

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
Lungsod ng Ormoc



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE TENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON MAY 12, 2005

PRESENT:

Hon. Nepomuceno P. Aparis I, Vice Mayor & Presiding Officer
Hon. Manuel T. Fiel, City Councilor, Assist. Minority Floor Leader
Hon. Eduardo P. Tan, City Councilor
Hon. Claudio P. Larrazabal, City Councilor, Majority Floor Leader
Hon. Mariano Y. Corro, City Councilor
Hon. Fe S. Lladoc, City Councilor
Hon. Gregorio A. Yrastorza, Jr., City Councilor
Hon. Sotero M. Pepito, City Councilor
Hon. Jose C. Alfaro, Jr., City Councilor
Hon. Ruben R. Capahi, City Councilor
Hon. Cheryl L. Alfar, Ex-Officio City Councilor,
SK Federation President

ABSENT:

Hon. Jose S. Serafica, (Forced Leave), City Councilor,
Minority Floor Leader
Hon. Emeterio Y. Larrazabal, Jr., (Forced Leave), Ex-Officio,
City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc

PREFATORY STATEMENT

WHEREAS, an Ordinance setting the guidelines for the issuance of MTOP and its implementing rules and regulations was passed on December 24, 1992; (Ormoc City Motorized Tricycles-for-Hire Franchising Ordinance);

WHEREAS, subsequent amendments have been made regarding this Ordinance;

WHEREAS, in order to meet the needs and requirements of time, some of its provisions have to be updated and improved;

WHEREAS, it has been noted that City Identification Number (CIN) also known as Police Number, because it is limited as of the moment, is being sold illegally at a very atrocious price, making a prey out to interested buyers;

WHEREAS, this Sangguniang Panlungsod agrees with the Office of the City Mayor that something positive should be done to discourage and or prevent this illegal transaction;

WHEREAS, the Secretary to the Mayor through 1st Indorsement dated 11 May 2005 has requested on an urgent basis the passage on Second and Third Reading of the proposed ordinance for the deregulation of motor cab operation in this city;

WHEREFORE, foregoing premises considered, on motion of City Councilor Claudio P. Larrazabal, Chairman, Committee on Transportation and Communication, duly seconded by City Councilor Mariano Y. Corro; be it

ORDINANCE NO. 119

AN ORDINANCE DEREGULATING THE ISSUANCE OF CITY IDENTIFICATION NUMBER (CIN) FOR MOTORIZED TRICYCLE FOR HIRE IN ORMOC CITY AND ESTABLISHING GUIDELINES, RULES AND REGULATIONS, AMENDING SECTION 1 OF ARTICLE VI, ORDINANCE NO. 34, SERIES OF 1992, AND FOR OTHER PURPOSES THERETO.

BE IT ENACTED, by the Tenth Sangguniang Panlungsod ng Ormoc in session assembled, that:

SECTION 1. Issuance of City Identification Number (CIN) shall now be deregulated and shall be issued upon approval of Motorized Tricycle Operator's Permit (MTOP) by the Sangguniang Panlungsod (SP) together with the issuance of their Mayor's Permit to operate.

SECTION 2. The applicant for MTOP must present a motorcycle with sidecar to which the CIN shall be attached, both of which must be roadworthy, with valid LTO registration in the name of the applicant, to the City Business Permits, Licensing and Franchising Office. It is only after passing inspection for roadworthiness of the Motorized Tricycle for Hire shall an applicant for MTOP be recommended for review and hearing to the City Legal Office, if the application is in accordance with Ordinance No. 34.

SECTION 3. Henceforth, the franchise fee shall be P400.00 per unit for three (3) years; thereby amending Section 1 of Article VI, Ordinance No. 34, Series of 1992. Each Operator shall be allowed to operate not more than five (5) units.

SECTION 4. Only bonafide resident of Ormoc City and Filipino Citizen may be granted the Franchise in accordance of the Provision of Article 2, Ordinance No. 34, Series of 1992 and those qualified under Article 2, Ordinance No. 34, Series of 1992; and partnerships or corporations with 60% Filipino equity and Registered Cooperatives whose principal offices of business is in Ormoc City.

SECTION 5. Any Operator who fails to renew his/her Mayor's Permit and/or Franchise (MTOP), his/her CIN shall automatically be canceled by the Office of the City Mayor upon the recommendation of the City Business Permits, Licensing and Franchising Office. The renewal date of the Motorized Tricycle Operator's Permit (MTOP) or Franchise may be done within ten (10) days prior to the expiry date of land transportation registration of the motorcycle to which the tricycle is attached.

In order that the Franchise/MTOP expiry date and/or renewal date shall coincide with the LTO expiry and/or renewal date, the City Business Permits, Licensing and Franchising Office is authorized to make the proper adjustment of the expiry date of the Franchise/MTOP; provided, it will not exceed one (1) year. Renewal of the MTOP may be done within one (1) week before prior to the expiration.

SECTION 6. Any person found operating with canceled CIN the whole unit shall be impounded and will only be released upon completion of the requirement for Mayor's Permit and or MTOP as the case may be and upon payment of corresponding appropriate penalties and impounding fees, canceled CIN shall likewise be reinstalled.

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SECTION 7. Impounding fees shall be P100.00 for the first 7 days plus P20.00 per day thereafter.

SECTION 8. The City Business Permit, Licensing and Franchising Office in charged of supervising, enforcing and implementing the provisions of this Ordinance, and designating the Head of the City Business Permits, Licensing and Franchising Office and/or City Legal Officer to issue confirmation for valid MTOPs for purposes of renewal of LTO registration.

SECTION 9. Repealing Clause

Any existing Provision, Resolution, Executive Order, to the contrary not consistent with any provision or provisions, in whole, or in part, to this Ordinance is hereby amended and or repealed accordingly.


SECTION 10. EFFECTIVITY. This Ordinance shall take effect immediately after its publication once in a local newspaper of general circulation within the City of Ormoc; and posting at conspicuous places for a period of three (3) weeks, whichever occurs later.

ENACTED, May 12, 2005.

RESOLVED, FURTHER, to furnish copies of this Ordinance, one each to His Honor, the City Mayor; the City Administrator, the City Legal Officer, the City Treasurer, the City Permits, Licensing & Franchising Division, the PNP, City Director, the PPI Precinct Commander, the ABC President, the CILG-City Director, the Barangay Affairs Office, the City Prosecutors Office, the President, OCMODA and others concerned, -in Ormoc City;

CARRIED by Seven (7) Affirmative Votes with Three (3) Abstentions registered by City Councilors Eduardo P. Tan, Gregorio A. Yrastorza, Jr. and Manuel T. Fiel.

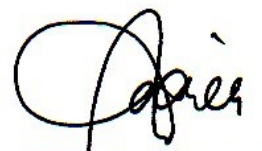
I HEREBY CERTIFY to the correctness of the foregoing ordinance.


JOEL S. DUERO
(OIC - Secretary to the SP)
Loc. Leg. Staff Officer V

ATTESTED:


NEPOMUCENO P. APARIS
Vice Mayor & Presiding Officer

APPROVED:


ERIC C. CODILLA
City Mayor

5/16/05

(Date)