



Republic of the Philippines
SANGGUNIANG PANLUNGSOD

City of Mandaluyong
Telefax: 534-17-60
<http://www.mandaluyong.gov.ph/>

ORDINANCE NO. 342, S-2005

AN ORDINANCE PROHIBITING ANY PERSON, ENTITY OR COMPANY DOING BUSINESS OR WHATSOEVER NATURE, FROM USING, UTILIZING, CONVERTING OR OTHERWISE APPROPRIATING ANY STREET, SIDEWALK OR OTHER PUBLIC PLACES OR PORTIONS THEREOF, AS SHOP, WORKING AREA, WAREHOUSE OR OFFICE AND OTHER PURPOSES

BE IT ENACTED by the Sangguniang Panlungsod ng Mandaluyong, Metro Manila in session assembled:

- SECTION 1. No person, company or entity doing business of whatsoever nature shall use, utilize, convert or otherwise appropriate any street, sidewalk or any public place or places, or portions thereof, as shop, working area, warehouse, office or for any other purpose related to the conduct of his/its business.
- SECTION 2. Any person found violating this Ordinance shall, upon conviction, be punished by a fine of not less than Five Hundred Pesos (P500.00) nor more than One Thousand Pesos or imprisonment of not less than two (2) months nor more than six (6) months or both, at the discretion of the court; provided, however, that first offenders who do not wish to contest the violation and are willing to pay the fine of Five Hundred Pesos (P500.00) at any time prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted and any tool, equipment or other instrument confiscated from the offender at the time of the apprehension shall be returned to him.
- SECTION 2-A. Any official or employee of any of the person, entities or companies covered by the provisions of this Ordinance found working using, utilizing, converting, or otherwise appropriating any street, sidewalk or other public places or portions thereof as shop, working area, warehouse or office shall be punished with a fine of not less than Two Hundred Pesos (P200.00) nor more than Five Hundred Pesos (P500.00) or imprisonment of not less than one (1) month nor more than three (3) months, or both, at the discretion of the court; provided, however, that any person found violating the provisions of this Section for the first time who do not wish to contest the violation and are willing to pay the fine of Three Hundred Pesos (P300.00) at any time prior to the filing of formal charges with the proper court shall be allowed to pay said fine of Three Hundred Pesos (P300.00) to avoid further criminal prosecution.
- SECTION 2-B. The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six-hour period within which is required to pay under this Ordinance.

SECTION 3. If the offender is a corporation or a partnership the penalty provided for under this Ordinance shall be imposed upon the President and/or General Manager or Managing Partner and/or General Manager.

SECTION 4. In addition to the penalties provided, in Section 2 hereof, all tools, equipment and other instrument, including buildings, warehouse or other structures owned, belong to, or under the control of the erring person, company or entity found and being used in the street, sidewalk or any public place or places where such person, company or entity conducts his/its business shall be demolished and confiscated in favor of the City of Mandaluyong, Metro Manila.

In case of first offenders mentioned in Section 2 hereof, all tools, equipment and other instruments used, confiscated and impounded by the apprehending officer shall be returned to the owner only after presentation of proof of compliance with the provisions of this Ordinance and after payment of the fine and expenses incurred in the towing and impounding the same.

SECTION 5. This ordinance shall take effect immediately upon approval.

ENACTED on this 5th day of December, 2005 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.


JIMMY D. LACEBAL
Sanggunian Secretary

ATTESTED:


JESUS C. CRUZ
City Vice Mayor &
Presiding Officer

APPROVED:


NEPTALI M. GONZALES II
City Mayor
DECEMBER 12, 2005