



Certification

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on October 13, 2000 at Lingayen, Pangasinan, the following provincial ordinance was approved:

Introduced by SP Members Alfonso C. Bince, Jr. and Mac Arthur C. Samson, Jr.

PROVINCIAL ORDINANCE NO. 93-2000

AN ORDINANCE PROHIBITING THE CONSTRUCTION OF STRUCTURES, PLANTING OF TREES AND OTHER PLANT SPECIES HAVING A POTENTIAL GROWTH IN HEIGHT OF AT LEAST 17 FEET AND THE BURNING OF WASTE, GRASS, ETC. UNDER AND ALONG THE HIGH TENSION TRANSMISSION LINES AND TOWERS OF THE NATIONAL POWER CORPORATION OR DISTRIBUTION LINES OF THE ELECTRIC COOPERATIVES AND UTILITIES. AND WITHIN ITS RIGHT OF WAYS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Be it ordained by the Sangguniang Panlalawigan in a session duly assembled and by authority of the same, that:

WHEREAS, it has been confirmed that one of the many reasons of brownouts and low power supply are man-made causes which can be avoided or prevented;

WHEREAS, despite massive information campaign being conducted by the National Power Corporation and the Electric Cooperatives and Utilities, reports would support that said man-made causes remained unabated;



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WHEREAS, aside from resulting to brown-outs and low power supply, unsafe activities near transmission lines have resulted to electrocution of persons and farm animals;

WHEREFORE, in view of the foregoing, on motion of SP Members Alfonso C. Bince, Jr. and Mac Arthur C. Samson, Jr., duly seconded, it was –

RESOLVED, by the Sangguniang Panlalawigan in session assembled, to enact an ordinance to be known as –

Section 1. Title – This ordinance shall be known as “An Ordinance Prohibiting the Construction of Structures, the Planting of Trees and other Plant Species with a Potential Growth in Height of at least 17 Feet and the Burning of Waste, Grass, etc. Under and along the High Tension Transmission Lines and Towers of the National Power Corporation or distribution lines of the Electric Cooperatives and Utilities and within its Right of Ways, and Providing Penalties for Violation Thereof”;

Section 2. Definition of Terms -

- 2.1 *Transmission Lines*** – refers to the lines that carry or transmit electricity from the power plant to commercial, residential or industrial uses, owned and maintained by the National Power Corporation.
- 2.2 *Distribution Lines*** – refers to the lines that carry or distribute electricity from the sub-station of the Electric Cooperatives and Utilities or industrial users owned and maintained by the Electric Cooperatives or electric utilities.
- 2.3 *Easement Area*** – refers to the ground area perpendicular to the power lines, 7.5 m; 9m, 29m and 32 meters both sides from the centerlines of 69 KV, 115 KV, 230KV and 500 KV transmission lines, respectively.
- 2.4 *Structures*** – refers to residential houses, or commercial or government buildings, animal pens, or perimeter fences.



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2.5 High Growing Plants – refers to trees, palms, vines and other plant species whose branches and height in maturity tend to touch power lines.

Section 3. Coverage - This ordinance applies to all persons who introduce or construct improvements, plant trees and other high growing plant species and burn wastes and other materials and to tether farm/domesticated animals within the easement and right of way area of transmission lines and towers consisting of the area perpendicular to the power lines;

Section 4. Prohibition. – All persons are prohibited from introducing high rise improvements or structures, planting trees and other plant species with a potential growth in height of at least 17 feet within the easement and right of way area of NPC transmission or tower lines and the Electric Cooperatives or utilities distribution lines;

Section 5. Demolition/Transfer of Structures, Cutting of Trees and Pruning of Branches – Upon the effectivity of this ordinance, in coordination with the Provincial Engineer's Office, the City/Municipal Engineers, the District Engineer's Office, and the Department of Environment and Natural Resources (DENR), the NPC, Electric Cooperatives and Utilities shall be responsible in periodically checking that all transmission lines/towers of the NPC and/or Distribution Lines of the Electric Cooperatives and Utilities in the Province of Pangasinan are free from danger of falling trees and structures and that the conditions of towers, posts and lines are safe and to cause the demolition/transfer of structures, cutting and pruning of trees and/or branches under the following guidelines;

