

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE FIFTH  
MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, HELD AT ITS  
SESSION HALL ON JANUARY 6, 1965

PRESENT:

Hon. Heliodoro T. Fiel,	Vice-Mayer, Presiding Officer
Hon. Benjamin F. Tugonon,	Floor Leader
Hon. Narcise C. Alfaro,	City Councilor
Hon. Pelagio C. Kierulf,	City Councilor
Hon. Francisco D. Abas,	City Councilor
Hon. Anastacio D. Besabella,	City Councilor
Hon. Marciano S. Du,	City Councilor
Hon. Francisco D. Aviles,	City Councilor
Hon. Benjamin T. Pongos,	City Councilor

ABSENT:

N o n e .

RESOLUTION NO. 4

"The Board, on motion of Councilor Du, seconded by the Presiding Officer, the Floor Leader, and Councilor Abas;

"RESOLVED, to adopt:

ORDINANCE NO. 3

AN ORDINANCE REGULATING THE OPERATION AND MAINTENANCE OF ANY  
THREE-WHEELED MOTOR VEHICLE AS A PUBLIC CONVEYANCE IN  
ORMOC CITY, PRESCRIBING ANNUAL TAX FOR SAME AND  
FOR OTHER PURPOSES

BE IT ORDAINED, by authority of the Municipal Board of Ormoc City, Philippines, pursuant to the provisions of Republic Act 179, as amended by Republic Act 429, otherwise known as the Charter of Ormoc City, That:

SECTION 1. Regulations for operation and maintenance. - The operation and maintenance of any three-wheeled motor vehicle for purposes of a public conveyance in Ormoc City is hereby regulated subject to the following:

- a) Republic Act 4136 otherwise known as the Land Transportation and Traffic Code;
- b) Municipal Ordinance No. VI, series of 1955, Ormoc City;
- c) Rules and regulations promulgated by the Traffic Division, Ormoc City Police Department, from time to time; and
- d) Other rules and regulations promulgated by this Body, thus:

1. Operators or maintainers of three-wheeled motor vehicles shall be required to get from the Office of the City Mayor a permit for each vehicle to operate before proceeding to secure registration and issuance of other pertinent papers;

2. It shall be the duty of the operators or maintainers to make and/or cause regular and careful inspection and repair of every vehicle for the safety of passengers;

3. Each vehicle must be provided with lights (two at the front and two at the rear, i.e., one each for the motorcycle and the cab itself, front and rear) and other accessories for the safety of passengers and pedestrians at night;

4. The carrying of more than two adult persons and more than four children below seven years of age, excluding the driver, is strictly prohibited;

5. No operator or maintainer shall be allowed to collect more than ten centavos (P0.10) for every adult passenger within the Poblacion or from the Poblacion to Camp Downes Community, Batuan, and Cogen Combado, or vice versa: PROVIDED, HOWEVER, that for every passenger whose destination is outside the Poblacion, except the barriers aforementioned, the operator or his driver may collect such fare as may be reasonable under the circumstances.



Children shall be charged only one-half (1/2) of the fare prescribed in this section.

The Operator or maintainer may charge reasonable freight for baggage as may be agreed upon by both parties;

6. A driver of a three-wheeled motor vehicle, before applying for, occupying or accepting employment as such driver, shall secure the necessary professional driver's license from the Land Transportation Commission (formerly the Motor Vehicle Office);

7. It shall be the duty of the operators and maintainers to secure plate numbers consecutively issued by the Chief of Police to all three-wheeled motor vehicles which plate numbers shall be in such form and size as may be deemed appropriate and the same shall be attached or affixed to every three-wheeled motor vehicle in operation subject to this ordinance;

8. No three-wheeled motor vehicle is allowed to enter the pier from two to seven o'clock in the morning (2:00 - 7:00 A.M.) and from five o'clock in the afternoon to ten o'clock in the evening (5:00 - 10:00 P.M.); and

9. Operators, maintainers or drivers of three-wheeled motor vehicles for purposes of public conveyance shall be subject to existing laws, rules and regulations.

SECTION 2. City tax. - Consequent to this regulation of the operation and maintenance of any three-wheeled motor vehicle subject to the aforementioned Republic Act, Municipal Ordinance, rules and regulations, and the like, there shall be paid to the City Treasurer an annual city tax of Fifty Pesos (P50.00) for every three-wheeled motor vehicle operating for purposes of a public conveyance in Ormoc City.

SECTION 3. Definition of the term. - By the term "three-wheeled motor vehicle" is meant any motor bicycle, motor cycle, scooter, or the like having each for purposes of a public conveyance a sidecar to carry passengers and the like.

SECTION 4. Time and manner of payment and penalty for delinquency. - The city tax herein prescribed shall be payable without penalty within twenty (20) days from the start of every calendar year for which the tax is due. Failure to pay the tax within the prescribed time shall render the taxpayer subject to a surcharge of twenty-five percentum (25%) for the first offense and one hundred percentum (100%) for subsequent failures to pay within the prescribed period.

SECTION 5. Penalty for violation. - Any violation of the provisions of this Ordinance shall be punishable by a fine of not less than Five Hundred Pesos (P500.00) but not exceeding One Thousand Pesos (P1,000.00) and imprisonment of not less than one (1) month but not exceeding six (6) months.

SECTION 6. Construction of this Ordinance. - If any part or section of this Ordinance shall be declared unconstitutional or ultra vires, such part or section shall not invalidate any other provisions hereof.

SECTION 7. Effectivity. - This Ordinance shall take effect immediately upon its approval.

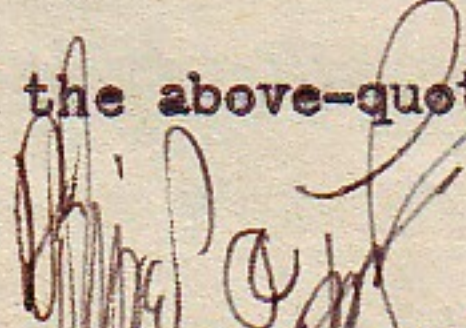
ENACTED, January 6, 1965.

"RESOLVED, FINALLY, to furnish a copy of this resolution each to the City Fiscal, the City Judge, the Chief of Police, the City Treasurer, the City Auditor, the Motor Vehicle Registrar, and all operators, maintainers or drivers of three-wheeled motor vehicles, Ormoc City;


"CARRIED. Seven affirmative votes registered by the Floor Leader, Councilors Alfaro, Kierulf, Abas, Besabella, Du and Pongos; one abstention registered by Councilor Aviles."



I HEREBY CERTIFY to the correctness of the above-quoted resolution-  
ordinance.

  
FELIPE O. AMORIN  
Secretary

ATTESTED:

  
HELIODORO T. FIEL  
Vice-Mayor  
Presiding Officer

APPROVED, January 22, 1965:


ESTEBAN C. CONEJOS  
City Mayor

ATTESTED AS APPROVED:

MAXIMO MALINAO  
Secretary to the City Mayor

/vll

APPROVED WITHOUT EXECUTIVE SIGNATURE  
SEC. 174, RA 178 AS AMENDED BY RA 4383  
ATT. SUBMITTED FOR APPROVAL 1-11-65  
DATE RETURNED: 1-22-65  
RETURNED WITHOUT VETO

  
Sec. to the Vice Mayor