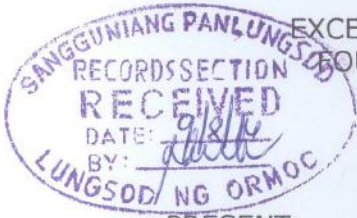


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON SEPTEMBER 01, 2016

PRESENT:

Leo Carmelo L. Locsin, Jr.
Rolando M. Villasencio,
Vincent L. Rama,
Mario M. Rodriguez
Tomas R. Serafica,
Benjamin S. Pongos, Jr.,
Eusebio Gerardo S. Penserga,
Gregorio G. Yrastorza III
Nolito M. Quilang
John Eulalio Nepomuceno O. Aparis II,

Lea Doris C. Villar
Mariano Y. Corro,

Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"

SP Member
SP Member
SP Member
SP Member
SP Member
SP Member

Minority Floor Leader
SP Member, Asst. Minority Floor Leader
Ex-Officio SP Member

Chapter President, Liga ng mga Barangay ng Ormoc

PREFATORY STATEMENT

WHEREAS, the number of vehicles, including privately-owned and public utility vehicles in the City of Ormoc is escalating rapidly as a result of which numerous streets within the City are experiencing a worsening situation of traffic congestion and significantly causing immense inconvenience to the road users and, in time, seriously endangering the safety of the general public ;

WHEREAS, undeniable is the fact, as gleaned from the experiences of bigger cities, that traffic not only results in the increase of vehicular queueing, but also reasonably raises the probability of the occurrence of vehicular accidents;

WHEREAS, the Philippine National Police (PNP) revealed that road accidents are among the leading causes of death in the Philippines and this finding is also supported by the DOH evidence that road accidents ranked fourth in the cause of deaths in the Philippines. In a paper presentation made by DILG, it was mentioned that around 186 to 300 children under 18 years old die from road accidents annually;

WHEREAS, the alarming situation cited above, the Philippine government crafted the Philippine Road Safety Action Plan (PRSAP) 2011-2020, which includes as a major pillar the institutionalization of road safety management thru legislative enactment and institutionalization of road safety unit in key government agencies, cities and provinces nationwide;

WHEREAS, taking a pro-active and effective response to the alarming situations on road accidents and considering the Philippine Road Safety Action Plan, Ormoc City local government believes that revisiting the existing and antiquated traffic code of the City with focus on looking into the implementing and enforcement structures of traffic rules and ordinances is the best option and strategy thereby contributing to the goals and objectives of the PRSAP;

WHEREAS, this legislative action and proposal is pursuant to Section 458 (5) (v-vi) of Republic Act No. 7160 otherwise known as the "Local Government Code of 1991", which authorized local government units to regulate traffic within their respective territorial jurisdictions;

WHEREAS, to urgently address this continuing issue, there has to be a systematic and efficient management of traffic conditions within the City, which can most effectively be done by creating an office to carry out such purpose;

WHEREAS, the creation of such office is pursuant to Section 454, paragraph C, item (2) of the Local Government Code which empowers the Sangguniang Panlungsod of a local government unit to create such offices as may be necessary to carry out the purposes of the City Government;

WHEREFORE, foregoing premises considered, on joint motion of SP Member Gregorio G. Yrastorza III., Chairman, Committee on Police Fire & Penology and SP Member Nolito M. Quilang, Chairman, Committee on Good Government, severally seconded by SP Members Tomas R. Serafica, Eusebio Gerardo S. Pensega, Lea Doris C. Villar, John Eulalio Nepomuceno O. Aparis II and Mariano Y. Corro; be it

RESOLVED, to enact:

ORDINANCE NO. 005

AN ORDINANCE PROVIDING FOR TRAFFIC ENFORCEMENT AND MANAGEMENT ORGANIZATIONAL STRUCTURES IN ORMOC CITY AND APPROPRIATING FUNDS THEREFOR.

BE IT ORDAINED by the 14th Sangguniang Panlungsod ng Ormoc in session duly assembled that:

SECTION 1. - TITLE. - This ordinance shall be known as the "Traffic Enforcement and Management Organizational Structure Ordinance."

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the City of Ormoc that:

1. The efficient, safe, unhampered and orderly flow of people and goods through the road network of the City shall be the priority of the City Government to ensure economic growth and social vitality; and
2. The use of the limited urban road space is both a right and a responsibility, the competing use of which must be allocated for the greatest good and the greatest number through a judicious, fair, participatory and informed traffic management system.

