

Republic of the Philippines  
Province of Cebu  
CITY OF NAGA



Excerpt from the minutes of the Regular Session of the Sangguniang Panlungsod of the City of Naga, Cebu held on February 06, 2019 at the Session Hall, Legislative Building, City of Naga, Cebu.

Present:

HON. ALEXANDER R. LARA  
HON. VIRGILIO M. CHIONG  
HON. CARMELINO N. CRUZ, JR.  
HON. AURELIO B. ALINSONORIN  
HON. AFSHIN MARK K. SEÑOR  
HON. PABLO A. ABANGAN  
HON. LUZMINDA R. LAPITAN  
HON. RODRIGO A. NAVARRO  
HON. PORFERIO V. RESABA, JR.  
HON. SCOTT JUVENAL A. CHIONG  
HON. JHUN MARK T. SISMAR

- Presiding Officer Pro-tempore  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- ABC President  
- SK President

On Official Leave:

HON. OTHELLO M. CHIONG  
HON. DELFIN R. SEÑOR

- Vice Mayor/Presiding Officer  
- Sangguniang Panlungsod Member



**ORDINANCE NO. 2019-001**

**Hon. Aurelio B. Alinsonorin - Sponsor**

*SP Committee Chairman on Franchises, Utilities and Facilities*

**AN ORDINANCE MANDATING THE UNDERGROUNDING OF ALL OVERHEAD UTILITY LINES IN THE CITY OF NAGA, CEBU**

**EXPLANATORY NOTE**

Over the past decade, the City of Naga, a former sleepy coastal town, has earned the distinction as one of the pillars of commercial and industrial growth in Metro Cebu, apparently due to its unprecedented economic progress following its conversion into a new component city in 2007.

Coexisting, however, with its socio-economic development is the influx of investors and rapid urbanization, leading to the surge of infrastructure construction, installation of power posts and overhead utility lines along the city's major thoroughfares and side streets, public places and residential areas.

Unfortunately, these interweaving overhead cables have formed into what is known locally as dangling "spaghetti wires," an urban eyesore that undermines the splendor of the city's natural beauty and historical value.

Apart from undermining the city's aesthetic appeal, this visual clutter hanging overhead on leaning utility poles is putting at risk the safety of motorists, pedestrians and the general public especially during weather disturbances.

Thus, the city leadership has deemed it essential to provide the standards of safety of life or limb, health, property and public welfare through the mandatory undergrounding of all overhead utility lines and cables.

It also finds it necessary to create a special body, with the City Engineering Office as the lead department, to be officially named as Utility Lines Installation Coordinating Committee (ULICC), whose primary task is to manage, administer, regulate and control the installation, construction, design and repairs of this underground utility lines distribution system.

**NOW THEREFORE, BE IT ORDAINED**, as it hereby ORDAINED by the Sangguniang Panlungsod of the City of Naga, Cebu, in a regular session duly assembled, that:

**SECTION 1. SHORT TITLE.** This Ordinance shall hereafter be known as the "UTILITY LINE ORDINANCE OF THE CITY OF NAGA, CEBU."

**SECTION 2. COVERAGE.** – Any person, corporation, firm or entity which shall undertake any installation of electric power lines; telephone and communication lines; and Cable-TV line along any public or subdivision road within the jurisdiction of the City of Naga, Cebu, shall be subjected to the provision of this Ordinance.

**SECTION 3. OBJECTIVES.** - The main objective of this Ordinance is to pursue a utility application strategy that is safe and secure, at the least possible cost, and an application system that will rid the city of urban eyesores, that otherwise damage the quality of the urban design of the city, and protecting the city from possible future calamities, natural or man-made.

The cluttered look that the current mode of installation brings about, suggests a psychologically negative experience for any city dweller and passersby. The creation of a neat, vibrant, and livable city is not supported with the existence of the hazardous spaghetti formations overhead our streets. In addition, the significance of the city's heritage assets is diminished with the presence of aerial eyesores that damage the total outlook of the streets.

**SECTION 4. CREATION OF AN ADVISORY BODY, OTHERWISE KNOWN AS UTILITY LINES INSTALLATION COORDINATING COMMITTEE (ULICC).** –

- a. In order to assist the City Government, through the local chief executive (LCE), in discharging the functions under this Ordinance, an advisory body is hereby created to be known as the Utility Lines Installation Coordination Committee (ULICC), which shall establish coordinative and working relationships among member agencies.

The ULICC will be under the City Engineering Office (CEO), which shall be tasked to recommend and/or propose additional provisions that can promote and strengthen the implementation of this Ordinance.

