO KNOWN AS "THE CELLSITE REGULATORY ORDINANCE OF THE CITY OF VALENZUELA."

Authored by: Coun. MARLON PAULO C. ALEJANDRINO, Coun. LORENA NATIVIDAD-BORJA, Coun. ANTONIO R. ESPIRITU, Coun. ROVIN ANDREW M. FELICIANO, Coun. CORAZON A. CORTEZ, Coun. JENNIFER PINGREE-ESPLANA, Coun. LAILANIE P. NOLASCO, Coun. KIMBERLY ANN D.V. GALANG, Coun. CRISSHA M. PINEDA, Coun. KRISTIAN ROME T. SY and Coun. RAMON L. ENCARNACION.

WHEREAS, the Sangguniang Panlungsod has enacted City Ordinance No. 029, Series of 2005, "An Ordinance regulating the placing, installing or construction of cell sites in the City of Valenzuela also known as "The Cell Site Regulatory Ordinance of the City of Valenzuela;

WHEREAS, Article III, Section 458 (1) of Republic Act 7160 states that the Sangguniang Panlungsod shall approved ordinances and pass resolutions necessary for an efficient and effective government;

WHEREAS, Section 458 (3) of Republic Act 7160 states that the Sangguniang Panlungsod, subject to the provision of book II of this code, enact ordinance granting franchise and authorizing the issuance of permits or licenses, upon such condition and for such purposes intended to promote the general welfare of the inhabitants of the city and pursuant to this legislative authority: (i) Fix and impose reasonable fees and charges for all services rendered by the city government to private persons or entities; (ii) regulate or fix license fees for any business or practice of profession within the city and the conditions under which the license fees for any business or practice of profession within the city and conditions under which

the license for said business or practice of profession may be revoked and enact levying taxes thereon;

WHEREAS, Section 458 (ix) states that the Sangguniang Panlungsod shall regulate the placing, stringing, attaching, installing, repair and construction of all gas mains, electric, telegraph, and the phone wires, conduits, meters and other apparatus; provide for the correction, condemnation or removal of the same when found to be dangerous, defective or otherwise hazardous to the welfare of the inhabitants;

WHEREAS, the Sangguniang Panlungsod, for a more effective and efficient promotion of general welfare, has deemed it as appropriate to amend Ordinance No. 029, as amended by Ordinance No. 32, Series of 2011.

NOW, THEREFORE, be it ORDAINED as it is hereby ORDAINED by the Sangguniang Panlungsod of Valenzuela in a session duly assembled that:

SECTION 1. Section 1 of Ordinance No. 029 is hereby adopted **en toto**.

SECTION 2. Section 2.B and 2.C (h) are hereby amended as follows:

SECTION 2.B. *The applicant shall comply with the requirements by the Office of The Building Official (OBO) and the Sangguniang Panlungsod:*

SECTION 2.C. *The applicant seeking an approval of the above-mentioned shall apply at the Sangguniang Panlungsod by way of a request letter, which shall be accompanied by the following :*

SECTION 2.C. (h) is hereby amended as follows:

(h) *Submission of the insurance policies/certifications showing a comprehensive coverage for all its cellsites and related facilities within the City. The said insurance coverage is sufficient to answer for all liability that may arise by reason of any damage to life and/or property as a direct result of the operation and/or maintenance by the affected cellsite.*

SECTION 3. Section 2 of Ordinance No. 029 is hereby amended to read as follows:

SECTION 3. RENEWAL OF PERMIT

- For the purpose of affording the Sangguniang Panlungsod an opportunity to assess and evaluate the safety and soundness of the continued operation of construction cell sites/s all permits hereafter issued or renewed, as the case may be, subject to renewal **every 5 years** by the grantee/applicant before the expiration of the expiration of the said **five (5) years**.
- *The grant of renewal by the Sangguniang Panlungod shall be made on the basis of the grantee's continued compliance with the requirements prescribed by relevant laws, ordinances and regulations, more particularly, with the provisions of "The Cell Site*