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Kom No.: 03
Date: AUG 01 2023

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

July 26, 2023

SANGGUNIANG PANLALAWIGAN
JUL 27 2023
PROVINCE OF LEYTE

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *[Signature]*
Date: *7-29-23*

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 439 of the Municipality of Babatngon, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160.

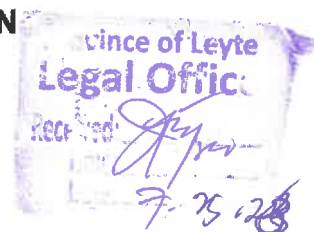
The Provincial Legal Office is of the opinion that the ordinance is in line with Section 447(5)(v)(vi) of the Local Government Code which seeks to regulate the use of streets, avenues, alleys, sidewalks, etc., and the construction and/or improvement of the same for the benefit and safety of motorists and pedestrians alike.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *[Signature]*


Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST ENDORSEMENT
24 July 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations, on the herein enclosed **ORDINANCE NO. 439 OF THE MUNICIPALITY OF BABATNGON, LEYTE; 'ACTIVE TRANSPORT NETWORK ORDINANCE OF 2023'**".


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



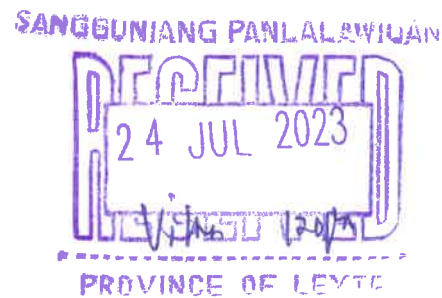
REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

24 July 2023

Honorable Leonardo M. Javier, Jr.
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Province of Leyte
Legislative Bldg., Capitol Grounds
Tacloban City



Dear Honorable Ladies and Gentlemen,

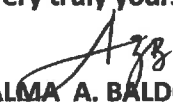
Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Ordinance No. 439 of the Sangguniang Bayan of the Municipality of Babatngon, Leyte, entitled: "An ordinance providing for the establishment of an active transport network within the jurisdiction of Babatngon, Leyte. Subject Ordinance is being forwarded to that Body for review in compliance with Section 56 (a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 439
2. Certification of Posting

Please find them in order and praying for your favorable action thereof.

Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

Enclosed:

As Stated



REPUBLIC OF THE PHILIPPINES
 PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON
SANGGUNIANG BAYAN

SANGGUNIANG BAYAN
 BABATNGON, LEYTE
RELEASED
 BY: *[Signature]*
 DATE: 7/21/23
 TIME: 8:57 AM

EXCERPT FROM THE MINUTES OF THE 48TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 12TH DAY OF JULY 2023 AT THE SB SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.

24 JUL 2023
 PROVINCE OF LEYTE

MAYOR'S OFFICE
 BABATNGON, LEYTE

ORDINANCE NO. 439

RECEIVED
 BY: *[Signature]*
 DATE: 7/25/23
 TIME: 9:52 AM

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF AN ACTIVE TRANSPORT NETWORK WITHIN THE JURISDICTION OF BABATNGON, LEYTE.

Presented by: **HON. HILARION S. MENZON**
 Sangguniang Bayan Member

NOW, THEREFORE, be it ordained by the Sangguniang Bayan of Babatngon, Leyte in session assembled:

SECTION 1. SHORT TITLE. - This ordinance shall be known and cited as the "Active Transport Network Ordinance of 2023".

SECTION 2. DECLARATION OF PRINCIPLES AND POLICIES. - It is the declared 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 alternative and healthier modes of transport through increased physical activity are promoted and institutionalized; and,
- b. A people-oriented road network and design that would prioritize the safe, efficient and convenient mobility of pedestrians, cyclists and other vulnerable road users over the mobility of private motorized vehicles.

