



Republic of the Philippines
SANGGUNIANG BAYAN
Taytay, Rizal

DO No. 2411 – 039

ORDINANCE NO. 847 series of 2025

**AN ORDINANCE MAKING CONTRACTORS LIABLE DUE TO THEIR
NEGLIGENCE OR FAILURE TO OBSERVE ROAD-WORK SAFETY RULES IN
CONSTRUCTION SITES WITHIN THE MUNICIPALITY OF TAYTAY, RIZAL**

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LnB President Roseller Z. Valera
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WHEREAS, the Municipal Government of Taytay is committed to the implementation of state policies and provisions of the Local Government Code of 1991, the National Building Code of the Philippines, to protect Taytayeños by requiring all contractors to observe road safety guidelines given by the DPWH;

WHEREAS, Article 2176 of the New Civil Code of the Philippines provides that whosoever by act or omission, causes damage or injury to another, even when there is no pre-existing contractual relation between the parties shall be guilty of quasi-delict;

WHEREAS, a number of contractors of road projects fail to install visible and adequate signages and traffic control devices at both ends of their projects sites;

WHEREAS, in some construction sites, contractors have warning signs on their projects but fail to adequately illuminate them at night causing accidents to motorists, who cannot see the warning signs due to inadequate lighting;

WHEREAS, stockpiling materials and construction waste along road sections during construction and maintenance work pose risk and cause inconvenience to motorists and pedestrians;

WHEREAS, there are contractors who due to negligence leave open excavations, diggings, open potholes and manholes on road constructions and repair without safety covers causing accidents to unwary motorists;

NOW THEREFORE, BE IT ORDAINED, by the 12th Sangguniang Bayan of Taytay, that:

Section 1. Short Title - This Ordinance shall be known as the “Taytay Construction Site Safety Ordinance”.

Section 2. Definition of Terms - As used in this Ordinance, the following term shall mean:

- a) **Contractor** - is a person or corporation who undertakes any construction, demolition, remodeling, or landscaping service relating to building structures, roads, drainage system and aqueducts and other similar nature.
- b) **Signage** - graphic designs, a symbol, emblem or words used especially for identification or as a means of giving directions or warning.
- c) **Stockpile** - sand, gravel, soil, debris, excavation and construction related materials that accumulates into pile.
- d) **Manhole** - a covered opening in a part of the road that a worker can enter in order to reach underground pipes.
- e) **Pothole** - a hole in a road surface that results from gradual damage caused by traffic/weather.

Section 3. Prohibited Acts

1. Failure to provide Traffic Management Plan and coordinate re-routing for temporary road closure brought about by the construction of their project.
2. Failure to install visible and adequate signages and lights in both ends of the road while construction is on-going.
3. Failure to adequately illuminate the warning signs on the project at night.
4. Failure to cover open excavations, diggings, potholes and manholes on construction sites during and after completion of the project.
5. Failure to remove any construction materials and wastes along the road sections during and after the construction and maintenance work.
6. Failure of contractors to present the signages and warning devices to the Municipal Engineering Office Staff who is in charge of supervising the project.
7. Failure to remove installed temporary structures such as posts from temporary signages, barracks, site office and others.
8. Failure to restore / repair any facility, utility, and/or any damaged concrete road by means of excavation and ground preparation of the project site.
9. Non-compliance with work stoppage order for construction without necessary permit.
10. Failure to comply with the following requirements in securing excavation permit (utilities):
 - a. 3 sets of Technical Plans with details and photos (i.e. structural etc.) signed and sealed by a Licensed Engineer
 - b. Accomplished Excavation and Ground Preparation Form / Electronics Form
 - c. Certificate of Assurance that the project will be completed on the target date (notarized)
 - d. Scope of Works (includes the restoration process)
 - e. Working Space (includes Traffic Plan/Management
 - f. Time Frame
 - g. Safety Signages
 - h. DPWH Excavation Permit / Rizal Provincial Capitol No Objection (If Applicable)
 - i. Barangay Clearance
 - j. Bill of Materials

Section 4. Emergency Repairs - In cases of emergency repairs, the contractor must notify the Municipal Engineering Office and the Barangay concerned before starting the excavation process stating the possible duration of the emergency repair.

- 4.1 **Information Dissemination of Emergency repairs** - Upon the notification from the contractor concerned, the Engineering Office shall immediately inform the Public Information Office regarding the repair schedule for proper and official announcements from the Local Government Unit. The PIO shall likewise formally notify the Barangay concerned for their information and contingency preparations.

Section 5. Notification of Violation

1. The Office of the Municipal Engineer shall inspect the construction site and when they have determined that the contractors failed to comply with the necessary precautionary measures, the Municipal Engineer's Office should inform the concerned contractor about such failure.
2. Contractors who fail to comply after twenty-four (24) hours upon receipt of said notice shall be notified thru a written letter regarding their violations.

Section 6. Penal Provision - Violation of Section 3, after due hearing, shall be meted with the following penalties per project:

1st Offense - Php 2,500.00 per project and a written warning and a Notice to Comply with immediate action

2nd Offense - Php 2,500.00 per day, twenty-four hours upon receipt of the Official Notice to Comply

3rd Offense - Php 2,500.00 and suspension of license and permit to operate in the territorial jurisdiction of the Municipality of Taytay for thirty (30) days

If the Violator is a subcontractor , employee or affiliate of the contract, the contractor listed on the records / permits of the Municipal Engineering Office will be meted with all the necessary fines and penalties based on this Ordinance.

Penalties provided under this Section shall be without prejudice to the filing of appropriate civil, criminal and/or administrative action.

Section 7. Repealing Clause - All previous ordinances inconsistent herewith are hereby repealed or modified accordingly.

Section 8. Separability Clause - In the event that any of the provisions of this Ordinance is declared illegal, the validity of the other provisions shall not be affected by such declaration.

Section 9. Effectivity Clause - This Ordinance shall take effect fifteen (15) days after its approval and posting on official municipal and barangay bulletins.

ENACTED, this 4th day of June 2025, 2:11 PM at the Sangguniang Bayan Session Hall, Municipality of Taytay, Province of Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay on second reading on May 21, 2025 and was passed on third and final reading on June 4, 2025, during the 146th Regular Session held on the 4th day of June 2025.


JULIETA M. JUANILLO
Board Sec. III / Temporary SB Secretary

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HIS HONOR



HON. ROSELLER Z. VALERA
Liga ng mga Barangay President / Temporary Presiding Officer

APPROVED BY HIS HONOR
DATE JUL 04 2025



HON. ALLAN MARTINE S. DE LEON
Municipal Mayor