



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. 2020-145

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

SUBJECT : CONTINUATION OF ROAD CLEARING

DATE : OCT 27 2020

1. BACKGROUND

1.1. Republic Act 11494 or the Bayanihan to Recover as One Act provides:

“Section 4. COVID-19 Response and Recovery Interventions. – xxx.

*(II) Regulation of traffic on all roads, streets, and bridges, and access thereto; prohibit putting up of encroachments or obstacles; authorize the removal of encroachments and illegal constructions in public places; and perform all other related acts;
xxx.”*

1.2. Local government units are mandated to maintain all local roads within their jurisdiction as a basic service and facility, pursuant to Section 17(b) of Republic Act 7160 or the Local Government Code of 1991.

1.3. In line with the policy of the government to ensure the safety and accessibility of our roads, this Department issued Memorandum Circular 2020-027, or the Continued Implementation of the

Presidential Directive to Clear Roads of Illegal Obstructions on February 7, 2020, which, among others, provided guidelines for local government units in the conduct of road clearing within their respective localities, with emphasis on implementation by Barangays and the clearing of barangay and tertiary roads.

- 1.4. Consequent to the declaration of a State of Public Health Emergency by President Rodrigo Roa Duterte through Proclamation No. 922 on March 8, 2020, and the implementation of community quarantine throughout the country through Executive Order No. 112, this Department has suspended the implementation of Memorandum Circular 2020-027, through DILG Advisories dated March 14, 2020 and August 6, 2020.
- 1.5. Our transition to the *New Normal* calls for the need to ensure that our roads remain safe, accessible, and free from illegal and potentially hazardous encroachments.

2. SCOPE/PURPOSE

- 2.1. This Memorandum Circular is being issued to provide for guidelines for all local government units in the continuation of road clearing in their respective localities.

3. DEFINITION OF TERMS

- 3.1. **Road clearing** refers to the set of interventions by local government units intended to cause the removal of road and sidewalk obstructions, including, but not limited to, the enactment of enabling ordinances, conduct of road inventories, physical removal of road obstructions without prejudice to the property rights of the affected stakeholders, crafting and implementation of displacement plans, rehabilitation and maintenance of cleared roads, and creation of a grievance mechanism as defined and provided for in Memorandum Circular 2020-027.

- 3.2. **Partial implementation** refers to the implementation of this policy limited to the following: (1) Item 3 of Memorandum Circular 2020-027, or the actual or physical removal or abatement of road and sidewalk obstructions that are considered hazardous to motorists and pedestrians such as, but not limited to, unauthorized parked vehicles, illegal structures, nuisances, and any other structures erected along or standing on, made immovable or otherwise, that impede safe and convenient passage through public road or sidewalk; and (2) road clearing for the purposes of establishing bicycle lanes, pursuant to Section 3(h) of Republic Act 11494 or the Bayanihan to Recover as One Act and DILG Memorandum Circular 2020-100 or Guidelines for the Establishment of a Network of Cycling Lanes and Walking Paths to Support People's Mobility.
- 3.3. **Full implementation** refers to the adoption and/or implementation of all components of road clearing as stated in Item 3.1. of this Memorandum Circular, and as provided for in Items 1 to 6 of Memorandum Circular 2020-027.
- 3.4. **Monitoring**, for the purposes of implementing this Memorandum Circular, refers to the submission of compliance reports by Barangays to this Department, through the National Barangay Operations Office, as provided for in DILG Advisory dated January 8, 2020.
- 3.5. **Validation**, for the purposes of implementing this Memorandum Circular, refers to the checking of compliance by all Provinces, Cities, and Municipalities conducted by this Department after the implementation period herein set.

4. POLICY CONTENT AND GUIDELINES

- 4.1. To provide local government units sufficient time to prepare for the implementation of road clearing, the resumption of this policy is hereby set to be on **November 16, 2020**. They are given until **January 15, 2021** to sufficiently comply with this Memorandum

Circular. Nevertheless, all local government units are reminded that road clearing is a year-round activity that requires sustained effort and implementation.