SECTION 3. PURPOSE. - This Ordinance is intended to:

- a. Provide people on bicycles and light mobilities with direct access to the entire Municipality and essential service establishment such as, but not limited to, hospitals, public markets, schools, transport terminals, government offices, historical sites and 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 with safe, efficient, convenient and just access to the streets within the Municipality;
- c. Ensure that vulnerable road users, during their transport experience, are safe and protected from any road-related injuries that may involve high-speed motor vehicles; and,
- d. Promote healthy and active transport alternatives to commuters and other daily road users. Without compromising safety, comfort ease and time or duration of travel.

SECTION 4. DEFINITION OF TERMS. - For purposes of this ordinance, the following terms shall mean:

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- a. Active Transport refers to non-motorized means of travel, including walking or using a bicycle, skateboard, or scooters;
- b. Commuter refers to a person who travels from one place to another, using a combination of transportation modes to get to his/her destination;
- c. Cycling Lanes refer to road, street, or path where private motorized transport is not allowed in order to ensure the safety of bicycle users or those using light mobility transport such as scooters;
- d. Light Mobility refers to travel using electric or non-motorized vehicles weighing not more than 100 kg;
- e. Pedestrian refers to a person who uses shared paths or sidewalks;
- f. Walking Paths refer to pathways which are reserved for use by pedestrians; and,
- g. Motorized Transport refers to motorized vehicles weighing more than 100 kg.

SECTION 5. ACTIVE MOBILITY COMMITTEE. – The Municipal Mayor is hereby authorized to constitute and convene an Active Mobility Committee for the purpose of leading the development of a Bicycle Lane and Walking Path Network Plan. It shall be composed of the following:

- a. The Municipal Mayor;
- b. The Legal Officer;
- c. The Municipal Engineer;
- d. The Planning and Development Officer;
- e. The Budget Officer;
- f. The PNP Officer;
- g. The Health Officer;
- h. Committee Chairman on Transportation
- i. Four (4) private sector representatives from the PWD, senior citizen, women's group and cycling enthusiasts.

The Committee shall determine sections of existing roads that may be developed into a continuous bicycle lane and walking path network; adopt traffic engineering solutions to complement and support safe biking and walking; identify budget sources for the development of bicycle lanes and walking paths; prescribe and approve the technical specifications for bicycle lanes and walking paths and other public infrastructure projects; initiate an information, communication and education plan to promote active transport; and, oversee the implementation of this ordinance.

SECTION 6. ESTABLISHMENT OF BICYCLE AND WALKING PATH NETWORK. - The Municipality shall establish a network of bicycle lanes and walking paths within its jurisdiction.

SECTION 7. COMPLEMENTARY TRAFFIC ENGINEERING AND INFRASTRUCTURE SOLUTIONS.-

The Municipality shall adopt such traffic engineering and infrastructure solutions that are consistent with the Local Public Transport Route Plan (LPTRP) and would support the establishment of bicycle lanes and walking path network.

SECTION 8. CATEGORIES OF ROAD INFRASTRUCTURE.- All road infrastructure must conform to one of the following:

- a. Protected Bike Lanes and Assigned Walkways on Existing Road Spaces with four or more lanes. - For existing road spaces with a minimum of four lanes, there shall be provided a minimum width of 1.5 meters for one-way cycle tracks, and 2.4 meters for two-way cycle tracks as dedicated bike lanes, and protected accordingly from motor vehicle lanes, using barriers, traffic cones, or lane markers, with barriers being the most prioritized. Likewise, a minimum of 1.5 meters, excluding

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furnishing zones assigned for trees, poles, lights, and hydrants, shall be assigned as a walkway for pedestrians.

- b. **Slow Streets.** - Slow streets are streets or roads wherein the minimum width of 1.5 meters prescribed for one-way bicycle lanes may not be feasible, and where speed limits at low levels shall be required among motor vehicles to allow for safe mixing with bicycle traffic. In these streets, 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. 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 also be implemented.
- 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 (0) car parking spaces shall be permitted. An active mobility speed of up to 15 kilometres per hour shall be implemented. Permitted motorized vehicles shall follow a 10 kph speed limit when inside People's Streets.
- 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. 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.

SECTION 9. BIKE LANE AND SIDEWALK DESIGNS.- The Municipality shall approve the design for bike lanes and sidewalk designs.

