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Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

Chona A. Sioson
CHONA A. SIOSON
SANGGUNIANG SECRETARIAT
City of Mandaluyong

ORDINANCE NO. 738, S-2019

AN ORDINANCE EXEMPTING ALL SENIOR CITIZENS WHO ARE RESIDENTS OF MANDALUYONG CITY FROM THE PAYMENT OF PARKING FEES IN ALL PARKING AREAS OF BUSINESS ESTABLISHMENTS, MALLS, HOSPITALS OR ANY OTHER SIMILAR PLACES SITUATED WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF MANDALUYONG AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the Congress of the Philippines enacted Republic Act No. 7432 as amended by Republic Act No. 9257 and further amended by Republic Act No. 9994, otherwise known as the "Expanded Senior Citizens Act of 2010" anchored on augmenting the benefits and services given to the elderly;

WHEREAS, these laws were passed in order for the senior citizens to maximize their contributions in nation building;

WHEREAS, aware of their status, needs and concerns, the Sangguniang Panlungsod of Mandaluyong sees the necessity of extending the foregoing privilege to the senior citizens who are residents of Mandaluyong City;

NOW, THEREFORE, BE IT ORDAINED, by the Sangguniang Panlungsod of Mandaluyong, in regular session assembled:

SECTION 1. EXEMPTION. All senior citizens who are residents of Mandaluyong City are exempt from the payment of flat rate parking fees or the initial rate fee, if applicable, in parking areas of business establishments, malls, hospitals or any other similar places situated within the territorial jurisdiction of the City; Provided, however, that the privilege granted in this Ordinance shall not apply to:

- a. overnight parking;
- b. spaces or buildings devoted solely for parking and is not in any way connected with any business establishment; and
- c. valet parking.

SECTION 2. PROCEDURE. To avail of the exemption, the senior citizen must present his or her valid Office of the Senior Citizens Affairs (OSCA) Identification Card or any government issued ID card or document establishing that the senior citizen is at least Sixty (60) years of age and a resident of Mandaluyong City at the cashier in the parking area of establishments, malls, hospitals and other similar places, and he or she must be passenger or driver of the motor vehicle.

SECTION 3. VIOLATION. Failure or refusal to extend the grant of exemption from payment of flat rate parking fees or the initial rate thereof under this Ordinance in favor of the senior citizen shall be considered a violation of this Ordinance.

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SECTION 4. PENALTIES.

- a. In case of violation by the cashier, penalties shall be imprisonment of one (1) day to thirty (30) days, or a fine of Five Hundred Pesos (Php 500.00), or both at the discretion of the court;
- b. In case of violation by carpark operator, manager and/or owner of the parking establishment, the penalties shall be imprisonment of one (1) day to thirty (30) days, or a fine of Five Thousand Pesos (P5,000.00), or both at the discretion of the court.

SECTION 5. COMPLAINT – HOW INITIATED. The offended party may complain orally or in writing to the Lupon Chairman of the Barangay in whose jurisdiction the violation was committed.

The complaint shall then undergo the process of mediation, conciliation or arbitration as provided for under the provisions on Katarungang Pambarangay, enshrined under Chapter 7, Title One, Book III of Republic Act No. 7160, known as the Local "Local Government Code 1991", which shall govern the procedure on the initiation and filing of the formal complaint before the Courts for violation of an Ordinance where there is a private offended party.

No Ordinance Violation Receipt (OVR) shall be issued the offender. Consequently, the No Contest Provision as provided for in this Ordinance shall not apply. (Section 1-A of Ordinance No. 705, S-2018)

SECTION 6. REPEALING CLAUSE. Ordinance No. 726, S-2019 is hereby repealed.

SECTION 7. EFFECTIVITY. This Ordinance shall take effect after thirty (30) days following its publication, together with its implementing rules and regulations, once in a newspaper of general circulation in Metro Manila.

ADOPTED on this 2nd day of September, 2019, in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.

Ma. Teresa S. Miranda
MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:

APPROVED:

Antonio DLS. Suva
ANTONIO DLS. SUVA
Vice Mayor &
Presiding Officer

Carmelita A. Abalos
CARMELITA A. ABALOS
City Mayor

Date: 11 SEP 2019