

MUNICIPAL BOARD
Office of the Secretary
Ormoc City

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SIXTH MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, HELD
AT ITS SESSION HALL ON SEPTEMBER 23, 1970

PRESENT:

Hon. Jesus B. Lladoc,	Vice-Mayor, Presiding Officer
Hon. Juanito T. Kangleon,	City Councilor
Hon. Jose C. Aviles,	City Councilor
Hon. Cesar Samson,	City Councilor
Hon. Eduardo P. Tan,	City Councilor
Hon. Albino P. Porcadilla,	City Councilor
Hon. Rafael M. Mejia,	City Councilor

ABSENT:

Hon. Gregorio C. Yrastorza,	Floor Leader
Hon. Dionisio Torrevillas,	City Councilor

RESOLUTION NO. 132

"The Board, on motion of Councilor Porcadilla, seconded jointly by Councilors Samson, Kangleon and Tan;

"RESOLVED, to adopt:

ORDINANCE NO. 67

AN ORDINANCE REGULATING THE OPERATION OF TRANSPORTATION
DISPATCHERS, PRESCRIBING FEES THEREFOR, PROVIDING
PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER
PURPOSES.

BE IT ORDAINED, by the Municipal Board of Ormoc City, That:

SECTION 1. Permit to operate dispatcher service. - It shall be unlawful for any person, group of persons, association or union to operate a dispatcher service in Ormoc City without first securing the necessary annual permit from the Office of the City Mayor.

SECTION 2. Definition of terms. - For purposes of this Ordinance, the following terms are defined, vis-a-vis:

a) "Person" - every physical, moral, real, juridical or legal being susceptible of rights and obligations or a being subject of legal relations.

b) "Dispatcher" - a person permitted to dispatch or send off passengers vehicles to their destinations.

c) "Association" of "Union" - a body of persons organized for the common purpose and interest of operating dispatcher services.

d) "Permit" - a written authority to engage in or operate dispatcher services given to any association or union of dispatchers.

e) "License" - an authority to carry on a business of dispatching by a member of an association or union of dispatchers.

f) "Passenger vehicle" - any bus or jeepney (FUB, PUJ, AC) which conveys passengers for fee to its destination.

SECTION 3. Qualification of a dispatcher. - For a person to be qualified as a dispatcher, he must be:

- a) at least 21 years of age;
- b) at least an intermediate school graduate;
- c) of good moral character;
- d) able bodied; and
- e) not convicted of a crime either against property or involving moral turpitude.

SECTION 4. Permit and license duration. - The permit and license issued shall cover from January 1 to December 31 of each year: PROVIDED, HOWEVER, That upon effectivity of this Ordinance, any permit and license issued immediately thereafter shall cover up to the end of the current calendar year, unless otherwise revoked.

SECTION 5. Time and manner of payment and penalty for delinquency. - There shall be paid to the City Treasurer a yearly Mayor's permit and license fees for any calendar year within twenty (20) days from the beginning of each license year the sums of one hundred pesos (P100.00) by the association or union of dispatchers and ten pesos (P10.00) by each member dispatcher, respectively, otherwise a fine equivalent to fifty percent (50%) of the annual fee shall be imposed upon the organization for failure to pay for or renew its permit and, likewise, fifty percent (50%) of the annual fee shall be imposed upon an individual member dispatcher for failure to pay for or renew his permit within the period prescribed in this Ordinance.

SECTION 6. Unlawful acts of a dispatcher. - It shall be unlawful for any dispatcher to:

- a) coerce, threaten or intimidate any person, commuter, or passenger so as to compel the latter to take any vehicle of the dispatcher's choice;
- b) discriminate against any driver or conductor in the allocation of passengers and cargoes;
- c) collect more than fifty centavos (P0.50) per day from any passenger bus and more than ten centavos (P0.10) per day from any passenger jeepney as dispatch fees;
- d) collect dispatch fees without issuing corresponding receipts;
- e) conduct his business without proper uniform provided with nameplate and dispatcher's number; and
- f) prevent passenger vehicles from leaving terminals even not within scheduled time of departure, provided the dispatch fees are paid and that the vehicles do not canvass passengers outside the dispatch area.

