



Republic of the Philippines
CITY OF VALENZUELA
Metropolitan Manila

SANGGUNIANG PANLUNGSOD

*** Excerpts from the minutes of the 90th Regular Session of the 8th City Council of Valenzuela held on July 5, 2021 at 2:56 P.M. at the City Council's Session Hall, 3rd Floor, Legislative Building, Valenzuela City Hall, Karuhatan, Valenzuela City, Metropolitan Manila.

ORDINANCE NO. 901
Series of 2021

AN ORDINANCE PROVIDING RELIEF FROM PAYMENT OF TRAFFIC VIOLATIONS PENALTY CAUGHT UNDER THE NO CONTACT APPREHENSION PROGRAM (NCAP) OF VALENZUELA CITY FROM MARCH 17, 2020 UNTIL MAY 14, 2021 OR AT THE END OF THE MODIFIED ENHANCED COMMUNITY QUARANTINE TO ALLEVIATE THE ECONOMIC BURDEN OF VALENZUELA RESIDENTS DUE TO THE COVID-19 PANDEMIC.

Authored by : Coun. KRISTIAN ROME T. SY

Co-authored by: Vice Mayor LORENA NATIVIDAD-BORJA, Coun. ROVIN ANDREW M. FELICIANO, Coun. RICARDO RICARR C. ENRIQUEZ, Coun. RAMON L. ENCARNACION, Coun. JENNIFER P. PINGREE, Coun. JOSEPH WILLIAM D. LEE, Coun. WALTER MAGNUM D. DELA CRUZ, Coun. CRISSHA M. PINEDA, Coun. KIMBERLY ANN GALANG-TIANGCO, Coun. NIÑA SHIELA B. LOPEZ, Coun. LOUIE P. NOLASCO, Coun. CHIQUI MARIE N. CARREON, Coun. BIENVENIDO S. BARTOLOME, JR., and Coun. EXEQUIEL D. SERRANO,

WHEREAS, Section 16 of Republic Act (R.A.) No. 7160, otherwise known as the Local Government Code of 1991, provides that: "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support among other things xxx preserve the comfort and convenience of their inhabitants";

WHEREAS, in order to enhance traffic discipline among motorists, the City of Valenzuela created Ordinance No. 19, Series of 2005 otherwise known as the "Land Transportation Code of the City of Valenzuela" which provide a way of enforcing Traffic Rules and Regulation to motorists who are plying the roads of Valenzuela City;

WHEREAS, after the passage of Ordinance No. 19, Series of 2005 was enacted, several traffic ordinances were created to improve the said ordinance and impose other traffic violations which include Ordinance No. 572, Series of 2019 as amended by Ordinance No. 587 Series of 2019 otherwise known as the No Contact Apprehension Program of Ordinance of Valenzuela City";

WHEREAS, the President of the Republic of the Philippines declared a state of public health emergency throughout the Philippines mandated that all government agencies and Local Government Units (LGUs) render full assistance



Republic of the Philippines
CITY OF VALENZUELA
Metropolitan Manila

SANGGUNIANG PANLUNGSOD

and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the COVID-19 threat;

WHEREAS, the World Health Organization has declared the corona virus disease officially a pandemic;

WHEREAS, on March 12, 2020, the Inter-Agency Task Force (IATF-EID) for the Management of Emerging Infectious Disease issued Resolution No. 11 Series of 2020 recommending for the management of COVID-19 situation, as well as raising the code alert system for COVID-19 public health event to Code Red Sublevel two (2), among others;

WHEREAS, on the same date, President Rodrigo Roa Duterte approved the above resolution by the IATF-EID to raise the COVID 19 alert to code red sublevel 2, which imposed "community quarantine" on Metro Manila and other measures to prevent the spread of the coronavirus that causes the acute respiratory ailment, including ban of mass gatherings, defined as planned or spontaneous events where the number of people could strain the planning and response resources of the community hosting the event;

WHEREAS, such declaration would facilitate the implementation of essential provisions of R.A. 11332 to address COVID-19 threat, including but not limited to mandatory reporting, intensify government response and measures and enforce quarantine and disease control prevention measures;

WHEREAS, under Republic Act 11332, a public health emergency refers to an occurrence of an imminent threat of an illness or health condition, which could pose a high probability of a large number of deaths and widespread exposure to an infectious agent;

WHEREAS, on March 16, 2020, President Rodrigo Roa Duterte issued Proclamation No. 929 entitled, "Declaring a State of Calamity throughout the Philippine Due to Corona Virus Disease 2019";

WHEREAS, based from records, the private partner of the City Government in the operation of our No Contact Apprehension Program (NCAP) in Valenzuela City, there are numerous traffic violators residing in Valenzuela City who have yet to settle their NCAP traffic obligations;

WHEREAS, as a result, registered vehicles of said traffic violators residing in this City were placed on alarm by NCAP at the Land Transportation Office (LTO) until such time that they settle their NCAP obligations to the City;

WHEREAS, despite the LTO alarm it has been observed that only a handful of registered owners are settling their obligations and most of them are asking for compassion and humanitarian consideration from the City Government of



Republic of the Philippines
CITY OF VALENZUELA
Metropolitan Manila

SANGGUNIANG PANLUNGSOD

Valenzuela because of financial or economic incapacity brought by the COVID-19 pandemic crisis;

WHEREAS, pursuant to Section 192 of RA9160, local government units may, through an ordinance duly approved by the Sangguniang Panlungsod grant incentives and reliefs under such terms and conditions as they may deem necessary and appropriate.

