

AN ORDINANCE PROVIDING FOR THE USE OF WHEEL CLAMPS TO IMMOBILIZE ILLEGALLY PARKED VEHICLES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

P R E A M B L E

WHEREAS, pursuant to the provisions contained in Republic Act. No. 7160, otherwise known as the Local Government Code of 1991, the City Council of Manila is empowered to regulate the use of streets, avenues, alleys, and other public places and improve and maintain the same, regulate the use of jeepney and bus stops and parking spaces, as well as designate stands to be occupied by public and private vehicles when not in use;

WHEREAS, it is the policy of the City of Manila to introduce a regulated parking system in areas so designated by the City, so as to improve and enhance traffic flow and distribute equitably the limited on-parking spaces;

WHEREAS, pursuant to this policy, there is a need to implement the use of wheel clamping or tire lock system;

WHEREAS, wheel clamp or tire lock is a device used to immobilize vehicles that have been issued official parking violation notices;

WHEREAS, the use of this system is a more efficient way of complying with existing parking rules and regulations and eliminates the worry of vehicle owners because it does away with outright towing and impounding, thus, it minimizes complaints from vehicle owners against traffic enforcers: NOW, THEREFORE,

Be it ordained by the City Council of Manila, *THAT*:

SECTION 1. The use of wheel clamps or tire locks to immobilize illegally parked and unattended vehicles in any street or area designated as "no parking" or "tow-away zone" pursuant to the Traffic Management Code of the City of Manila, shall hereby be authorized.

SEC. 2. The wheel clamp or tire lock is a yellow metal gadget or immobilizing device duly registered, authorized and bearing the seal of the City of Manila that is placed on the left portion of the right tire of the vehicle, including container vans, trucks, trailers and other multi-wheeled vehicles, and shall be installed by the authorized personnel of the Manila Traffic and Parking Bureau.

SEC. 3. For the release/removal of the said clamping device, the owner/driver/operator shall pay the fine of PhP 900.00 to the City of Manila, for which a corresponding official receipt shall be issued. Payment shall be made at any official redemption center designated by the City of Manila.

SEC. 4. The owner/driver/operator of a clamped vehicle shall be given a maximum period of three (3) hours, within which to redeem the said vehicle by paying the amount of the fine prescribed in Section 3 hereof. Otherwise, the said vehicle shall be towed and impounded in the Manila Traffic and Parking Bureau impounding area.

SEC. 5. The City Government of Manila shall not be held responsible for any damage to the vehicle caused by any movement or attempted movement of the vehicle by the owner/driver/operator while the wheel is clamped: *PROVIDED*, That a notice of immobilization shall be placed on the driver side windshield of the vehicle.

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SEC. 6. It will be unlawful and/or illegal to remove or attempt to remove or destroy the wheel clamp, and shall subject the offender to a fine of Php 1,000.00 or one (1) month imprisonment or both, at the discretion of the Court.

SEC. 7. A Towing and Clamping Division is hereby created under the Manila Traffic and Parking Bureau (MTPB) to ensure that the provisions of this Ordinance shall be carried out efficiently and effectively in accordance with its goals and objectives.

SEC. 8. Repealing Clause. - Any City Ordinance contrary to or inconsistent with any of the provisions of this Ordinance is hereby repealed and/or modified accordingly.

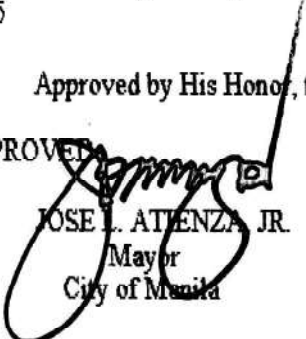
SEC. 9. Separability Clause. - If, for any reason, any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, the provisions not affected by such declaration shall remain to be in full force and effect.


SEC. 10. Effectivity Clause. - This Ordinance shall take effect Fifteen (15) days after its approval and publication.

Enacted by the City Council of Manila at its regular session today, November 15, 2005


Approved by His Honor, the Mayor, on Dec. 13, 2005

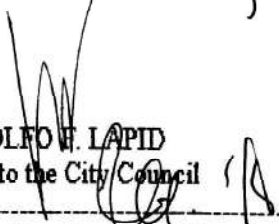
APPROVED


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