INCREASING THE FEES AND CHARGES, RESTORATION AND MAINTENANCE DEPOSITS, AND ADMINISTRATIVE FINES AND PENALTIES AND AMENDING FOR THIS PURPOSE SECTIONS 5, 12, AND 18 OF MMA ORDINAN...

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WHEREAS, the Metro Manila Council enacted in January 25, 1991 MMA Ordinance No. 2, s. 1991 entitled "AN ORDINANCE GOVERNING ROAD DIGGINGS/EXCAVATIONS AND RESTORATIONS IN METROPOLITAN MANILA AND AMENDING MMA ORDINANCE NO. 82-01",

WHEREAS, Sections 5, 12, and 18 of said Ordinance cover the payment of fees and charges, restoration and maintenance deposits and administrative, fines and penalties;

WHEREAS, the Metro Manila Council deems it necessary and proper to increase said fees, charges, deposits, fines and penalties in order that the Authority and the Metro-LGUs could effectively regulate road diggings and excavations in all national, city, and municipal roads in the metropolis; maintain order and discipline in road construction activities; and, protect and ensure public safety in the area.

NOW, THEREFORE, pursuant to Section 6 of RA 7924, this Amendatory Regulation is hereby promulgated and adopted by the Council, that:

SECTION 1. Section 5 of MMA Ordinance No. 2, s. 1991 shall read:

> "SECTION 5. Section 5 of MMA Ordinance No. 2, s. 1991 shall read:
>
> The following fees and charges shall be collected from all applicant whether private or government agencies except those specifically exempted by law, who shall make or cause to be made any excavation or diggings on any streets and thoroughfares, including passageways and sidewalks within the city/municipality.

- Processing Fee

> a. For water house connections P300.00
>
> b. For all other excavations P500.00

- Excavation Permit Fee

> 2.1 Underground Utility Lines
>
> a. For a maximum width of trench of 0.50 m.
>
> a.1 First 50 linear meter length of Excavation and below - P500.00

a.2 Over 50 linear meter length of Excavation - P15.00/l.m.

b. Excess over 0.50 meter widthn of Trench - P15.00/sq.m.

2.2 For foundations of structures - P20.00/sq.m.

2.3 For road concreting/blocking and Asphalt pavement - P5.00/sq.m.

2.4 For installation of wooden/ concrete Utility poles - P100.00/pole

- Restoration Deposit

The restoration deposit shall be based on the following schedule:

a. Concrete Pavement Per square m. or fraction thereof

a. 1 9" thickness P950.00

a.2 8" thickness P863.00

a.3 7" thickness P784.00

a.4 6" thickness P712.00

a.5 4" thickness P588.00

Concrete Sidewalk P588.00

Macadam Pavement P400.00

b. Asphalt Pavement

b.1 2" thickness - P520.00

- Maintenance Deposit -

a. Concrete Pavement Per square m. or fraction thereof

a.1. 9" thickness P238.00

a.2 8" thickness P216.00

a.3 7" thickness P196.00

a.4 6" thickness P178.00

a.5

4" thickness

P147.00

b. Asphalt P130.00

c. Macadam P50.00

d. Curb and Gutter P100.00

SEC 2. Section 12 (C) of MMA Ordinance No. 2 shall read

"Sec 12 (C). SCHEDULE OF FINES

Fine in Pesos Light Violation Less Grave Violation Grave Violation

Minimum P1,000.00

P5,000.00

P10,000.00

Medium P2,000.00 P7,500.00 P15,000.00

Maximum P3,000.00

P10,000.00

P20,000.00

The above fines shall be imposed as follows:

1. Minimum Fine

-

for failure to comply with the terms of the first notice

2. Medium Fine

-

for failure to comply with the terms of the second notice

3. Maximum Fine

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for failure to comply with the terms of the third and final notice

SEC 3. Section 18 of MMA Ordinance No. 2 shall read:

> "Section 18. PENALTIES
>
> Any person violating any provision of this Ordinance or its implementing guidelines shall, upon conviction, be punished by a fine of not less than ONE THOUSAND PESOS (P1,000.00) nor more than TWENTY THOUSAND PESOS (P20,000.00) or imprisonment of not less than thirty (30) days nor more than six (6) months or both fine and imprisonment in the discretion of the court. In the case of corporation, partnership or association, the president, manager or the person-in-charge of the project shall be liable therefor."

SEC 4. All ordinances, rules and regulations or portions thereof which are contrary to or inconsistent with this Regulation are hereby repealed or modified accordingly.

SEC 5. The other provisions of MMA Ordinance No. 2 shall continue to remain in full force and effect.

SEC 6. This Regulation shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Adopted: 26 Nov. 1998

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Chairman

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