



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 632, S-2016

AN ORDINANCE IMPOSING PARKING FEES FOR EVERY MOTOR VEHICLE
PARKED ON PARKING AREAS ESTABLISHED WITHIN AND
THE IMMEDIATE SURROUNDING AREAS OF THE
CITY HALL COMPLEX AND FOR OTHER PURPOSES

WHEREAS, by virtue of its power under the provisions of Republic Act No. 7160 (R.A. 7160), otherwise known as the Local Government Code of 1991, the Local Government of Mandaluyong is mandated to create its own sources of revenue and to levy taxes, fees, and charges subject to the conditions set forth by the Code and consistent with the basic policy of local autonomy;

WHEREAS, under Section 132 of Republic Act No. 7160, the power to impose tax, fee or charge or to generate revenue is granted to the Sanggunian of the Local Government Unit, in this case, the Sangguniang Panlungsod of Mandaluyong City, through an appropriate Ordinance for that matter;

WHEREAS, pursuant to such authority provided by law, the Sangguniang Panlungsod of Mandaluyong City hereby intends to impose parking fees for every motor vehicle parked on any portion of the existing parking spaces within and the surrounding vicinity of the Maysilo Circle, City of Mandaluyong as herein determined;

WHEREAS, consistent with Section 130 (b) of the same Code, the parking fees to be imposed by the Sangguniang Panlungsod of Mandaluyong City are determined to be:

1. equitable and based as far as practicable on the taxpayer's ability to pay;
2. levied and collected only for public purposes; and
3. not unjust, excessive, oppressive or confiscatory, contrary to law, public policy, national economic policy or in the restraint of trade xxx;

WHEREAS, in order to resolve the existing traffic fiasco of the City due to disorganized parking situations and the uncontrollable volume of motor vehicles going to and through the City most particularly within and surrounding the Maysilo Circle, the Traffic and Parking Management Department ("TPMD" for brevity) is required to implement in a stringent and vigilant manner this Ordinance alongside other traffic laws and regulations of the City Government of Mandaluyong;

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

SECTION 1. TITLE. This Ordinance shall be known as "CITY ORDINANCE IMPOSING PARKING FEES FOR EVERY MOTOR VEHICLE PARKED ON PARKING AREAS ESTABLISHED WITHIN AND THE IMMEDIATE SURROUNDING AREAS OF THE CITY HALL COMPLEX (MAYSILO CIRCLE)."

SECTION 2. POLICY. It shall be the policy of the City of Mandaluyong to implement the mandate based on this Ordinance in order to make efficient and effective local governance.

SECTION 3. DEFINITION OF TERMS. The following terms used in this Ordinance shall mean:

- a. Adjacent as used in this Ordinance shall be construed to mean, the inner lane of Maysilo near the pathway;
- b. Fee as used in this Ordinance shall be construed to mean, a charge fixed by the Sangguniang Panlungsod through this Ordinance for the use of parking spaces determined heretofore;
- c. Immediate Surrounding Area as used in this Ordinance shall be construed to mean, the area in the Maysilo Circle;
- d. Motor Vehicle as used in this Ordinance shall be construed to mean all vehicles run by engine whether the same is offered for passengers or for cargoes of whatever kind or nature;
- e. Overnight Parking as used in this Ordinance shall be construed to mean, parking in the parking areas after office hours or from 8 o'clock in the evening (8:00PM) to 5 o'clock in the morning (5:00AM);
- f. Parked Vehicle as used in this Ordinance shall be construed to mean, the state of the motor vehicle that is stationary for the period within which said vehicle is not limited to the time needed to pick up or set up or set down persons or goods and remains inactive in that place for an appreciable period of time;
- g. Parking as used in this Ordinance shall be construed to mean, when a motor vehicle of whatever kind is stopped on any portion of the existing parking areas for the purpose of loading or unloading passengers or cargoes;
- h. Parking Area as used in this Ordinance shall be construed to mean, the area set or determined by the Sangguniang Panlungsod through this Ordinance as suitable for parking;
- i. Validation as used in this Ordinance shall be construed to mean, the checking or proving by the Department/Agency/Bureau Head of office located within the City Hall Complex, Mandaluyong City or any of its authorized representative/s concerned, of the validity or accuracy of the specific business transaction undertaken by the owner of the vehicle parked in the parking area for the purpose of claiming exemption from the implementation of this Ordinance.

SECTION 4. PARKING AREAS. The following are the areas determined as parking spaces to be subject to the imposition of parking fees:

- a. Areas beside and behind the PNP Building within the City Hall Complex, Mandaluyong City;
- b. Areas beside the Fire Building within the City Hall Complex, Mandaluyong City;
- c. Areas between the Post Office and the City Gymnasium;
- d. Areas near the Regional Trial Court of Mandaluyong City;
- e. Areas behind the new Hall of Justice Building;

- f. Areas behind the Executive Building of the City Hall Complex;
- g. 1st to 4th floor Multi-Level Parking Building located inside the City Hall Complex, Mandaluyong City;
- h. Areas alongside Maysilo Circle adjacent to the City Hall Complex.

