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BAYAN**



MONCADA, TARLAC

EXCERPT FROM THE MINUTES OF THE 29th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2021 HELD ON THE 19th DAY OF JULY, 2021 AT THE SB SESSION HALL, LEGISLATIVE BUILDING

PRESENT:

HON. JAIME O. DUQUE
HON. CLEOFE D. FAVIS
HON. ALBERTO C. MARZAN, JR., MD
HON. RUBEN V. GAMBOA, JR
HON. THELMAFLOR A. ESPEJO
HON. GEORGE MICHAEL P. AGUILAR
HON. JANIUS M. YASAY
HON. CELESTE A. AYSON
HON. GEORGE R. CUCHAPIN, MD
HON. EZEKIEL C. RIVERA

.. VICE MAYOR/PRESIDING OFFICER
.. MEMBER
.. LnB PRESIDENT
.. SKF PRESIDENT

ABSENT:

HON. RODOLFO C. ESPEJO, JR.

.. MEMBER (Official Leave)

MUNICIPAL ORDINANCE NO. 14
Series of 2021

AN ORDINANCE ESTABLISHING A NETWORK OF BICYCLE LANES AND IMPROVED PEDESTRIAN WALKWAYS IN MONCADA TO SUPPORT PEOPLE'S MOBILITY IN THE NEW NORMAL

**Proponents: COUN. CELESTE A. AYSON;
COUN. RODOLFO C. ESPEJO, JR.**

WHEREAS, on 8 March 2020, President Rodrigo Roa Duterte declared a State of Public Health Emergency throughout the country due to COVID-19, and enjoined all government agencies and local government units (LGUs) to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent and appropriate responses and measures to curtail and eliminate the COVID -19 threat;

WHEREAS, on 17 March 2020, the Inter-Agency Task Force (IATF) and the Department of Transportation (DOTr) suspended all forms of public transportation, as the entire island of Luzon was placed under "Enhanced Community Quarantine" (ECQ).

WHEREAS, in anticipation of the downgrading of ECQ to a General Community Quarantine (GCQ) in some localities, the DOTr issued guidelines for the road transport sector on 30 April 2020, and encouraged the use of bicycles and similar devices, further LGUs were tasked to identify bike-lanes, or bike-only roads.

WHEREAS, the World Health Organization and the Department of Health encourage using bicycles or walking during the COVID-19 pandemic, whenever possible, as these provide physical distancing while helping to meet the minimum requirement for daily physical activity.





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MONCADA, TARLAC



WHEREAS, the Local Government Code (the Code) in Section 16 provides that local governments shall exercise powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare.

WHEREAS, Section 17 of the Code states that local governments are granted powers to discharge functions and responsibilities to provide basic services and facilities. These include infrastructure intended to service the needs of the residents and which are funded out of local government funds, such as but not limited to roads and bridges. These also include infrastructure projects funded by the national government where the LGU is the designated implementing agency. Further, an LGU has the power and responsibility to provide adequate communication and transportation facilities.

WHEREAS, with these powers, this Municipality implements the provision of a network of bike lanes and improved sidewalks to support peoples' mobility using this Ordinance's procedures and technical specifications necessary for this adaptation and transition to the "new normal."

NOW, THEREFORE, on motion by **COUN. CELESTE A. AYSON**, duly seconded;

BE IT ENACTED by the Sangguniang Bayan of Moncada in session duly assembled, THAT:

CHAPTER I. DECLARATION OF POLICIES AND OBJECTIVES

Section 1. Short Title. This Ordinance shall be called the **"Bicycle Lanes Ordinance of Moncada 2021."**

Section 2. Declaration of Principles and Policies. It is the policy of the Municipality to promote the active, safe, and efficient mobility of all people within its jurisdiction. Towards this end, the Municipality shall adopt:

- a. A healthy approach to people's mobility, where active and healthy modes of transport through increased physical activity are promoted and institutionalized in the Municipality; and
- b. A people-oriented road network and design, such that safe, efficient, and convenient mobility of pedestrians, cyclists, and other vulnerable road users are prioritized over the mobility of private motorized vehicles.

