PARKING REGULATIONS IN THE PORT OF CEBU

CPA ADMINISTRATIVE ORDER NO. 01, S. 2012, January 26, 2012

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Adopted: 26 January 2012
Date Filed: 15 March 2012

Pursuant to the provisions of R.A. 7621 and CPA General Port Rules and Regulations, for effective compliance with the International Maritime Organization (IMO) – International Ship and Port Facility Security (ISPS) Code, Office for Transportation Security (OTS) – National Security Programme for Sea Transport and Maritime Infrastructure (NSPSTMI), CPA Board Resolution No. 549, s. 2010 the following regulations are hereby prescribed:

Section 1. Statement of Policy – It is hereby the declared policy of the Authority to maximize the utilization of open spaces to be used as parking lots for the convenience, safety, and security of all port users within the ports and premises owned and under the administration of the Authority in accordance with international covenants and State policy on maritime security.

Section 2. Scope – This Order shall cover all ports and premises owned and under the administration of the Authority.

Section 3. Definition of Terms. –

- Authority – means the Cebu Port Authority (CPA);

- Abandoned Vehicle – a vehicle left unattended for more than twenty-four (24) hours;

- Authorized Tow Vehicle – any vehicle designed to tow vehicle authorized by the Authority to remove or transfer abandoned vehicles or vehicles that may be obstructing the smooth flow of traffic within the port or the ingress to and egress from the port;

- Bicycle – any two-wheeled vehicle propelled solely by human power;

- No Parking Areas – means all port roads and other areas within the port and its premises that are not designated by the Authority for parking purposes as indicated by appropriate “No Parking” signs;

- No Stopping Areas – means all areas within the port and its premises designated by the Authority as such as indicated by appropriate “No Stopping” signs;

- No Waiting Areas – means areas within the port and its premises specifically designated as No Waiting Areas by the Authority as indicated by appropriate “No Waiting” signs;

- Overnight Parking – means leaving a vehicle within the port and its premises, whether or not within the designated parking areas, after 12 o’clock midnight until 6:00 A.M.;

- Parking or parked – means that a vehicle is brought to a stop on the shoulder or proper edge of a roadway, and remains inactive in that place or close thereto for an appreciable period of time. A vehicle which properly stops merely to discharge a passenger or to take in a waiting passenger, or to load or unload a small quantity of freight with reasonable dispatch shall not be considered as “parked”, if the vehicle again moves away without

delay;

- Parking Area – means a portion of the port and/or its premises where parking is permitted as indicated by appropriate notices or “Parking Area” signs;

- Trailer – A vehicle not otherwise self-propelled, usually attached to the rear of a motor vehicle;

- Vehicle – means any conveyance or other device propelled or drawn by any means and includes a bicycle, chassis and prime movers and, where the context permits, includes an animal driven or ridden.

Section 4. Parking Areas and Signs – The following are designated as CPA parking areas:

- rotunda fronting Pier Passenger Terminal Building;

- fronting Pier 3 Passenger Terminal Building;

- fronting CPA Passenger Terminal 3 (Berth 13) Building;

- across Supercat Passenger Terminal Building;

- fronting the CPA Main Administration Building; and,

- specifically designated areas at the Outports.

Appropriate signs, indicating the parking charges, the time that such facility is open for business shall be installed at each parking facility. Provided, That, the General manager of the Authority may expand, reduce, amend or modify from time to time any of the designated parking areas as he sees fit.

Section 5. No Parking Areas – No driver shall park his vehicle along any port road, port premises and other areas declared as “No Parking” areas as indicated by appropriate signs.

Section 6. No Stopping Areas – No vehicle shall stop at or near the entrance/exit of any passenger terminal or any establishment within the port and its premises except for a quick stop to discharge a passenger or to take in a waiting passenger, or to load or unload a small quantity of freight with reasonable dispatch and the vehicle moves again without delay. However, all vehicles entering or exiting the CPA gates shall be subject to security check, verification of payment of port charges and/or compliance of law. A vehicle shall not be considered as “parked”, if the vehicle again moves away without delay;

Section 7. Parking Fees and Time limits; Exceptions – Parking fee shall be collected during the regulated period at the following rates:

Type of Vehicle Rate per hour/fraction

(i) bicycle, tricycle, and similar units P20

(ii) 4-wheel vehicles P25

(iii) 6-wheel vehicles P30

(iv) Trucks, buses, prime movers, trailers P100

(v) Heavy-equipment P200

Parking shall be for a maximum of two (2) hours only. Those who wish to extend their stay at the parking area shall inform the CPA parking attendant or the nearest CPA office. Otherwise, the vehicle shall be deemed

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illegally parked and subjected to imposition of fines in addition to whatever parking fee may be due and without prejudice to the discretion of the Authority to remove or tow the vehicle to an impounding area at the expense of the vehicle owner/representative.