SECTION 3. OBJECTIVES. This ordinance aims to:

- 1) Effectively manage the traffic conditions in Ormoc City and ensure proper planning, implementation, monitoring and evaluation of traffic laws and ordinances;
- 2) Educate road users and the general public and increase their understanding on traffic laws and courtesies thereby ensuring safety and peace along the streets and roads; and

- 3) Strengthen the enforcement mechanisms for traffic rules and regulations;

SECTION 4. CREATION OF THE ORMOC CITY TRAFFIC ENFORCEMENT AND MANAGEMENT BOARD. The Ormoc City Traffic Enforcement and Management Board, hereinafter referred to as the Board is hereby created and shall be composed of the following:

Chairman : City Mayor, Ormoc City
Vice-chairman : City Administrator, Ormoc City
Members : Chairman, City Council Committee on Transportation & Communication
Chairman, City Council Committee on Police, Fire and Penology
City Director, Land Transportation Office
City Director, Ormoc City Police Office
City Engineer, Ormoc City Government
District Engineer, 4th Leyte Engineering District, DPWH
Ormoc Traffic Officer
Two (2) Private Sector Representatives – Transport Group
Representative, Private Sector – Business Sector
Three (3) Representatives from NGO/Civil Society with one representative from the youth/children sector

The representatives from the civil society and the private sector shall be appointed by the City Mayor and shall sit as members for a term of one year and may be renewed upon recommendation of the Board.

As much as practicable, the members shall attend personally the meetings of the Council. Should a representative be designated, he/she shall be the next-in-rank.

SECTION 5. MEETINGS AND QUORUM. The Board shall meet regularly once a month. The Chairman may call for special meetings of the Board. A quorum for any meeting of the members shall consist of a majority of the members and a majority of such quorum may decide any question at the meeting.

SECTION 6. FUNCTIONS OF THE BOARD. The Board shall have the following functions:

- a) Coordinate, monitor and evaluate the planning and implementation of the traffic management components undertaken by the various departments of the City Government and line agencies;
- b) Review, approve and recommend City traffic management plans;
- c) Recommend to the City Council the routing of common carriers operating in Ormoc City in so far as it forms part of a comprehensive traffic management scheme;
- d) Develop and prescribe rules and procedures for internal operation and management;
- e) Submit to the City Mayor periodic and special reports relative to traffic management activities;

- f) Act as an advisory council aligned to the inherent functions of their respective offices relative to traffic matters or cases that may arise necessitating the expertise of their offices;
- g) Create *adhoc* committees on matters pertaining to the improvement of traffic conditions, administrative enhancement of the TEAM and operational improvements thereof; and
- h) Perform such other related functions as may be necessary to ensure the effective planning and implementation of traffic management scheme.

SECTION 7. CREATION OF THE ORMOC CITY TRAFFIC ENFORCEMENT AND MANAGEMENT (TEAM) OFFICE. To fully implement the traffic rules and regulations of Ormoc City, a separate office under the Office of the City Mayor is hereby created to be known as the "Ormoc City Traffic Enforcement and Management (TEAM) Office", which shall be composed of the following:

- (1) One (1) Traffic Operation Officer**, who shall be the Head of the Ormoc City Traffic Enforcement and Management (TEAM) Office, with the rank of a Division Head (SG-22) and who shall exercise control and supervision of the following sections:

- a. **Ordinance Violation Receipt (OVR) Management and Adjudication Section** to manage and adjudicate traffic violations and ensure due process for all those apprehended. It will coordinate with the Ormoc City Police Office (OCPO) for the conduct of adjudication or arbitration procedures.
- b. **Traffic Plans and Education Section** to implement information campaign, training and educational programs for public awareness and observance of traffic rules and regulations.
- c. **Traffic Enforcement Section** which shall directly supervise and oversee the performance of the Traffic Enforcers.

Each section shall have at least one regular employee (Total of Three (3) Employees) with a rank of Traffic Aide II (SG-5) and Traffic Aides consisting of job order and/or casual personnel, with proper compliance of the requisite qualifications, as set forth by Civil Service and other pertinent laws, whose positions and qualifications are based on stipulations of the policies of the Qualification Standards of CSC M.C. No. 1, S-1997.

- (2) Two (2) Traffic Aide I**, who shall consist of civilian traffic enforcers trained by OCPO and/or PNP-HPG in traffic management and enforcement; and deputized by the City Mayor to enforce the existing and legislated local traffic rules and regulations. Traffic Aide I shall have the rank of Salary Grade 3.
- (3) Administrative Staff**, who shall take charge of administrative functions of the whole office with the following generic positions/ titles:
 - a. Two (2) Administrative Aide II – SG-2, who are to have multi-tasking functions such as radio/telephone operator/ clerk/ encoder;
 - b. One (1) Administrative Aide III – SG 3, who are to have multi-tasking functions such as driver/ roving/ liaison.