Section 3. General Objectives. This Ordinance seeks to:

- a. Provide people on bicycles and light mobilities with direct access to the entire municipality and essential service establishments, such as, but not limited to: (i) Hospitals; (ii) Public markets; (iii) Schools; (iv) Transport terminals; (v) Government centers and offices; (vi) Historical and heritage sites; and (vii) Local tourist destinations. Direct access means that the preservation of direct routes for bicycles and light mobilities shall be preferred over the diversion of bicycle traffic in favor of reduced travel time for motor vehicles;
- b. Provide pedestrians, cyclists and other vulnerable road users, such as the elderly and those living with physical disability, with safe, efficient, convenient, and just access to the streets within the Municipality;
- c. Ensure that the vulnerable road users, during their transport experience, are safe and protected from any road-related injuries that may involve higher-speed motorized vehicles; and





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BAYAN**
MONCADA, TARLAC



d. Promote healthy and active transport methods to commuters and other daily road users, without compromising the safety, comfort, ease, and time or duration of travel.

Section 4. Definition of Terms. As used in this Ordinance, the following terms shall mean:

- a. **Active transport** refers to physical activity undertaken as means of transport.
- b. **Commuter** refers to any person who travels from one place to another, often using a combination of transportation modes to get to his/her destination.
- c. **Bicycle lanes** refer to roads, streets, or pathways where motorized transport is not allowed, to ensure the safety of bicycle users or those using light mobility transport such as kick scooters and skateboards.
- d. **Light mobility** refers to travel using electronic or non-motorized vehicles weighing not more than 100 kg.
- e. **Pedestrian** refers to any person who uses the shared paths or sidewalks.
- f. **Walking paths** refer to pathways which can be used by pedestrians.
- g. **Motorized transport** refers to motorized vehicles weighing more than 100 kg.

CHAPTER II. THE ACTIVE MOBILITY COMMITTEE

Section 5. The local Active Mobility Committee (AMC) is hereby convened for purposes of identifying, establishing, and maintaining a bike lane network, as well as developing and maintaining pedestrian walkways. The AMC, to be constituted and convened by the Municipal Mayor shall be composed of the following:

- a. **Chairperson** – At least a third ranking officer of the LGU;
- b. **Secretary** – Secretary to the Mayor/Staff;
- c. The Municipal Engineer;
- d. The Municipal Planning and Development Coordinator;
- e. The Municipal Traffic Management Officer;
- f. The Municipal Health Officer or representative;
- g. One (1) representative from and selected by the Sangguniang Bayan;
- h. One (1) representative from the Sangguniang Kabataan;
- i. One (1) representative from the local cycling group;
- j. One (1) representative from the persons-with-disability (PWD) group;
- k. One (1) representative from the women's group; and,
- l. One (1) representative from the senior citizens group.

A quorum of the AMC shall be composed of a simple majority of all voting members. The Chairperson shall vote only in case of a tie.

Section 6. The AMC shall lead the development of the Bicycle Lanes Network Master Plan. For this purpose, the AMC shall: (a) determine sections of existing roads that may be developed into a continuous bicycle lane and pedestrian walkway network; (b) adopt traffic engineering solutions that will complement and support safe biking and walking; (c) identify local budget items for the development of bike lanes and improvement of walking paths; (d) approve the technical specifications prepared by the Municipal Engineer or other such entity assigned, in order to facilitate procurement or other administrative





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**SANGGUNIANG
BAYAN**
MONCADA, TARLAC



processes, as may be required; (e) initiate communication and education campaigns promoting the proper use of cycling and walking facilities; (f) coordinate with the different National Agencies for matters necessary for the design and construction of bicycle lanes and pedestrian walkways; and (g) regularly oversee monitoring activities related to the implementation of this Ordinance.

CHAPTER III. BICYCLE LANE NETWORKS AND PEDESTRIAN WALKWAYS

Section 7. Identifying and Establishing a Bike Lane Network. The Municipality, through the AMC, shall review all roads within its area of jurisdiction and determine sections that may be developed into a continuous bike lane network.

Section 8. Complementary Traffic Engineering and Infrastructure Solutions. The LGU of Moncada, through the AMC, shall adopt traffic engineering solutions that will prioritize, complement, and support safe and efficient biking and walking. Any such solution shall (a) be supported by an appropriate traffic study, and/or (b) form part of the LGU's Local Public Transport Route Plan (LPTRP).

