



REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

RECEIVED
DATE: 08 OCT 2018

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 OCTOBER 04, 2018

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Vincent L. Rama,	SP Member, Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President,
	Liga ng mga Barangay ng Ormoc
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President,
	Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

PREFATORY STATEMENT

WHEREAS, Ordinance No. 034 series of 1992 was amended by Ordinance No. 002 series of 2013 through addition of an article providing for the procedure on the grant of MTOP, and the authorized persons in the granting of the permit;

WHEREAS, there have been numerous complaints, concerns, and issues with regards to applications of MTOP, operation of motorized - tricycles - for - hire in the City relative to the conduct of and among operators', drivers', and dispatchers;

WHEREAS, there is a need to delegate a competent person to act as Grievance Officer who shall hear out and resolve concerns for the smooth operation of Motorized - Tricycles - for - Hire in the City;

FOREGOING PREMISES CONSIDERED, on motion of SP Member Eusebio Gerardo S. Penserga, Chairman, Committee on Transportation, Communication, Information Technology and Public Information, severally seconded by SP Members Tomas R. Serafica, Lea Doris C. Villar, Esteban V. Laurente and Jasper C. Yerro; be it

RESOLVED, to enact:

ORDINANCE NO. 070

AN ORDINANCE FURTHER AMENDING ARTICLE VII OF ORDINANCE NO. 34 SERIES OF 1992 AS AMENDED BY ORDINANCE NO. 002 SERIES OF 2013 OTHERWISE KNOWN AS "AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 34, ENTITLED: "AN ORDINANCE ESTABLISHING THE GUIDELINES, STANDARDS, RULES AND REGULATIONS FOR THE OPERATIONS OF MOTORIZED - TRICYCLES - FOR - HIRE AND THE ISSUANCES OF MOTORIZED TRICYCLE OPERATORS' PERMIT OR MTOP THEREBY IMPLEMENTING THE DEVOLUTION OF LTFRB'S FRANCHISING OVER TRICYCLES - FOR - HIRE TO THE CITY GOVERNMENT PURSUANT TO THE LOCAL GOVERNMENT CODE OF 1991 (R.A. NO. 7160)"."

BE IT ENACTED, by the Sangguniang Panlungsod in its session duly assembled, that

SECTION 1. The Article VII of Ordinance No. 34 as amended by Ordinance No. 002 shall now read as follows:

**ARTICLE VII
GRANT OF MOTORIZED TRICYCLE OPERATORS' PERMIT (MTOP)**

After the filing of application for MTOP and the payment of the required MTOP fees, the application shall be processed by the Business Permits, Licensing and Franchising Office (BPLFO). Thereafter, the application shall be forwarded to the City Legal Officer for review and conduct of hearing of the application after which, the City Legal Officer shall recommend approval of the said MTOP application to the Sangguniang Panlungsod.

The City Legal Officer shall also serve as Grievance Officer who shall hear out and resolve complaints, issues and concerns on matters of but not limited to, applications of MTOP; conduct of and among operators, drivers, and dispatchers relative to the operation of motorized tricycles; and all other matters concerning the operation of motorized - tricycle - for - hire in the City.

He shall formulate and submit for approval to the City Mayor its Internal Rules of Procedure in the handling and disposition of grievances that maybe brought to the City Legal Office pursuant to its immediate foregoing functions.

He shall recommend to the Sanggunian Panlungsod through the Chairman of the Committee on Transportation and Communication any policy matter which shall need legislative action.

In the absence or vacancy of the City Legal Officer, the Head of the Business Permits, Licensing and Franchising Office (BPLFO) shall automatically act as the HEARING OFFICER of MTOP APPLICATIONS, AND GRIEVANCE OFFICER.

The head of the BPLO, in his handling and disposition of grievances and concerns in the absence of the City Legal Officer, shall employ such approved Internal Rules of Procedure as formulated by the latter.

SECTION 2. REPEALING CLAUSE. All ordinances, rules and regulations, or parts herein in conflict with or are inconsistent to the provisions of this ordinance are hereby repealed and/or modified accordingly.

SECTION 3. SEPARABILITY CLAUSE. Any portion or provision of this Ordinance that may be declared ultra vires or invalid shall not nullify the rest of the provisions hereof.


SECTION 4. EFFECTIVITY. This Ordinance shall take effect immediately upon approval and after compliance with the requirements of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, October 04, 2018.

FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the Business Permits and Licensing Office; the OIC-City Director, DILG and other offices concerned;

CARRIED UNANIMOUSLY.

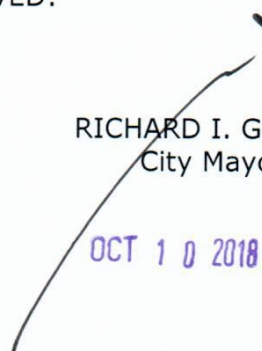
I HEREBY CERTIFY to the correctness of the above ordinance.


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

ATTESTED:


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

APPROVED:


RICHARD I. GOMEZ
City Mayor

OCT 10 2018