SECTION 8. MANPOWER COMPLEMENT FOR TEAM OFFICE. There shall be transfer of existing vacant positions from other units in the Ormoc City local government to the TEAM Office. *The following vacant positions shall be abolished: Five (5) Musicians-SG-5 (Item Nos. 50, 51, 54, 55 & 56); Four (4) Security Guard I-SG-3 (Item Nos. 62, 65, 68 & 70); Two (2) Administrative Aide IV-SG-4 (Item Nos. 91 & 93),* and regular positions shall be created pursuant to Section 7 of this ordinance.

The TEAM Office staff may be augmented through any or a combination of the following options:

- a) Designation or assignment of personnel to the TEAM Office in concurrent capacities with their existing positions;
- b) Reassignment of personnel of the City to the TEAM Office; and
- c) Full-time or part-time detail of existing personnel to the TEAM Office.

SECTION 9. DUTIES AND FUNCTIONS OF TEAM OFFICE. The TEAM OFFICE shall have the following general duties and responsibilities:

- a) They are hereby given the authority and primary responsibility and duty to prevent violations of the existing traffic rules and regulations, to carry out the police provisions within their respective jurisdiction, and issue to the traffic violator a summon or citation informing him/her of the charge(s) against him/her and requiring him to answer the same at the time and place designated in the citation within the stated period after such violation; Provided, that all apprehensions made shall be submitted for procedural disposition to the office of the Traffic Operation Officer and his concerned staff within twenty-four (24) hours from the date of apprehension;
- b) As deputized agents to enforce the traffic rules and regulations, they are hereby authorized to make arrests for violations of said rules and regulations; and the Traffic Operation Officer to issue notifications to compel the appearance of motor vehicle operators and drivers and/or other violators; and to use all reasonable means within their powers to secure enforcement of the provisions of the local traffic rules and regulations;
- c) They shall endorse cases arising from violations of local traffic rules and regulations to the Land Transportation Office (LTO) where such cases need LTO attention and disposition; to the PNP-HPG if Carnapping, questionable status of vehicles or related offenses has been discovered and/or to other law enforcement agencies needing to be informed and whose immediate actions and dispositions are necessary;
- d) Establish a systematic and computerized traffic apprehension database with the end view of preserving and making easily available such documents and records to public officers and private persons properly and legitimately interested therein;
- e) Provide daily reports that shall include the number of traffic apprehensions made, number of accidents investigated with road safety recommendations, and of traffic and road condition, focusing on observed road hazards which need to be fixed or addressed;

- f) Initiate advertisements and public notices pertaining to rerouting activities related to road infrastructure projects, festivities and such other events affecting the normal flow of traffic; warnings and precautionary information for road travelers brought about by unsafe climate and road conditions; including posting of road safety signage, in coordination with the City Engineering Office, within accident prone areas where appropriate informative or warning signs should be installed;
- g) Initiate and pursue traffic education and related programs among all road users, which is an advocacy of the local traffic rules and regulations; and
- h) *Perform the Secretariat functions of the Board.*

SECTION 10. DUTIES AND FUNCTIONS OF TRAFFIC ENFORCERS. The Traffic Enforcers are hereby authorized to enforce the provisions of the local traffic laws and regulations, assist the regular PNP Personnel in the enforcement of all the national vehicle laws applicable to the street traffic in Ormoc City and shall have the following functions:

- a) Manage the flow of traffic on the streets;
- b) Apprehend and issue tickets to violators of traffic laws and regulations of the City and take the name, address, traffic violator driver's license number and the registration and plate numbers of the motor vehicle involved;
- c) Immediately take a person arrested for violation of any of the traffic laws and regulations before a competent authority, when authorized or directed by law;
- d) Coordinate with and assist the police officers in case of accident, such as, but not limited to, vehicular collisions, and submit an incident/accident report to the TEAM Office;
- e) Monitor proper use of parking spaces;
- f) Assist in the orderly conduct of special events; and
- g) Perform such other functions as may be directed by the City Mayor or his duly authorized representative, on matters pertaining to traffic management.

SECTION 11. AUTHORITY OF TRAFFIC OPERATION OFFICER. The Traffic Operation Officer, with the endorsement of the OCPO City Director and approval of the City Mayor, is empowered to issue rules and regulations not in conflict with the provisions of the existing local traffic rules and regulations, prescribing the procedure for the apprehensions, issuance of OVR, impounding, adjudication, including policies that shall govern the TEAM's administrative and operational activities.