5.1 Existing Structures and Trees – notice shall be given by the NPC or the Electric Cooperatives and Utilities to the owner and to the barangay officials concerned at least 10 days prior to the demolition/transfer of structures, cutting and pruning operations to be conducted by the NPC or Electric Cooperatives and Utilities in the presence of the owner and the barangay officials or their representatives without prejudice to the right of the owner to be compensated under existing laws and regulations on expropriation, if applicable and proper;



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5.2 Structures Built Without Safety Clearance issued by the NPC Safety Officer or Electric Cooperatives and Utilities Safety Officer and Trees Planted after the effectivity of this Ordinance – notice shall likewise be given to owners to give the time to demolish and/or transfer the structures built by them or to cut or uproot the trees planted by them within 15 days from receipt of the notice, otherwise, the NPC or Electric Cooperatives and Utilities to do the demolition and/or transfer of the structure or to do the cutting and uprooting without prejudice to the filing of an appropriate complaint for the violation of this ordinance.

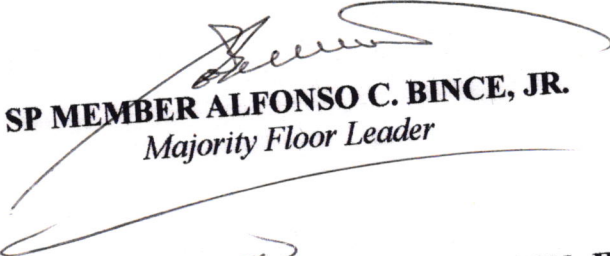
Section 6. Penalties - Any person who violates the provisions of this ordinance shall be penalized with a fine of P5,000.00 plus the obligation to reimburse the expenses incurred by the NPC and/or Electric Cooperatives and Utilities for the demolition and/or transfer of the structure and/or cutting/uprooting of the trees/plants, as the case may be;

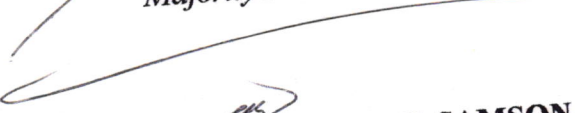
Section 7. Separability Clause – In case any of the provisions of this ordinance shall be declared unconstitutional by any court of competent jurisdiction, those provisions which are not affected thereby shall remain effective and enforceable;

Section 8. Effectivity – This ordinance shall take effect after posting and publication as provided by law.

(On Official Business)

SP MEMBER FRANCISCO F. BARAAN III
Presiding Officer Pro Tempore


SP MEMBER ALFONSO C. BINCE, JR.
Majority Floor Leader


SP MEMBER MAC ARTHUR C. SAMSON, JR.
Assistant Majority Floor Leader

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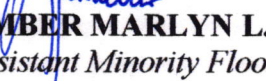
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SP MEMBER ANGEL G. BANIQUED
Minority Floor Leader


SP MEMBER MARLYN L. PRIMICIAS
Assistant Minority Floor Leader


SP MEMBER EMMANUEL C. CARANCHO


SP MEMBER ARTHEL B. CARONONGAN


SP MEMBER VON MARK R. MENDOZA


SP MEMBER JOHN AGERICO B. ROSARIO


SP MEMBER DIONISIO A. VILLAR, JR.


SP MEMBER ARTHUR F. CELESTE


SP MEMBER EDUARDO R. PEREZ



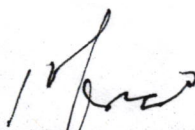
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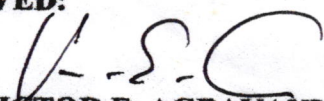
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(On Official Business)
SP MEMBER MARIE ANTONNETTE O. VILLAR


DOMINGO D. REFORMADO
Secretary to the Sanggunian

ATTESTED: 
VICE GOVERNOR OSCAR B. LAMBINO
Presiding Officer

APPROVED: 
VICTOR E. AGBAYANI
Governor