

SANGGUNIANG PANLUNGSOD  
DATE OUT  
DATE 20 SEP 2013  
BY: [Signature]  
LUNGSOD NG ORMOC

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC

VICE MAYOR'S OFFICE  
RECEIVED  
DATE 9/20/13 [Signature] 2:32

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

SANGGUNIANG PANLUNGSOD  
RECEIVED  
DATE 24 SEP 2013  
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LUNGSOD NG ORMOC

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,  
  
Hon. Pedro Godiardo P. Ebcas,

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

ON LEAVE:

Hon. Nepomuceno P. Aparis I,

City Councilor, Minority Floor Leader

PREFATORY STATEMENT

WHEREAS, City Ordinance No. 34, as amended provides for the guidelines, standards, rules and regulations for the operation of Motorized Tricycles-For-Hire and the issuances of Motorized Tricycle Operators' Permit (MTOP) to all applicants thereof;

WHEREAS, Section 3 (Definition of Terms) Par. (e) of Ordinance 34, as amended states that: "The City Legal Officer is the person authorized to hear application for a franchise to operate a tricycle(s)-for-hire within the territorial jurisdiction of Ormoc City, and thereafter, to make appropriate recommendation to the Sangguniang Panlungsod for their final action";

WHEREAS, this Sanggunian conducted further review on the subject Ordinance and consequently, the Body finds out that while the authority of the City Legal Officer to hear MTOP applications is implied in Section 3 Par. (e) thereof, the ordinance itself lacks particular provision dealing with the Grant of Tricycles' Permit or MTOP specifically as regards the process as well as the authorized persons involve in the granting of the permit;

WHEREAS, it is imperative that a specific provision covering the grant of MTOPs be incorporated into Ordinance No. 34 for its more effective an efficient enforcement;

WHEREAS, this august Body is of the collective opinion that Ordinance No. 34 needs to be further amended to conform with the present needs and standards, and for the betterment of public service;

FOREGOING PREMISES CONSIDERED, on motion presented by Honorable Eusebio Gerardo S. Penserga, Chairman, Committee on Transportation & Communication, duly seconded by City Councilor Vincent L. Rama; be it

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RESOLVED, to enact:

*ORDINANCE NO. 002*

*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 ORDAINED , by the Thirteenth Sangguniang Panlungsod assembled,  
That :

SECTION 1. AMENDMENT - Ordinance No. 34 is hereby further amended, specifically Article VII thereof, which 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 afterwhich, the City Legal Officer shall recommend approval of the said MTOP application to the Sangguniang Panlungsod.

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.

SECTION 2. Following the subject amendment, the FINAL PROVISIONS of Ordinance No. 34, as amended, shall now be read as ARTICLE VIII – FINAL PROVISIONS.

SECTION 3. SEPARABILITY CLAUSE - All other provisions of Ordinance No. 34, as amended, which are not affected by this present amendment shall continue to be in full force and in effect.

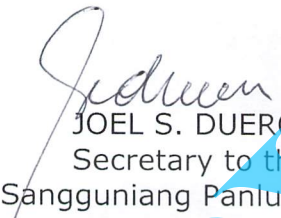
SECTION 4. EFFECTIVITY - This Ordinance shall take effect immediately subject to the compliance of the necessary posting and publication requirements as provided for in the Local Government Code of 1991.

ENACTED, September 19, 2013.

RESOLVED, FURTHER, to furnish copies of this ordinance each to the Honorable City Mayor Edward C. Codilla; the City Administrator; the City Legal Office; Mr. Emilio G. Tingson, Head, BPLFO; and other offices concerned.

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing 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

SEP 23 2013  
(Date)