



Republic of the Philippines

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, Quezon City
www.dilg.gov.ph



MEMORANDUM CIRCULAR

No. 2020-027

TO : ALL PROVINCIAL GOVERNORS, CITY AND MUNICIPAL MAYORS, PUNONG BARANGAYS, HEADS OF LOCAL SANGGUNIANs, DILG REGIONAL DIRECTORS, THE BARMM MINISTER OF LOCAL GOVERNMENT, AND ALL OTHERS CONCERNED

SUBJECT : CONTINUED IMPLEMENTATION OF THE PRESIDENTIAL DIRECTIVE TO CLEAR ROADS OF ILLEGAL OBSTRUCTIONS (ROAD CLEARING 2.0)

DATE : 07 FEB 2020

In line with the President's directive during his 2019 State of the Nation Address to reclaim public roads being used for private ends and Memorandum Circular No. 2019-121, issued by this Department on July 29, 2019, directing all local government units to clear roads of illegal obstructions, and pursuant to Section 17 (b) of the Local Government Code of 1991, mandating all provincial, city, municipal, and barangay governments to manage and maintain roads within their jurisdiction as a basic service and facility, all LGUs are hereby directed to continue the implementation of the road clearing directive and ensure that their efforts to maintain the cleared roads are sustained.

Specifically, all local government units shall:

1. Enact or review existing ordinance/s that provide for the conduct of road clearing operations and the prohibition of road obstructing structures and constructions, which shall provide, among others: a definition of obstructions and illegal structures, mechanisms for raising public awareness on road clearing, and a set of clear and reasonable penalties for violators;
2. Conduct an inventory of roads within its jurisdiction, which may be conducted in coordination with the concerned Department of Public Works and Highways District Engineering Office, and shall include road classification, determination of road measurements, and identification and documentation of obstructed roads and natures of obstructions;
3. Cause the removal of the said obstructions through the regular conduct of road clearing operations in all provincial, city, municipal, and barangay roads, and national primary and secondary roads (in coordination with the Department of Public Works and Highways, Metro Manila Development Authority or any national government agency that manages and maintains the concerned national road);
4. Implement a displacement strategy for those affected by the conduct of road clearing operations, such as removed vehicles or vendors, which may include designation of unused spaces for their relocation, provision of alternative livelihood for vendors, and other similar efforts;

5. Ensure that the cleared roads are rehabilitated and restored for public use, through efforts such as cleaning and flushing, installation of street lights, erection of appropriate signage, setting of appropriate speed limit, and the like; and
6. Establish a grievance mechanism, either physical or electronic, through which citizens can report unremoved obstructions, provide suggestions, and air out implementation concerns.

Significant results must be achieved within seventy-five (75) calendar days.

I. Additional Roles of Local Chief Executives

All Provincial Governors shall ensure the compliance of City and Municipal Mayors in their respective provinces. They shall ensure that provincial issuances and ordinances are in harmony with this directive, spearhead clearing operations in all provincial roads, and interface with the Mayors to discuss the implementation of this directive and formulation of strategies for the improved and continuous conduct of road clearing operations in the LGUs.

In addition to the continued implementation of this directive in all cities and municipalities, all Mayors are also directed to monitor the implementation of this directive at the barangay level. They are likewise enjoined to craft strategies to ensure the compliance and cooperation of the Punong Barangays, which may include the turnover of the maintenance of cleared roads to the barangay government.

All Punong Barangays shall be in charge of the conduct of road clearing operations in barangay roads and minor public-use streets within their jurisdiction, as well as the maintenance of other local roads turned over by the city or municipal government. Further, they shall harmonize barangay ordinances with this directive, collaborate and coordinate with the Mayor in regards to road clearing, and undertake information dissemination campaigns in their respective barangays. Reports on barangay compliance shall be submitted monthly to this Department, through the National Barangay Operations Office, pursuant to DILG Advisory dated January 8, 2020.

II. Guidelines for Road Clearing Operations

In the conduct of road clearing operations, the following guidelines shall be observed:

- a. Road clearing shall mean the removal of illegal or unauthorized road obstructions along the road right-of-way, which encompasses the entire width of the road carriageway (including travelway for motor vehicles and road shoulders) and sidewalk. The widening of the scope of the existing road right-of-way and activities undertaken for such purpose are beyond the scope of this directive;
- b. Road obstructions are structures, materials, or activities within the road right-of-way that impede the free and clear passage of motor vehicles or pedestrians and/or pose danger or cause injury to motorists, pedestrians, or occupants of nearby structures. These include, but are not limited to:
 1. Vehicles parked in prohibited places as specified in Section 46 of Republic Act 4136 or the Land Transportation and Traffic Code, or in sidewalks, paths, or alleys not intended for vehicular parking pursuant to Section 52 of the same Republic Act
 2. Vehicular terminals except in areas designated by the concerned LGU
 3. Vending sites for any kind of item