SECTION 5. PARKING TIME. The schedule of parking shall be as follows:

DAY	TIME
MONDAY TO SATURDAY	8:00 AM to 5:00 PM Overtime beyond 5:00 PM (to be excusable) shall be subject to the following requirements: <ol style="list-style-type: none"> 1. The Department/Agency/Bureau Head of Office shall notify the Chief of the Traffic and Parking Management Department (TPMD) regarding the overtime, and reason thereto; 2. Approval of the Chief of TPMD. 3. Transfer of Parking to the areas designated for Overtime Employees.
SUNDAY	8:00 AM to 5:00 PM Churchgoers shall be allowed exemption for the first two (2) hours upon entry in the parking areas. The excess of two (2) hours shall already be subject to parking fee.

SECTION 6. IMPOSITION OF PARKING FEES. The following parking fees shall be imposed:

VEHICLES	PARKING FEES
MOTORCYCLES	Free for the First 2 hours (subject to validation);
	First 2 hours thereafter Php 20.00
	Php 10.00 per hour for the succeeding hours
LIGHT VEHICLES (Cars & Jeeps)	Free for the First 2 hours (subject to validation);
	First 2 hours thereafter Php 40.00
	Php 10.00 per hour for the succeeding hours
MEDIUM VEHICLES (Vans & Delivery Trucks)	Free for the First 2 hours (subject to validation);
	First 2 hours thereafter Php 60.00
	Php 10.00 per hour for the succeeding hours
HEAVY VEHICLES (10 wheeler, Bus & Heavy Equipment)	Free for the First 2 hours (subject to validation);
	First 2 hours thereafter Php 100.00
	Php 10.00 per hour for the succeeding hours
EXTRA HEAVY VEHICLES (Over 10 wheeler and Other Extra Heavy Equipment)	Free for the First 2 hours (subject to validation);
	First 2 hours thereafter Php 120.00
	Php 10.00 per hour for the succeeding hours

SECTION 7. EXEMPTION/DISCOUNT/PRIVILEGE. The imposition of parking fees mandated by this Ordinance shall be subject to exemption/discount/privilege set forth below:

- I. EXEMPTION. The following persons/entities shall be exempted from the implementation of this Ordinance:
 - a. Heads of National Offices;
 - b. Congressman;
 - c. City Mayor;
 - d. City Vice Mayor;
 - e. City Councilors;
 - f. Department Heads of the City Government of Mandaluyong;
 - g. Judges and Fiscals;
 - h. Employees of the City Government of Mandaluyong;
 - i. Barangay Captains;
 - j. Guests for any special activities/events, e.g., Tiangge Participants, Monday Program Participants;
 - k. Groups on Educational Tour;
 - l. Taxpayers of the City of Mandaluyong who have scheduled transactions with the City Government on that particular day when the ticket was issued; and
 - m. In cases of force majeure occurrences.

- II. DISCOUNT. The following persons/entities shall be entitled to discounts from the imposition of parking fees:

a.	SENIOR CITIZENS	Twenty Percent (20%)
b.	PWDs	Twenty Percent (20%)

- III. PRIVILEGE. The following persons/entities shall be allotted one fixed parking space to be determined by the authority concerned:
 - a. Heads of National Offices;
 - b. Congressman;
 - c. City Mayor;
 - d. City Vice Mayor;
 - e. City Councilors;
 - f. Department Heads of the City Government of Mandaluyong; and
 - g. Judges and Fiscals.

SECTION 8. RESTRICTION ON OVERNIGHT PARKING. There should be NO OVERNIGHT PARKING allowed on the parking spaces determined by this Ordinance, except those motor vehicles with RED PLATES.

SECTION 9. COLLECTION-IN-CHARGE. The City Treasurer or his or her authorized representative is hereby empowered to collect herein parking fees using any form of official receipt he may devise, from the conductor, driver, operator and/or owner of the motor vehicles parked in said designated parking areas and the same shall be recorded on a separate subsidiary ledger. Any officer of the TPMD may be allowed to collect parking fees provided they are duly authorized by the City Treasurer after complying with the mandatory requirements under the law, e.g.: bond.

SECTION 10. IMPLEMENTING OFFICE. Except with respect to collecting parking fees, subject however, to the latter provision of the preceding Section, the implementing office of this Ordinance shall be the TPMD.

SECTION 11. PENAL PROVISION. Any person or persons, violating any provision of this Ordinance shall, upon conviction thereof, be punished with the following:

FIRST OFFENSE :	Five Hundred Pesos (P500.00)
SECOND OFFENSE :	One Thousand Pesos (P1,000.00)
THIRD OFFENSE :	Three Thousand Pesos (P3,000.00)

This amount shall be over and above the expected parking fee mandated by this Ordinance. For parking in violation of Section 8 of this Ordinance, the subject vehicle shall be towed, be held liable for any towing fees prescribed by the City, fined for an amount of Two Thousand Pesos (Php 2,000.00) per day of parking, over and above the fee for violation of this Ordinance.


SECTION 12. IMPLEMENTING RULES AND REGULATIONS. The Implementing Rules and Regulations shall be prepared by the TPMD within one (1) month after the approval of this Ordinance subject to the approval and adoption of the Sangguniang Panlungsod.

SECTION 13. REPEALING CLAUSE. Any Ordinance, Rule or Regulation or part thereof which is inconsistent with any provision of this Ordinance is hereby repealed or modified accordingly.

SECTION 14. EFFECTIVITY. This Ordinance shall take effect shall take effect fifteen (15) days after publication.

ENACTED on this 22nd day of August, 2016 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:


ANTONIO DLS. SUVA
Vice Mayor &
Presiding Officer

APPROVED:


CARMELITA A. ABALOS
City Mayor

Date: SEP 01 2016