NOW THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the City Council of Valenzuela in a session duly assembled the following:

SECTION 1. SHORT TITLE. This Ordinance shall be known as the **"NCAP RELIEF ORDINANCE"**

SECTION 2. COVERAGE. This Ordinance shall cover all traffic violations incurred by residents of Valenzuela City under the No Contact Apprehension Program from March 17, 2020 until May 14, 2021 or at the end of the modified enhanced community quarantine subject to the limitations provided under Section 5 of this Ordinance.

SECTION 3. DEFINITION OF TERMS. The words and phrases used in this Ordinance are hereby defined as follows:

- a.) **ALARM** – a condition imposed by the Land Transportation Office (LTO) which prevents the renewal of registration of a certain motor vehicle.
- b.) **RELIEF** – the forgiveness or condonation of the fine or administrative penalty imposed by the No Contact Apprehension Program (NCAP) to those erring motorist caught under the said program.
- c.) **VCTVAC** – The Valenzuela City Traffic Violations Adjudication Committee is the Committee granted with authority by the City Mayor to adjudicate, hear and decide appeals involving traffic violations and the No Contact Apprehension Program.

SECTION 4. PROCEDURE AND REQUIREMENTS IN THE AVAILMENT OF THE RELIEF. To avail this relief, the traffic violator must comply with the following requirements and procedure:

- a.) Fill up NCAP relief application form and submit the same at the Valenzuela City Traffic Violations Adjudication Committee (VCTVAC) located at City External Services Office (CESO), Dalandanan, Valenzuela City for assessment and evaluation;
- b.) Applicant must be a bonafide resident of Valenzuela City and must present at least two (2) of the following proof of residency:



Republic of the Philippines
CITY OF VALENZUELA
Metropolitan Manila

SANGGUNIANG PANLUNGSOD

- i. COMELEC /Voter's ID/Voter's Certification indicating the residence in Valenzuela City;
 - ii. Barangay Clearance indicating that the applicant is a resident of Valenzuela City;
 - iii. Real Property Tax Declaration of the property issued by the City Government of Valenzuela where the applicant is presently residing (the name and address of the applicant must be indicated therein);
 - iv. Any two (2) valid Government issued Identification Cards indicating the address of the applicant in Valenzuela City;
- c.) The applicant must present the Official Receipt and the Certificate of Registration (O.R. and C.R.) of the subject vehicle caught by NCAP which must be duly registered in the name of the applicant and the address is located in Valenzuela City;
- d.) For purposes of this Ordinance, an open deed of sale or sale of a motor vehicle shall not be accepted as proof of ownership by the applicant over the subject motor vehicle to avail the relief; and
- e.) The VCTVAC shall evaluate the application for relief ex parte. However, the VCTVAC may invite or call upon the applicant for clarification on the supporting documents submitted or any relevant matter at discretion of the committee.

SECTION 5. APPLICABILITY. All settled/paid NCAP traffic violations committed within the relief period and prior to the effectivity of this Ordinance shall not be entitled to refund.

Further, the availment of this relief shall start from the effectivity of this Ordinance and until December 31, 2021 only.

SECTION 6. IMPLEMENTING GUIDELINES. This Ordinance is self-executory upon due publication. However, the Local Chief Executive or any of his duly deputized representatives is hereby authorized to issue additional guidelines and directives to effectively implement the mandate of this Ordinance, if necessary.

SECTION 7. SEPARABILITY CLAUSE. If for any reason, a part of this Ordinance is declared illegal or invalid, other parts or provisions hereof which are not affected thereby shall remain valid and in full force and effect.

SECTION 8. REPEALING CLAUSE. All existing ordinances, executive orders and administrative regulations or part of parts thereof which are inconsistent




Republic of the Philippines
CITY OF VALENZUELA
Metropolitan Manila

SANGGUNIANG PANLUNGSOD

with any provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.


ATTESTED :


ANTONIO R. ESPIRITU
Secretary to the Sanggunian

CERTIFIED CORRECT:


HON. LORENA NATIVIDAD-BORJA
City Vice Mayor
Presiding Officer

APPROVED:


HON. REXLON T. GATCHALIAN
City Mayor
Date Signed: _____