All road infrastructure to be used by people on bicycles shall conform to one of the following categories:

- a. **Protected Bike Lanes and Assigned Walkways on Existing Road Spaces**
 - i. A minimum width of 1.5 meters for one-way cycle tracks, and 2.4 meters for two-way cycle tracks shall be assigned as dedicated bike lanes, and protected accordingly from motor vehicle lanes, using barriers, traffic cones, or lane markers, with barriers being the most prioritized.
 - ii. A minimum of 1.5 meters, excluding furnishing zones assigned for trees, poles, lights, and hydrants, shall be assigned as a walkway for pedestrians; This shall be recommended for existing roads with four or more lanes.
 - iii. Vehicular and motorcycle speed limit of 30 kilometers per hour, and an active transport speed of up to 22 kilometers per hour shall be implemented.
 - iv. The Traffic Management Office, Municipal Engineering Office, Environment Office, and all Barangays are immediately directed to facilitate the creation of protected bike lanes on all such roads with the assistance of the Philippine National Police.
- b. **Slow Streets.** Slow streets are streets or roads where motor vehicle through traffic is permitted at low-speed levels, which allow safe mixing with bicycle traffic.
 - i. Design interventions and traffic calming schemes shall be incorporated to slow traffic to walking speed (10 kilometers per hour or less) upon entering the street.
 - ii. Vehicular and motorcycle speed limit of 20 kilometers per hour for all through traffic, and a bike speed of up to 15 kilometers per hour shall be implemented on Slow Streets.
 - iii. The Traffic Management Office, Municipal Engineering Office, Environment Office, and all Barangays are directed to evaluate and recommend candidate streets, and facilitate transition of identified streets into Slow Streets even after the lifting of community quarantine.





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BAYAN**
MONCADA, TARLAC



c. **People's Streets.** People's streets are streets or roads where motor vehicle through traffic is not permitted, and the only kind of motor vehicle traffic allowed is access by residents of the street, emergency vehicles, or light delivery vehicles by commercial establishments during off-peak hours.

- Design interventions and traffic calming schemes shall be incorporated to slow down incoming vehicular traffic to walking speed upon entering the street. Traffic by walking, cycling or light mobility shall continue to be permitted.
- Roads identified for this intervention must be a result of a municipal-wide traffic study for the new normal, preferably roads with a large number of residences whose doors open directly into street, and high foot traffic leading to establishments along the street.
- Operation of businesses with zero car parking spaces shall be permitted.
- An active mobility speed of up to 15 kilometers per hour shall be implemented. Permitted motorized vehicles shall follow a 10 kph speed limit when inside People's Streets.
- The Traffic Management Office, Municipal Engineering Office, Environment Office, and all Barangays are directed to evaluate and recommend candidate streets, and facilitate transition of identified streets into People's Streets even after the lifting of community quarantine.

d. **Safe Intersections**

- The Municipality shall evaluate all intersections, particularly intersections with high traffic levels, to ensure that cyclists and pedestrians are able to safely cross and change directions, at-grade. If the Municipality shall design an intersection requiring the use of a footbridge or other different-grade crossing infrastructure, the design decisions must be documented and submitted to the Department of the Interior and Local Government (DILG) and Department of Public Works and Highways (DPWH).
- Any crossing infrastructure that diverts pedestrians or people on bicycles away from street level must be designed such that it: (a) incorporates bicycle- friendly design i.e. inclusion of bicycle ramps; (b) enables independent use of a wheelchair to traverse it in a time that would no more than double the time needed for an able-bodied person to cross at-grade; and, (c) is developed with accessibility infrastructure for people on wheelchairs, and must be compliant with all existing laws and design standards regulating the design of such infrastructure.
- The provision of bike boxes on road intersections shall be adopted where possible.
- Traffic signals shall be timed to allow bicycles and pedestrians a safe and reasonable time to cross intersections before motor vehicles, to avoid traffic conflicts.
- To improve safety of cyclists and pedestrians crossing on intersections, motor vehicles shall not be allowed to turn right on a red signal. Entities in charge of operating traffic signals, such as the Traffic Management Office, local Command and Control Center, or any such entity that has control and/or ownership of the traffic signal light in the Municipality, shall utilize the appropriate traffic signal timing which prioritizes cyclists and pedestrians.





