

**[MMDA RESOLUTION NO. 02-40, s. 2002,
September 25, 2002]**

**PRESCRIBING RULES AND PROCEDURES FOR THE DISPOSITION
OF ITEMS CONFISCATED IN CONNECTION WITH THE SIDEWALK
CLEARING OPERATION OF THE METROPOLITAN MANILA
DEVELOPMENT AUTHORITY**

WHEREAS, MMDA Resolution No 02-28, series of 2002 authorizes the Metropolitan Manila Development Authority (MMDA) and the Local Government Units (LGUs) of Metro Manila to clear the sidewalks, streets, avenues, alleys, bridges, parks and other public places in Metro Manila of all illegal structures and obstructions;

WHEREAS, among the measures adopted by the MMDA to promote the safety and convenience of the public is the regulation of the use of sidewalks within Metro Manila through the disposition of items confiscated and the dismantling of structures and other obstructions found thereon in order to effect the smooth movement of pedestrian traffic;

WHEREAS, there is a need to dispose the accumulated items confiscated as a result of the Metro Manila Clearing Operations of the MMDA and the LGUs which were not immediately disposed of during the operations.

NOW THEREFORE, be it resolved as it is hereby resolved, pursuant to Section 6 of Republic Act 7924, that the Council hereby prescribes the following rules and procedures for the disposition of the duly confiscated items in accordance with MMDA Resolution No. 02-28, series of 2002.

SECTION 1. Any person caught committing any of the acts prohibited under MMDA Resolution No. 02-28, series of 2002, shall be fined for ONE HUNDRED FIFTY (P150.00) PESOS, in addition to confiscation/forfeiture of the items and the dismantling of illegal structures obstructing pedestrian movement.

Such prohibited acts include but not limited to the following:

1. Vending or selling of foods, magazines, newspapers, cigarettes, brooms, watches or jewelries, shoes and other footwear, and/or any other items;
2. Conduct of shoe-shine occupation;
3. Conduct of "religious" activities, such as preaching and seeking alms;
4. Doing house chores such as washing clothes, hanging clothes, and bathing;
5. Vehicle garage and/or vehicle repair;
6. Dumping garbage;
7. Setting up of basketball court/goal;
8. Use of sidewalk to install pens of animals or keep animals in chains;
9. Storing softdrinks or wine/liquor bottles and cases; drinking liquor and beverages and holding picnics/gatherings;
10. Storing of junks and recyclable materials;