- b. Any request for exemptions from the provisions of this Ordinance must be thoroughly justified and given preliminary approval by the CEO after which it shall be recommended to the Sangguniang Panlungsod for final approval.

**SECTION 5. POWER AND FUNCTIONS.** – Pursuant to the immediately preceding Section, the ULICC shall:

- a. Coordinate with both private and government utility agencies in the city in coming up with the detailed urban design standards of built form controls in the application of the different types of utility lines; and recommend the designation of utility stripe;
- b. Coordination with building owners and the Department of Public Works and Highways (DPWH) of existing drainage and road rehabilitation projects;
- c. Require all developers/building owners an Environmental Impact Assessment (EIA) Report as a requirement in the application and approval process of Engineering Permits (excavation, building, demolition). The application shall contain the design and how it affects the street/adjacent development which includes safety measures taken up as well as their management policies with regards to their utility applications inside and outside of the building;
- d. Together with the relevant approval bodies which process building permits, this Committee should also take an active role in assessing utility application designs on a per building/per structure mode and keep records of each application;
- e. Monitor on-going utility lines project (and reassess according to approved plans), and to submit weekly reports to the LCE;
- f. Gather and evaluate immediate and past projects of the different utility agencies;
- g. Deliberate and recommend all applications for utility lines installation within fifteen (15) days from receipt thereof for approval of the LCE;

- h. Recommend to the LCE the suspension, cancellation, revocation, or to the City Engineer the denial of application for permits/clearances of entities which have failed to comply with any of the provisions of this Ordinance; and
- i. The City Engineer shall act as the executive officer of the ULICC and shall also provide technical and clerical staff and support to the ULICC.

**SECTION 6. COMPOSITION.** – The ULICC shall be composed of the following members and a chairperson shall be appointed by the LCE whose term of office shall be co-terminus with the appointing authority unless pre-terminated for whatever cause:

- a. Representative of the City Mayor;
- b. Sangguniang Panlungsod (SP) chairperson for the Committee on Energy, Transportation, Communication and Other Utilities or his authorized representative;
- c. SP Chairperson for the Committee on Urban Planning and Development or his authorized representative;
- d. SP Chairperson for the Committee on Public Works or his duly authorized representative;
- e. City Engineer or his duly authorized representative conversant with the utility application standards set by the Committee;
- f. City Planning and Development Coordinator (CPDC) or his duly authorized representative who shall handle urban design built form controls;
- g. Electrical Engineer employed by the City Government to manage and take responsibility of the technical standards of the utility applications;
- h. A duly authorized representative of the City of Naga Traffic Management Committee (CNTMA);
- i. A duly authorized representative of the Visayan Electric Company (VECO);
- j. A duly authorized representative of the Philippine Long Distance Telephone Company-Smart Communications (PLDT-SMART);
- k. A duly authorized representative of the Naga City Waters Integrated System (NCWSI);
- l. A duly authorized representative of GLOBE-ISLACOM;
- m. A duly authorized representative of SKY CABLE INC.; and
- n. A duly authorized representative of any utility company who will be in operation within the City of Naga, Cebu in the future.

**SECTION 7. MEETINGS OF THE ULICC.** - The Committee shall convene every second and fourth Monday of the month or as often as the need arises upon the call of the Chairman or by the majority of the members thereof, with at least twenty-four (24) hour notice.

**SECTION 8. SECRETARIAT.** - There is hereby designated three (3) members from the CEO and Office of the Building Official (OBO) to act as Secretariat, who shall provide documentary and technical support to the Committee.

**SECTION 9. UTILITY STRIPS AND INSTALLATION OF POSTS AND UTILITY LINES:** -

- a. The designation of utility strips shall have three (3) options and shall be applicable where it is convenient.
- b. Before any installation of underground utility lines is made, an application shall be submitted to the ULICC which shall be acted upon pursuant to Section 5 (g) herein.
- c. In case two or more firms will be sharing the same utility posts installed underground, the utility firms involved shall undertake a "Joint Pole Utilization Agreement" as a mandatory requirement of the City Government. The uprooting of trees obstructing the installation of the underground utility lines shall be the responsibility of the same firm involved on the Joint Pole Utilization Agreement.
- d. All main thoroughfares classified as National roads shall have a Mandatory set-back of all building structures, fifteen (15) meters from the center of the road.
- e. All utility firms shall keep a record of their individual projects of underground installation of utility lines. These shall be digitized (computerized) records and plans of installation alignments and distances shall be properly kept and monitored by the ULICC.

**SECTION 10. STRATEGY AND TARGETS** - In view of the significantly wide range and scope covered by this utility line ordinance and the expected corresponding technical and considerable financial requirements to be incurred on the part of the utility firms, a strategy for a rationalized implementation should this be derived in stages. These are in terms of short, medium, and a long term objectives, specifying therein the targets to be accomplished within the phased program of implementation.