SECTION 7. Police numbers for passenger jeepneys. - For proper identification of vehicles for dispatch, it shall be the duty of operators or maintainers of passenger jeepneys to secure numbers consecutively issued by the Chief of Police to all such jeepneys, which numbers shall be respectively painted at all sides of the vehicle in bold figures and in contrast with the color or paint of the vehicle: PROVIDED, That any such numbers which are no longer used by virtue of non-operation of the vehicles shall be immediately surrendered to the Chief of Police for cancellation.

SECTION 8. Loading place in the dispatch area. - There shall be a loading place designated by the Chief of Police in the dispatch area where every vehicle ready for dispatch shall be parked for the purpose only of loading passengers and cargoes and never shall such place be used for unloading purposes.

SECTION 9. Designation of terminals. - Subject to the provisions of this Ordinance, the following portions of city streets are hereby designated as terminals:

*amended Ord. # 07
series 72*

a) For passenger jeepneys:

1. Going to Barrio Dolores and West bound -
Lopez Jaena street: (a) from corner Real street to the entrance of the market, south side; and
(b) from corner Real street to a distance of twenty (20) meters towards Rizal street, north side.
2. North bound -
Lopez Jaena street: from corner Rizal street to the entrance of the market, south side.
3. Kananga and Palompon bound -
Lopez Jaena street: from corner Rizal street to a distance of twenty (20) meters towards Real street, north side.
4. South bound -
C. Aviles street: from corner Rizal street to corner Bonifacio street, south side.

b) For passenger buses:

1. North bound -
Rizal street: from corner Lopez Jaena street to corner Osmeña street, east side.
2. South bound -
C. Aviles street: from corner Bonifacio street to corner J. Navarro street, south side.

SECTION 10. Duties and responsibilities of dispatchers' association. - The following are the duties and responsibilities of an association or union of dispatchers:

1. To see to it that all members of the association or union are qualified under Section 2 of this Ordinance;
2. To keep records of passenger vehicles serviced by the association and to submit a copy of the same to the Office of the City Mayor indicating therein the Police numbers, plate numbers, types (AC, PUB, AC), names of operators/owners and drivers, routes and passenger capacities of vehicles, and to submit subsequent lists if changes in the original list occurs such as additional unit or reduction of the number of vehicles being serviced; and
3. To submit a daily dispatch report to the Office of the City Mayor for statistical and other purposes, indicating therein the Police numbers, names of drivers, time reported for dispatch, number of passengers loaded, time released, and route of the passenger vehicles.

SECTION 11. Penalty for violation. - Any violation of the provisions of this Ordinance shall be punishable by a fine of not less than fifty pesos (P50.00) but not exceeding two hundred pesos (P200.00) or an imprisonment of not less than two (2) months but not exceeding six (6) months, or both such fine and imprisonment at the discretion of the court.

SECTION 12. Construction of this Ordinance. - If any part or section of this Ordinance shall be declared unconstitutional or ultra vires, the same shall not invalidate any other parts or sections hereof.

