

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

VICE MAYOR'S OFFICE
RECEIVED
DATE: 9/20/13 1:32

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
THIRTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON SEPTEMBER 19, 2013

CITY MAYOR'S OFFICE
RECEIVED
DATE: SEP 23 2013

Hon. Leo Carmelo L. Locsin, Jr.

Hon. Tomas R. Serafica,

Hon. Mario M. Rodriguez,

Hon. Ruben R. Capahi,

Hon. Benjamin S. Pongos, Jr.,

Hon. Antonio M. Codilla,

Hon. Vincent L. Rama,

Hon. Eusebio Gerardo S. Penserga,

Hon. Marina T. Placido,

Hon. Corinne M. Corro,

Vice Mayor & Presiding Officer

City Councilor, Asst. Majority Floor Leader

City Councilor, Presiding Officer "Pro-Tempore"

City Councilor, Asst. Minority Floor Leader

City Councilor

City Councilor

City Councilor

City Councilor

Ex-Officio City Councilor

Chapter President, Liga ng mga Barangay ng Ormoc

Ex-Officio City Councilor,

SK Federation President

ON OFFICIAL BUSINESS:

Hon. Rolando M. Villasencio,

(O.B. - Tacloban), City Councilor,
Majority Floor Leader

Hon. Pedro Godiardo P. Ebcas,

(O.B. - Tacloban), City Councilor

ON LEAVE:

Hon. Nepomuceno P. Aparis I,

City Councilor, Minority Floor Leader

PREFATORY STATEMENT

WHEREAS, the Tenth Sangguniang Panlungsod has enacted Ordinance No. 119 dated May 12, 2005, entitled: 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;

WHEREAS, Sec. 1 of said Ordinance provides that "Issuance of City Identification Number (CIN) shall now be deregulated and shall be issued upon approval of Motorized Tricycle Operator's Permit (MTO) by the Sangguniang Panlungsod (SP) together with the issuance of their Mayor's Permit to operate";

WHEREAS, following the implementation of Ordinance No. 119, a huge number of applications for MTO and issuance of CIN have been received by the Business Permits, Licensing and Franchising Office (BPLFO);

WHEREAS, the BPLFO has already issued a total of One Thousand Nine Hundred Eighty Seven (1987) CIN's as of July 30, 2013;

WHEREAS, during the meeting of the Committee on Transportation and Communication on July 30, 2013, it has been learned that there is a need to indefinitely suspend the issuance of new CIN's, in effect amending Ordinance No. 119;

WHEREAS, this Sanggunian has received an Indorsement dated August 1, 2013 from the Office of the City Mayor covering the letter of Mr. Emilio G. Tingson, Licensing Officer IV, Business Permits, Licensing and Franchising Office (BPLFO) requesting for a suspension and or moratorium on the issuance of the CIN's once the same has reached a total of Two Thousand (2000) in number;

WHEREAS, the aforementioned letter of Mr. Emilio G. Tingson states that it has been eight (8) years since the approval of City Ordinance No. 119 and the number of CIN's issued as of the date of said letter was already two hundred sixty five percent (265%) higher than the number of CIN's in the Year 2005;

WHEREAS, the extreme traffic congestion during rush hour is due to the increasing volume of vehicles, including tricycles, and it has been observed that traffic collapses into a jam caused mainly by tricycles;

WHEREAS, another factor that has aggravated traffic conditions is the emergence of illegal terminals for tricycles in various parts of the City, thereby adding to the chaotic city streets as well as the lack of observance of traffic rules by tricycle drivers which compound into traffic slowdowns;

WHEREAS, there is great room for improvement in administering the current level of traffic if we suspend the issuance of the City Identification Number once it reach the maximum number of Two Thousand without jeopardizing safety and convenience of the general public;