SECTION 10. TRAFFIC SIGNAGES.-To ensure the safety of all road users, appropriate traffic lights and signages may 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 Municipality 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 from at all times from the entry of or use by any motorized transport vehicle;

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- 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 Municipality to ensure the protection of cyclists, pedestrians, and other vulnerable road users; and
- 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 Municipality shall require the use of appropriate personal protective gear, including, but not limited to closed shoes, helmets, head gears, bicycle lights, or reflectors.

SECTION 13. AUXILIARY PROGRAMS, PROJECTS, AND ACTIVITIES. - The Municipality, in support of the implementation of the bicycle lane and pedestrian walkway networks, shall endeavour 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;
- b. Develop incentive mechanisms to encourage private entities, office establishments, and commercial buildings to establish 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; and
- e. Implement training and awareness campaigns, other 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. 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.

SECTION 15. 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 ordinances and DILG MC No.2020-027, and shall be subject to appropriate action and penalties;
- ii. Makes right turns when the traffic light is red shall be liable for violation of no left or right turn under existing ordinances, and shall be subject to appropriate action and penalties;
- iii. Drives through a Slow Street above the allowable speed limit shall be liable for violation of speed limits under existing ordinances, and shall be subject to appropriate action and penalties;
- iv. Drives through a People's Street when not a resident shall be liable for driving onto a place not intended for traffic under existing ordinances, and shall be subject to appropriate action and penalties;
- v. 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 offence of reckless driving under



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existing Municipality ordinances, in addition to other offences for which said driver may be liable, and shall be subject to appropriate action and penalties.

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

- i. Crosses the intersection or jumps on red light signal on major roads shall be liable for disregarding traffic signs under existing 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 under existing ordinances, and shall be subject to reprimand or any such action or penalty as applicable;
- 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 under existing ordinances, and shall be subject to reprimand or any such action or penalty as applicable; and
- 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 under existing Municipal ordinances, and shall be subject to reprimand or any such action or penalty as applicable.

SECTION 16. MISCELLANEOUS PROVISIONS. - The Municipal Mayor is hereby given full power and authority to issue the necessary executive orders and rules and regulations to implement this ordinance and other existing ordinances and laws.

SECTION 17. APPROPRIATIONS. - The amount of [PHP] is hereby appropriated for the purpose of implementing this Ordinance.

SECTION 18. SEPARABILITY CLAUSE.- If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 19. REPEALING CLAUSE. - All previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.

SECTION 20. EFFECTIVITY.- This Ordinance shall take effect upon publication.

APPROVED and ENACTED this 12th day of July 2023 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-Designate

ATTESTED:

HON. ROSARY PEARL G. CATUDIO
Municipal Vice-Mayor
Presiding Officer



REPUBLIC OF THE PHILIPPINES
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HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member

(Mandatory Leave)
HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member


HON. KARL JOMAR L. EMBANA
Sangguniang Bayan Member


HON. ILDEFONSO B. ODON
Sangguniang Bayan Member


HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member


HON. HILARION S. MENZON
Sangguniang Bayan Member


HON. CHARITA M. CHAN
Sangguniang Bayan Member


HON. ALEX V. BELLO
Sangguniang Bayan Member

(Special Leave)
HON. COSTUDIO R. MEDINA
President
Liga ng mga Barangay


HON. MYRNA S. BALLAIS
President
Pambayang Pederasyon ng
Sangguniang Kabataan

APPROVED:


HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: 20 July 2023



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN


CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that **POSTING** in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting 20 July 2023 and copies of said ordinance shall remain posted for three (3) consecutive weeks, pursuant to Sec. 59 (b) of Republic Act 7160, in relation to Ordinance No. 439, to wit:

1. **ORDINANCE NO. 439** - An ordinance providing for the establishment of an active transport network within the jurisdiction of Babatngon, Leyte.

Made this 21st day of July 2023 at Babatngon, Leyte.


ALMA A. BALDOMAR
Secretary II

Secretary to the Sanggunian-designate