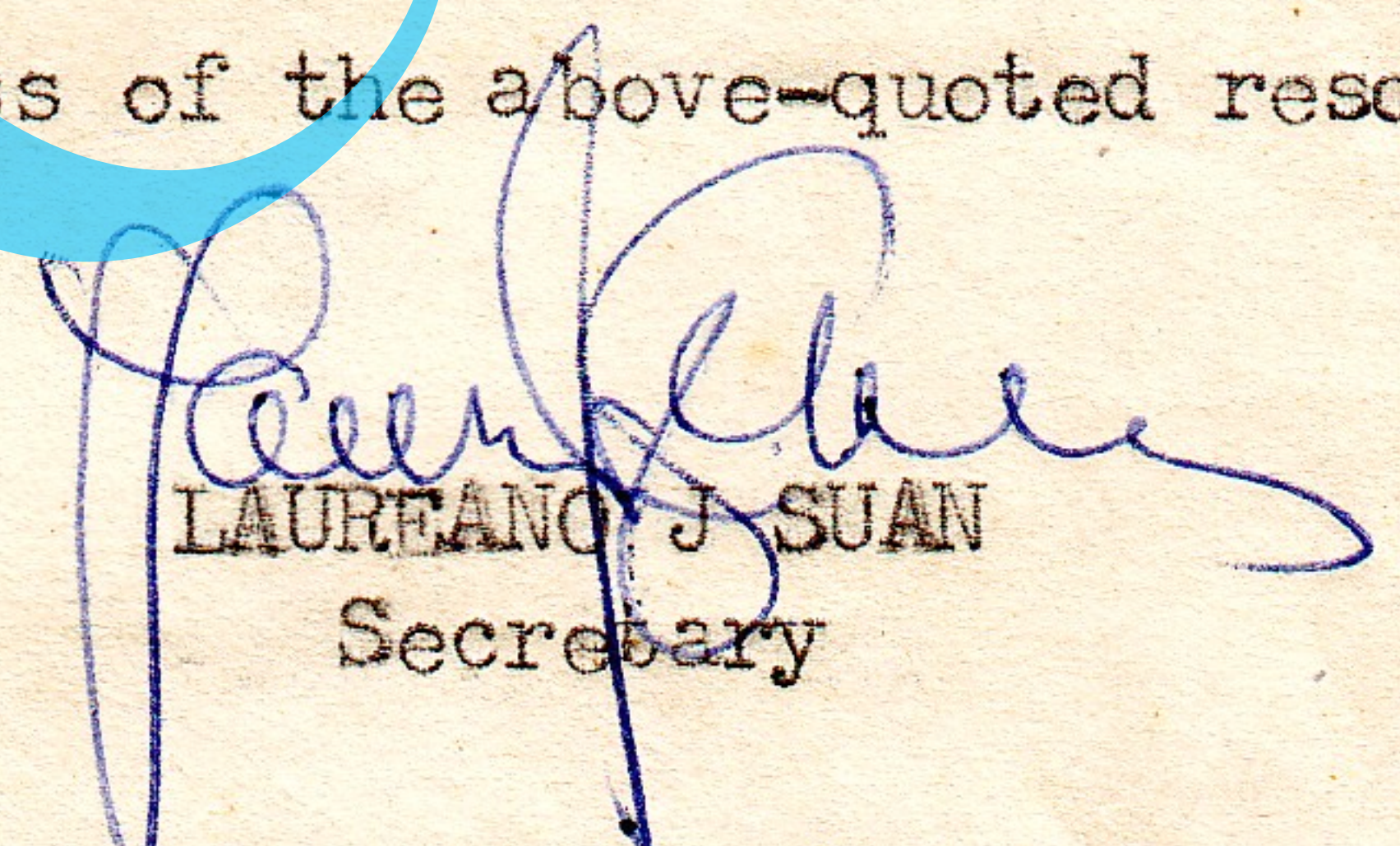
SECTION 13. Effectivity. - This Ordinance shall take effect immediately upon its approval.

ENACTED, September 23, 1970.


"RESOLVED, FURTHER, to furnish a copy of this resolution-ordinance each to the City Judge, the City Fiscal, the City Engineer, the Chief of Police, the City Treasurer and the City Auditor, all operators or maintainers, drivers, and dispatchers of passenger jeepneys and buses, in Ormoc City;

"CARRIED UNANIMOUSLY."