WHEREAS, the Ormoc Motorcab Tricycle Operators and Drivers Association (OMTODA), in a letter dated July 1, 2013, has requested this Sanggunian to limit the release of motorcab number to only Two Thousand (2000) and that based on their observation, too many vehicles in the city thoroughfares are causing heavy traffic and other problems related to traffic; they have analyzed that tricycles are too many, while drivers can no longer obtain a decent income out of driving a tricycle, rendering them incapable of remitting the proper rent (boundary) to the operators, which in turn causes problems to the latter;

WHEREAS, Section 5-C of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that, The general welfare provisions in this Code shall be liberally interpreted to give more powers to local government units in accelerating economic development and upgrading the quality of life for the people in the community;

WHEREAS, Section 16 of the same Code provides for the power of local government units to uphold the General Welfare of its inhabitants, in that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREFORE, on motion of City Councilor Eusebio Gerardo S. Penserga, Chairman, Committee on Transportation and Communication, duly seconded by City Councilor Corinne M. Corro; be it

RESOLVED, to enact:

ORDINANCE NO. 001

AN ORDINANCE IMPOSING AN INDEFINITE SUSPENSION ON THE ISSUANCE OF CITY IDENTIFICATION NUMBERS (CIN's) TO TRICYCLE OPERATORS IN THE CITY OF ORMOC UPON REACHING A TOTAL NUMBER OF TWO THOUSAND (2000) CIN's, AMENDING, FOR THIS PURPOSE, ORDINANCE NO. 119, SERIES OF 2005.

BE IT ORDAINED, by the Thirteenth Sangguniang Panlungsod ng Ormoc in regular session assembled, that:

SECTION 1. TITLE - This Ordinance shall be known as "AN ORDINANCE IMPOSING AN INDEFINITE SUSPENSION ON THE ISSUANCE OF CITY IDENTIFICATION NUMBERS (CIN's) TO TRICYCLE OPERATORS IN THE CITY OF ORMOC UPON REACHING A TOTAL NUMBER OF TWO THOUSAND (2000) CIN's, AMENDING, FOR THIS PURPOSE, ORDINANCE NO. 119, SERIES OF 2005."

SECTION 2. SCOPE AND COVERAGE - This Ordinance shall cover all existing holders and future holders of Motorized Tricycle Operators Permit (MTOP), who are to be issued new CIN's or who may avail of existing CIN's previously surrendered by holders thereof.

SECTION 3. There is hereby imposed an indefinite suspension on the issuance of City Identification Number (CIN) on all applicants for Motorized Tricycle Operator's Permit (MTOP), as well as existing holder's of MTOP, once the total number of CIN's issued has reached a maximum of Two Thousand (2000).

SECTION 4. SEPARABILITY CLAUSE - Should any part or provision of this ordinance be held unconstitutional or contrary to any existing law or ordinance, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and of effect.

SECTION 5. REPEALING CLAUSE - All Ordinances, rules, orders, and regulations or part thereof, contrary or inconsistent with any of the provisions of this ordinance are hereby repealed and modified accordingly.

SECTION 6. EFFECTIVITY - This Ordinance shall take effect immediately after the compliance of the necessary publication and posting requirements as provided in the Local Government Code of 1991.

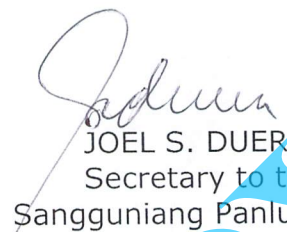
ENACTED, September 19, 2013.

RESOLVED, FURTHER, that copies of this ordinance be furnished each to the Honorable City Mayor, Mayor Edward C. Codilla; the City Administrator; the City Legal Officer; the BPLFO thru Mr. Emilio G. Tingson, Licensing Officer IV; the City Director, PNP; the City Director, DILG; the President, OMTODA and others concerned, all in Ormoc City.

CARRIED UNANIMOUSLY.

Ord. No. 001


I HEREBY CERTIFY to the correctness of the above ordinance.


JOEL S. DUERO
Secretary to the
Sangguniang Panlungsod

ATTESTED:


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

APPROVED:


EDWARD C. CODILLA
City Mayor
9-23-13
(Date)