Rules and Regulations for the installation of utility lines and its appurtenances or equipment shall also be provided thereto.

**10.1 PHASE I SHORT TERM OBJECTIVE:** - Promote the Rehabilitation and/or orderly installation/restoration of utility lines within a **three (3)** - year period upon approval of this Ordinance, as an initial transition period.

Targets:

1. Removal of cross wires starting at main thoroughfares and their intersection will commence once transfer of power and cables connected underground are confirmed.
2. Investigate the possibility of a compromised design wherein parts of the lines assemblage are cabled in at the sides of the buildings in its exterior. The design of this cable assembly may vary depending on its compatibility with the building design or structure. However, the standards or safety will not be compromised, whichever cabling design is identified in each development.
3. Investigate the possibility of cabling some wires shortly underneath the sidewalk or pavement in marked areas before reaching the vertical cables of the exterior of the building.
4. Encourage use of fiber optics in order to reduce volume of wiring systems.
5. Require the proper alignment/re-alignment of aerial utility lines and providing rules and regulations (limit to the aerial space available should also be contemplated on, in the short term) thereof, as follows:
  - a. Line Separation between utility lines shall be separated by at least two (2) feet from each other.

- b. Proper Insulation of all aerial wiring systems must be properly insulated with standard insulation materials. Application should be designed for use in the main electrical supply. These cables are provided with mechanical protection and are therefore suitable for external use and direct burial.
- c. Utility Line/systems identification provisions for systems identification shall be required either three color coding or other distinguishing features which suits company color coding. It must be:
  - XLPE – Thermosetting Insulation
  - 2 Core SWA Steel Armored Cables are a must for all cabling utility companies.
  - When joined to an installation which uses the old colours, a warning label should be placed on the unit (core colour warning sites for easy identification)
- d. Any unclear provision in the aforementioned guidelines for aerial installation must be referred to the ULICC Committee for policy decision.

**10.2. PHASE II MEDIUM TERM OBJECTIVE:** - Promote the partial implementation for underground installation of utility lines, one (1) year after approval of this ordinance as a second transition period.

Targets:

1. Start a selective implementation of requirements for utility firms to ground all new lines installation and providing for rules and regulations thereof, as follows:
  - a. Excavation requirements – all excavations must conform to the requirements provided for by existing law and ordinances.
  - b. All utility lines must be properly inculcated and color coded to facilitate identification; manholes must be provided at convenient intervals.
2. Start implementing a requirement for the use of fiber optics.
3. Require new subdivisions for economic or open market housing ground all installation of utility lines.
4. Require all development projects classified as “High Growth Zones” under City of Naga, Cebu Ordinance No. 2008-05, otherwise known as “The Zoning Ordinance of the City of Naga, Cebu,” to ground all installation of utility facilities.

**10.3 PHASE III LONG TERM OBJECTIVE:** - Require the mandatory grounding of all utility lines, three (3) years after the approval of this Ordinance.

**SECTION 11. PENAL CLAUSE.** – Failure to comply with any of the provisions stated herein shall be penalized with a fine of not more than *Five Thousand Pesos (P5,000.00)* and revocation/cancellation of local permits. When a corporation or partnership violates any of the provisions of this Ordinance, the President and/or General Manager thereof shall be held liable.

**SECTION 12. IMPLEMENTING RULES AND REGULATIONS.** The ULICC shall formulate the implementing rules and regulations of this Ordinance within sixty (60) days after its approval. Such rules and regulations shall take effect fifteen (15) days after the approval of the Sangguniang Panlungsod.


**SECTION 13. REPEALING CLAUSE.** All ordinances or any issuances by the City Mayor inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 14. SEPARABILITY CLAUSE.** Should any provisions hereof be declared illegal or unconstitutional by any court of competent jurisdiction, those provisions not so declared shall remain valid and in full force and effect.

**SECTION 15. EFFECTIVITY.** This Ordinance shall take effect immediately upon its approval, subsequent posting and publication in accordance with law.

**UNANIMOUSLY APPROVED**, this 6<sup>th</sup> day of February 2019 on motion of Hon. Aurelio B. Alinsonorin, seconded by Hon. Rodrigo A. Navarro.

CERTIFIED CORRECT:



**GARRY A. CABOTAJE**  
Secretary to the Sanggunian

ATTESTED BY:



**ALEXANDER R. LARA**  
Presiding Officer Pro Tempore

APPROVED BY:



**KRISTINE VANESSA T. CHIONG**  
City Mayor 2-15-19