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BAYAN**



MONCADA, TARLAC

Section 9. Bike Lane and Sidewalk Designs. Annex C of this Ordinance provides the specifics of the bike lane and sidewalk designs, which the Municipality shall use in implementing the bicycle lane networks and improving walking paths for pedestrians. The proposed design may be subject to modification by the DPWH and DOTr Technical Working Group assigned to evaluate and assess bike lanes and sidewalks.

Section 10. Traffic Signages. To ensure the safety of all road users, appropriate traffic lights and signages shall be installed to indicate bicycle lane and motor vehicle lane signals, speed limits, and other traffic rules. The same shall indicate the beginnings and ends of special road categories set out in Section 8 of this Ordinance. Where traffic lights and/or signages cannot be installed, traffic enforcers must be deployed for purposes of these rules.

Section 11. Maintenance of Bicycle Lane Network. The LGU, through the Traffic Management Office or such other relevant offices, shall strictly and effectively implement the following for the maintenance of the bicycle lanes and pedestrian walkway networks:

- a. Dedicated bicycle lanes and/or pedestrian walkways in existing road spaces shall be protected at all times from the entry of or use by any motorized transport vehicle.
- b. All road spaces designated as bicycle lanes and/or pedestrian walkways shall be cleared of any illegal obstruction, including, but not limited to illegally parked cars, pursuant to DILG Memorandum Circular No. 2020-027.
- c. All at-grade and/or object separators, crossing infrastructures, and other engineering solutions installed to support the establishment of the bicycle lane networks shall be routinely inspected by the Traffic Management Office or other relevant offices to ensure the protection of cyclists, pedestrians, and other vulnerable road users.
- d. LGUs shall ensure that designated stops for Public Utility Vehicles (PUV) are incorporated into the road design without obstructing bicycle lanes. LGUs may opt to use lane markers or other engineering solutions in ensuring the aforementioned.

Section 12. Personal Protective Gear. To further ensure safety, the use standard and age- or user- appropriate personal protective gear, including, but not limited to closed shoes, helmets, head gears, and bicycle lights or reflectors, shall be encouraged among cyclists and other users of the bicycle lanes. Minors below the age of 18 using bicycle lanes on major roads shall be required to use the appropriate protective gear.

Section 13. Auxiliary Programs, Projects, and Activities. The Municipality, in support of the implementation of the bicycle lane and pedestrian walkway networks, shall endeavor to:

- a. Install safe, sufficient, and proper bike use facilities, such as bicycle parking spaces, bike racks, and shower and change rooms in strategic locations accessible to cyclists, including, but not limited to government centers and public establishments.





OFFICE
of the
**SANGGUNIANG
BAYAN**
MONCADA, TARLAC



- b. Develop incentive mechanisms to encourage private entities, office establishments, and commercial buildings to provide the same bike use facilities to promote active transport among their clients and employees.
- c. Develop and implement a local bike sharing program, to encourage active transport within the Municipality.
- d. Invest in and strategically distribute free bike units and bike accessories to local government employees and students in local public schools.
- e. Implement training and information campaigns, programs, projects, or activities which educate citizens on road safety and proper etiquette for walking, biking, and driving, and promote healthy lifestyle and active transport.

Section 14. Mandatory Bike Use Facilities. The Municipality shall endeavor to require the availability of a bicycle parking facility as a regulatory requirement prior to issuance of local Building or Business Permit/s to new proposed buildings and establishments, or to buildings and establishments proposed for improvement or expansion. The requirement shall be applicable to categories or types of buildings and establishments, as may be defined in existing relevant Municipal ordinances.

Section 15. Emergency Services. Emergency medical services shall be made available by the LGU for all road users, including cyclists and pedestrians, in case of road collisions.