4. House encroachments that obstruct the road right-of-way, protruding gates, conduct of household activities, and tents, except those being temporarily used for funerals and other similar activities
 5. Store encroachments and indiscriminate signage and advertisements
 6. Obstructing barangay outposts, halls, markers, and directories
 7. Conduct of sports, sports facilities, and other related activities
 8. Drying of rice or other crops
 9. Construction materials including sand, gravel, cement, steel bars, logs, and the like
 10. Debris, waste materials, and other junked items
 11. Other structures, materials, or activities identified by the LGU as obstructions through their road inventory;
- c. Obstructing and/or hazardous trees may be pruned or removed by the local government unit in accordance with rules imposed by the Department of Environment and Natural Resources;
- d. In cases wherein structures or facilities owned by utility service providers, such as posts, meters, instrumentation boxes, and the like, cause obstruction to the road right-of-way, due coordination shall be made by the concerned utility company and the local government unit to remove or relocate the obstructing structure or facility. It must also be ensured that such relocation, and the conduct of road clearing operations in general, shall not cause disruption to the delivery of utility and other basic services. Similarly, in cases wherein materials, equipment, and structures temporarily obstruct the road right-of-way due to the undertaking of a project by a national government agency, the LGU may coordinate with the concerned agency to relocate the obstructions or agree on a timetable for its removal;
- e. To assist in their inventory, local government units may refer to the following road classification implemented by the Department of Public Works and Highways in identifying national primary, national secondary, national tertiary, provincial, city, municipal, and barangay roads;

Type of Road	Definition
National Primary Road	Directly connects major cities (at least around 100,000 people)
National Secondary Road	<ul style="list-style-type: none"> • Directly connects cities to National Primary Roads, except in metropolitan areas • Directly connects major ports and ferry terminals to National Primary Roads • Directly connects major airports to National Primary Roads • Directly connects tourist service centers to National Primary Roads or other National Secondary Roads • Directly connects cities not included in the category of major cities • Directly connects provincial capitals within the same Region • Directly connects major national government infrastructure to National Primary Roads or other National Secondary Roads
National Tertiary Road	Other existing roads under DPWH which perform a local function
Provincial Road	<ul style="list-style-type: none"> • Connects cities and municipalities without traversing National Roads • Connects National Roads to barangays through rural areas • Connects to major provincial government infrastructure
City/Municipal Road	<ul style="list-style-type: none"> • Roads within the <i>poblacion</i> • Roads that connect to Provincial and National Roads • Roads that provide inter-barangay connections to major municipal and city infrastructure without traversing Provincial Roads
Barangay Road	• Other public roads (officially turned over) within the barangay and not covered in the above definitions

- f. Local government units may coordinate with the Department of Public Works and Highways or the Metro Manila Development Authority in conducting road clearing operations in national roads or any other roads under the direct management and maintenance of these national government agencies. Likewise, LGUs may coordinate with and request assistance from the Philippine National Police and the Bureau of Fire Protection in ensuring security and order during the conduct of road clearing operations.

III. *Monitoring, Assessment, and Validation*

Additionally, all DILG Regional Offices shall create, for each province, city, municipality, and barangay, a validation team composed of:

1. The DILG Provincial or City Director, or C/MLGOO for the LGU
2. A representative from the Philippine National Police, and
3. A representative from the Bureau of Fire Protection.

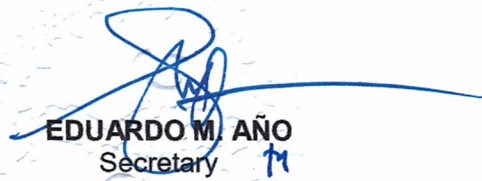
Throughout the 75-day implementation of this directive, the said team shall, for at least once every two weeks, interface with the local chief executive or their representatives to discuss the implementation and compliance of the LGU. Reports on the conduct of the said meetings shall be submitted to the DILG Regional Director.

After the 75-day implementation, all DILG Regional Offices shall, to ensure impartiality, cause the rotation or cross-posting of the validation teams which shall then conduct an assessment and validation of their new LGU assignment. Additional guidelines on the conduct of assessment and validation, including rubrics and parameters, form/s to be used, and the consolidation thereof, shall be provided through a succeeding issuance. Reports on the said validation shall be submitted to the Office of the Secretary, through the Bureau of Local Government Supervision, not later than April 30, 2020.

For the monthly monitoring of barangay compliance, all DILG Regional Offices shall continue to submit reports to the Office of the Secretary, through the National Barangay Operations Office, pursuant to DILG Advisory dated January 8, 2020.

Local chief executives shall be issued show-cause orders in case of non-compliance, and failure to provide a sufficient response shall result to the filing of appropriate administrative cases pursuant to Section 60 (c) of the Local Government Code of 1991 and other existing laws and policies. Corollary thereto, it must be the responsibility of all local chief executives to exact accountability and impose corresponding sanctions, after observance of due process, against non-supportive and/or non-compliant local officials and employees.

This Memorandum Circular shall take effect immediately.


EDUARDO M. AÑO
Secretary *TM*



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