- 4.2. Local government units are expected to resume their implementation of road clearing in accordance with their respective community quarantine (CQ) classification, as declared by the President, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID), or the LGU. The following shall apply:

Community Quarantine Classification of the LGU	Expected Degree of Implementation
New Normal/Post Quarantine Scenario	Full implementation
Modified General Community Quarantine (MGCQ)	Full implementation
General Community Quarantine (GCQ)	Partial implementation
Modified Enhanced Community Quarantine (MECQ)	Suspended implementation
Enhanced Community Quarantine (ECQ)	Suspended implementation

- 4.3. All local government units implementing road clearing, whether partial or full implementation, shall continue to follow guidelines outlined in Part II of DILG Memorandum Circular 2020-027.
- 4.4. All Barangays implementing road clearing, whether partial or full implementation, are hereby directed to resume the submission of their regular reports to this Department, in the same manner provided for in DILG Advisory dated January 8, 2020, therein duly noting their community quarantine classification and degree of implementation. Under this Memorandum Circular, submission by all Barangays for the month of November shall be made not later than **December 15, 2020**.

- 4.5. All local government units that are declared to be under localized ECQ or MECQ, in line with Section 2 of Executive Order No. 112 may suspend their implementation of road clearing, regardless of the community quarantine classification of their City or Municipality. Similarly, local government units are not expected to conduct road clearing in villages, subdivisions, *barrios*, or along roads, streets, or alleys that are declared to be under localized ECQ or MECQ.
- 4.6. All local government units declared to be under a different community quarantine classification at any point during the implementation period herein provided shall modify their degree of road clearing implementation in accordance with Item 4.2 of this Memorandum Circular. This change shall be duly noted in the validation of their compliance.
- 4.7. Only for the implementation period herein set, the following structures or vehicles shall be exempt from removal or apprehension by local government units, except in extraordinary circumstances:
 - a. Parked ambulances and public emergency vehicles
 - b. Checkpoints established and duly authorized by the LGU, the IATF, the Philippine National Police, or the Armed Forces of the Philippines, and
 - c. Temporary obstructions caused by the establishment of bicycle lanes, as defined in Memorandum Circular 2020-100.
- 4.8. All road closures currently set up by Barangays without respective enabling ordinances nor approval from concerned authorities shall be dismantled and cleared to ensure unhampered public conveyance. Barangays under ECQ or MECQ may put up such road closures subject to the approval of concerned authorities.
- 4.9. Structures or obstructions erected or caused by locally stranded individuals (LSIs) shall be removed upon their return to their


intended LGU destination. LGUs are advised to refer to DILG Memorandum Circular 2020-087 for guidelines on facilitating the return of LSIs.

- 4.10. All road clearing-related policies and undertakings shall be implemented and conducted without prejudice to the local government's COVID-19 containment efforts and initiatives. Likewise, enforcement agents of local government units shall observe minimum public health standards in all activities conducted in compliance with this Memorandum Circular. Whenever possible, LGUs are advised to conduct their road clearing-related meetings, sessions, and other coordination activities virtually.
- 4.11. The prohibition on tricycles and motorized pedicabs along national roads and highways, as provided for in DILG Memorandum Circular 2020-036, shall continue to be implemented by all LGUs, notwithstanding the rules and guidelines set by the Department of Transportation on the operation of tricycles during the community quarantine period. LGUs are likewise reminded of their responsibilities under Memorandum Circular 2020-036, including the creation of a Tricycle Task Force and the drafting or updating of their respective tricycle route plans. The validation of compliance therewith shall be included in the validation of compliance with road clearing as provided for in Item 4.13 of this Memorandum Circular.
- 4.12. The validation of provincial, city, and municipal compliance with this Memorandum Circular shall be conducted on **January 18 to 22, 2021**. Guidelines in the conduct of validation for all local government units, DILG Field Offices, and validating teams shall be issued subsequent to this Memorandum Circular.
- 4.13. All DILG Regional Directors and the BARMM Minister of Local Government are hereby directed to cause the widest and immediate dissemination of this Memorandum Circular to all local government units within their respective areas of jurisdiction.

5. REPEALING CLAUSE

- 5.1. All previous issuances or parts thereof that are inconsistent with the provisions of this Memorandum Circular are hereby repealed or modified accordingly.

6. APPROVING AUTHORITY


EDUARDO M. AÑO
Secretary *W*

7. FEEDBACK

- 7.1. All road clearing-related queries and concerns may be coursed to this Department through the email address roads.dilg@gmail.com.