SECTION 12. QUALIFICATIONS OF TRAFFIC OPERATIONS OFFICER. The Traffic Operations Officer shall have the following basic qualifications:

- a. A Filipino citizen, a bona fide resident of Ormoc City, and of good moral character;

- b. A holder of a college degree, preferably in Management, and must have at least a Master's Degree in any field of Business Economics, Business Finance, Business Marketing/Management, or any related field;
- c. A professional Civil Service Eligibility or its equivalent;
- d. At least three (3) years professional experience at the managerial level in the field of Economics, Finance or Marketing/Management; and
- e. At least 16 hours of relevant training related or pertaining to Traffic Management and Enforcement.

SECTION 13. QUALIFICATIONS, STANDARDS AND TRAINING FOR CIVILIAN TRAFFIC ENFORCERS. The following criteria shall qualify an individual to be employed as a civilian traffic enforcer under the TEAM OFFICE which:

- a) Must be a Filipino Citizen and a resident of Ormoc City;
- b) Of good moral character;
- c) At least High School Graduate;
- d) Must be Physically and Mentally fit for the job;
- e) No criminal, administrative, or civil case and other derogatory record(s); and,
- f) Must pass the required TEAM training and related qualification tests (NP Test, Drug Test, among others);

A standard Program of Instruction (POI) for TEAM training program shall be established and shall be conducted by OCPO and PNP-HPG. No person shall, without undergoing said program and/or training prior to desired entry, be allowed employment as TEAM member.

SECTION 14. SALARIES AND BENEFITS OF TRAFFIC ENFORCERS. Traffic Enforcers on casual status shall have a determined daily wage equivalent to monthly salary, including benefits corresponding to a regular employee of the city considering the risk and hazards of their functions. Job-order personnel assigned in the TEAM Office shall have a fixed daily wage.

In addition to this, there may be a determined percentage or amount to be given to all traffic enforcers, regardless of their employment status, from fines imposed on traffic violations in the course of enforcement of the existing traffic rules and regulations of individual civilian traffic enforcer.

SECTION 15. DISTINCT ATTIRE FOR CIVILIAN TRAFFIC ENFORCERS AND DEVICES FOR PROTECTION – There shall be a determined uniform for civilian members of the TEAM, including identification systems during the performance of their respective functions.

While carrying of firearms and other deadly weapon is strictly not allowed, they shall be equipped with a police baton and a whistle.



SECTION 16. APPROPRIATION – The expenditures to fully implement or cover the intents of this Ordinance for Calendar Year 2016 shall be appropriated through a Supplemental Budget from the General Fund, or from any available fund source from the City Treasury.

The annual appropriation necessary to fully implement or cover the intents of this Ordinance thereafter shall be included in the yearly appropriations under the Office of the City Mayor from the General Fund of the Ormoc City Government.

SECTION 17. – SEPARABILITY CLAUSE. – Any provision/s or portion/s of this ordinance found to be violative of the Constitution or invalid shall not impair the other provisions or part/s thereof which shall continue to be in force and in effect.

SECTION 18. – REPEALING CLAUSE – All other ordinances, resolutions, executive orders and administrative orders or parts thereof, that are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

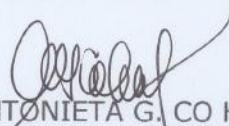
SECTION 19. EFFECTIVITY – This ordinance shall take effect fifteen days after its publication in a local newspaper of general circulation within the City of Ormoc.

ENACTED, September 01, 2016.


RESOLVED, FURTHER, that copies of this Ordinance be furnished each to the City Mayor Richard I. Gomez; the OIC-City Administrator, Mr. Vincent L. Emnas; the Acting City Legal Officer, Atty. Marcelo C. Oñate; the Human Resource Management Office; the City Budget Office; the City Accountant; the City Director, Ormoc City Police Office; the Civil Service Commission (CSC), Regional Office No. 8 thru the CSC - Ormoc Field Office; the OIC-City Director, DILG, Ormoc City; and other offices concerned;

CARRIED by Ten (10) Affirmative Votes. SP Member Rolando M. Villasencio was out of the Session Hall during the voting.

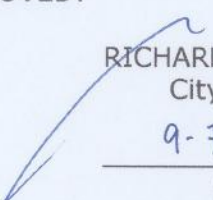
I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
(Acting SP Secretary)
Supervising Administrative Officer

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
Vice Mayor & Presiding Officer

APPROVED:


RICHARD I. GOMEZ
City Mayor

9-7-16

(Date)