Persons with disability (PWD) and Senior Citizens (SC) are exempt from the 2 hour limit, provided: a) he/she is personally driving or on board the vehicle; b) must be a holder of PWD and SC card, which must be presented to the parking attendant, port traffic enforcer/CPA police; and c) shall pay the first 2 hours of parking and pay the excess hours upon leaving.

Towing vehicle/CPA shall provide tag to identify exempted vehicle to guide the parking attendant, port traffic enforcer/CPA police and towing service provider.

Section 8. Vehicles Not To Be in Certain Areas – No driver shall:

- leave a vehicle waiting in a “No Waiting Area”;

- park a vehicle in a “No Parking Areas”, except when loading or unloading goods or passengers;

- leave a vehicle waiting in a “No Stopping Area,” for any purpose;

- leave a vehicle waiting in a Parking Area contrary to any limitation in respect of days, periods of the day, classes of vehicles indicated by the inscription on the sign or signs associated with the area. However, a person may park a vehicle in a “No Parking” Area or leave a vehicle waiting in a “No Waiting” Area or “No Stopping” Area under any of the following conditions:

- during anytime that the restriction is suspended by reason of the inscription on the sign or signs associated with the area; or

- if the inscription on the sign or signs associated with the area exempts his vehicle from the restriction imposed within the area.

The General Manager may expand, reduce, amend or modify from time to time the designation of parking and other areas or facilities as he sees fit.

Section 9. Parking for Certain Purposes Prohibited – No person shall park a vehicle upon any roadway within the port and its premises for the principal purpose:

- displaying such vehicle for sale;

- washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

Section 10. Overnight Parking – Overnight Parking shall not be allowed. Motor vehicles found parking after 12 o’clock midnight within the port and its premises shall be towed to an impounding area and the driver/owner shall be required to pay the corresponding fine and fees.

Section 11. Officers Authorized to Remove Illegally Parked/Stopped Vehicles –

- Whenever any port traffic enforcer finds a vehicle standing upon a port road in violation of any of the foregoing provisions, such enforcer is hereby authorized to move such vehicle, or require the driver, or other person in charge of the vehicle to move the same, to a position off the paved or main traveled part of such road.

- Whenever any traffic enforcer finds a vehicle unattended on a port road or its premises where such vehicle constitute an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

- The expense incurred in the removal of such vehicle shall be charged to the owner of the vehicle.

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Section 12. Violations in Parking Areas – Within any pay parking facility inside the port and its premises, it shall be unlawful for any person:

- to refuse or fail to pay the parking charges;

- to park any vehicle across any line or marking of a parking space or in such position that the vehicle shall not entirely be within the area designated by such lines or markings;

- to tamper or damage any vehicle, other than his own, parked in the same parking facility;

- to park any vehicle for the purpose of washing, cleaning, greasing or repairing such vehicle except repairs necessitated by an emergency or a designated area in the parking facility;

- to display for sale or to sell goods or merchandise;

- to disregard any official direction, instruction or restriction posted therein.

Section 13. Notices on Illegally Parked Vehicle – Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions contained in this Order, the officer finding the vehicle shall note down its plate number and may take any information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of violation for the driver to answer to the charge against him within seven (7) days, during the hours and at a place specified in the notice.

Section 14. Failure to Comply with Notices Attached to Parked Vehicles – Persons apprehended and issued notices of violation shall appear before the CPA Port Police for appropriate disposition within the period specified in the said notice. Failure to appear shall be construed as waiver of their right to contest the notice of violation and shall be liable for the payment of the corresponding fees or charges.

Section 15. Exemptions – Vehicles of CPA officials and employees are exempt from the coverage of this Order.

Section 16. Vehicles of Other Government Agencies and Concessionaires – Official vehicles of other government agencies performing maritime functions with offices inside the port and vehicles of concessionaires with valid and permits issued by the Authority may be allowed their respective parking area inside the port or its premises as may be prescribed by the General Manager.

Section 17. Penalty Clause – For violation of this Order, the following fines shall be imposed:

(a) Illegal Parking
- P500.000

(b) No Stopping - P500.00

(c) No Waiting - P500.00

(d) Overnight Parking - P2,000.00

(e) Other Violations - P500.00

The above fines shall be without prejudice to the option of the Authority to cancel, revoke or confiscate any permit/pass/sticker issued by the Authority as may be warranted for the public interest.

Section 18. Separability Clause – Any provision of this Order that may be declared unlawful by competent authority shall not affect the other provisions to which such declaration does not apply and will continue to be in full force and effect.

Section 19. Repealing Clause – All orders, circulars and other issuances inconsistent with the provisions hereof are hereby deemed repealed or modified accordingly.

Section 20. Effectivity Clause – this Order shall take effect fifteen (15) days after publication in a newspaper of general circulation.

APPROVED.

(SGD.) ENGR. DENNIS R. VILLAMOR, CEO VI
General Manager

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