CHAPTER IV. ENFORCEMENT AND PENALTIES

Section 16. Enforcement and Penalties. Any violation of the provisions of this Ordinance and other existing rules relative to the implementation of the bicycle lane and pedestrian walkway networks, shall incur the corresponding penalties as herein provided:

- a. Any motorist who:
 - i. Obstructs or parks in protected bike lanes and pedestrian walkways shall be liable for *obstruction of roadways* under existing Municipal ordinances and DILG MC No. 2020-027, and shall be subject to appropriate action and penalties;
 - ii. Drives through a Slow Street above the allowable speed limit shall be liable for *violation of speed limits* under existing Municipal ordinances, and shall be subject to appropriate action and penalties;
 - iii. Drives through a People's Street when not a resident shall be liable for *driving onto a place not intended for traffic* under existing Municipal ordinances, and shall be subject to appropriate action and penalties;
 - iv. Collides with a cyclist or pedestrian in a bike lane, a pedestrian walkway, a Slow Street, or a People's Street, shall be considered to have committed the offense of *reckless driving*, in addition to other offenses for which said driver may be liable, and shall be fined two thousand five hundred pesos (P 2,500.00).

- b. Any cyclist or user of light mobility vehicle who:





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**SANGGUNIANG
BAYAN**
MONCADA, TARLAC



- i. Crosses the intersection or disregards signal by a traffic enforcer on major roads shall be liable for *disregarding traffic signs* under existing laws and Municipal ordinances, and shall be subject to reprimand or any such action or penalty as applicable;
- ii. Crosses major roads at-grade, when prohibited and when proper crossing infrastructure are provided, shall be liable for *unauthorized crossing* and shall be fined two hundred pesos (P 200.00).
- iii. Fails to make proper, clear, and timely hand signal when changing or exiting the bike lane, resulting in crashes with motor vehicles or pedestrians, shall be liable for *failure to give proper signal* shall be fined two hundred pesos (P200.00).
- iv. Rides their bicycle when drunk, resulting in collisions with motor vehicles or pedestrians, shall be liable for driving under the influence of alcohol, dangerous drugs or similar substance and shall be subject to reprimand and a fine of two thousand five hundred pesos (P2,500.00).

CHAPTER V. MONITORING

Section 17. Reporting and Monitoring. The Municipality, through the Local Government Operations Officer (LGOO) and in coordination with the AMC, shall regularly monitor the implementation of the bicycle lane and pedestrian walkway networks, and other indicators related to components of this Ordinance. Feedback from the public shall be incorporated into the monitoring process. Monitoring data shall be consolidated by the AMC and reported on a regular basis by the Municipality to the relevant regional National Government Agencies (NGAs).

CHAPTER VI. APPROPRIATIONS

Section 18. Appropriations. The funding necessary to implement the provisions of this Ordinance, to establish and maintain bicycle lanes, to improve sidewalks, and to implement other related programs, may be sourced from the following, in order of priority:

- a. The LGU's annual Internal Revenue Allotment (IRA);
- b. Total collections from penalty fees incurred through road users' violation of traffic rules related to bicycle lane and bicycle use;
- c. Local parking levies;
- d. National Government subsidies to related programs, projects, and activities through the relevant agencies; and/or,
- e. Supplemental funding requests from relevant NGAs.

CHAPTER VII. MISCELLANEOUS PROVISIONS

Section 19. Implementing Rules and Regulations (IRR). The Municipal Mayor may issue appropriate and relevant rules and regulations, as necessary for the proper implementation of any and all provisions of this Ordinance.





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BAYAN**
MONCADA, TARLAC



Section 20. Repealing Clause. All other ordinances, orders and issuances, or parts thereof, inconsistent herewith are hereby repealed, amended, or modified accordingly.

Section 21. Effectivity. This ordinance shall take effect fifteen (15) days following its posting in at least three (3) conspicuous places in the municipality and in the social media platforms and website of the LGU.

ENACTED, this 19th day of July 2021 at Moncada, Tarlac.

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance which was enacted on FINAL reading by the Sangguniang Bayan of Moncada, Tarlac during its 29th Regular Session held on the aforementioned date and place.


VICTOR SANDINO S. MOLINA
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**


JAIME O. DUQUE
Vice-Mayor & Presiding Officer

APPROVED by HER HONOR, this 21st day of July, 2021.


ESTELITA M. AQUINO
Municipal Mayor