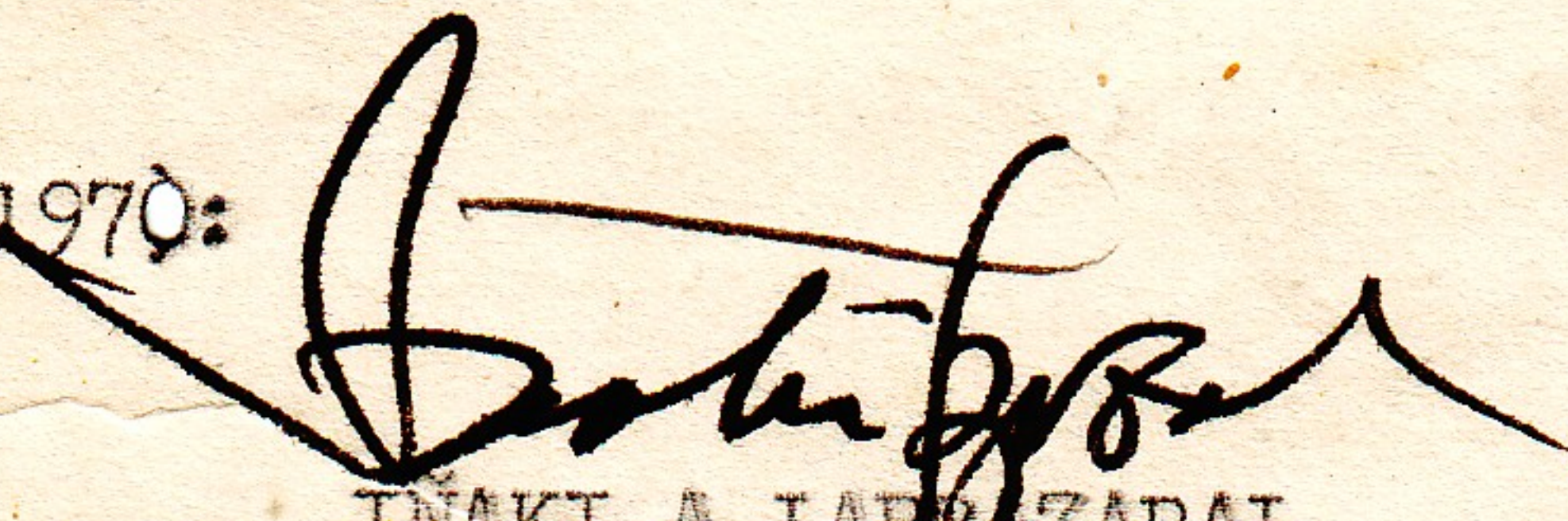
I HEREBY CERTIFY to the correctness of the above-quoted resolution-ordinance.


LAUREANO J. SUAN
Secretary

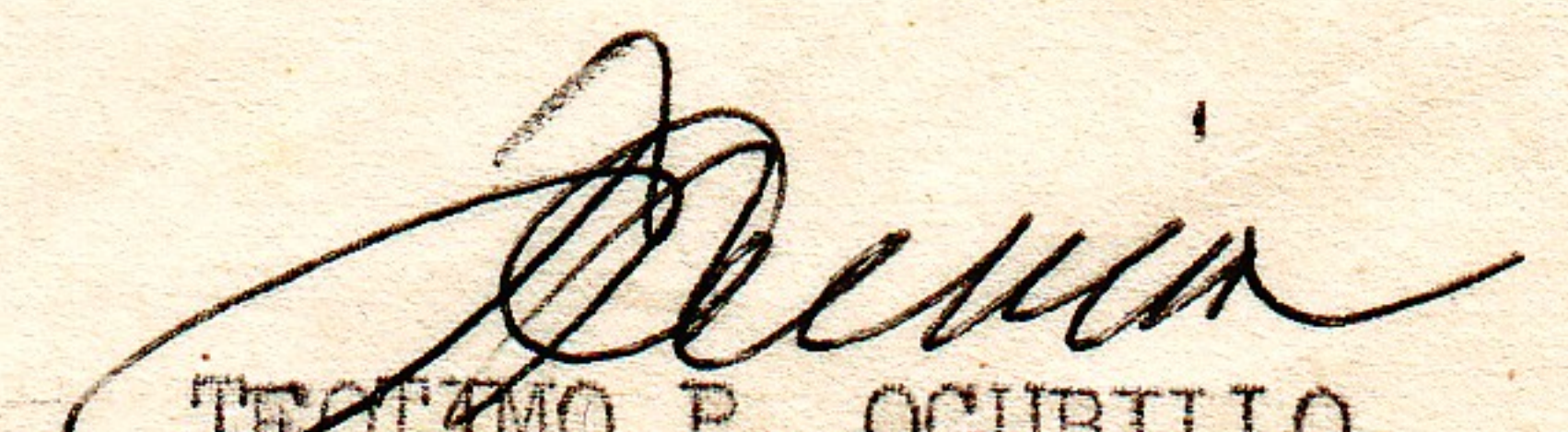
ATTESTED:


JESUS B. ALADOC
Vice Mayor
Presiding Officer

APPROVED, Sept. 30, 1970:


INAKI A. LARRAZABAL
City Mayor

ATTESTED AS APPROVED:


TEODORO P. OCUBILLO
Secretary to the City Mayor