

Republic of the Philippines
Province of Camarines Sur
Municipality of Pasacao
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Office of the Sangguniang Bayan

2-01-2007

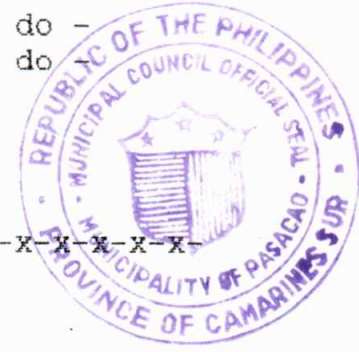
MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PASACAO, CAMARINES SUR HELD AT ITS SESSION HALL ON MARCH 2, 2005.

Present:

Hon. Coun. Edgardo B. Tayco	-	Presiding Officer
		Pro-Tempore
Hon. Coun. Marilyn H. Sotto	-	Member
Hon. Coun. Randolph L.O. Reyes	-	- do -
Hon. Coun. Nonito M. Tolentino	-	- do -
Hon. Coun. Elmer L. Dela Rosa	-	- do -
Hon. Coun. Randy R. Panganiban	-	- do -
Hon. Coun. Honorio C. Flora, Jr.	-	- do -
Hon. Coun. Jose B. Sacramento	-	- do -
Hon. Coun. Welhelmino P. De Guzman (ABC)	-	- do -
Hon. Coun. Patricia Kara L.O. Sacramento (SKF)		

Absent:

Hon. Vice Mayor Ma. Helena A. Tolentino -
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MUNICIPAL ORDINANCE NO. 01
Series of 2005

"AN ORDINANCE GRANTING SPECIAL TRIMOBILE FRANCHISE TO BARANGAY CUCO OF PASACAO, CAMARINES SUR, PRESCRIBING LIMITATION OF AREAS COVERED AND PENALTIES FOR ANY VIOLATION THEREFOR "

Sponsor: HON. COUN. ELMER L. DELA ROSA
Chairman
Committee on Public Works & Utilities

BE IT ORDAINED by the Sangguniang Bayan of Pasacao, Camarines Sur:

ARTICLE I

SECTION 1. TITLE - This ordinance shall be known as the "Special Trimobile Franchises Ordinance of Pasacao, Camarines Sur."

SECTION 2, PURPOSE - This ordinance is enacted to prescribe the granting of Special Trimobile Franchises to Barangay Cuco, define its specific areas of operation and to provide penalties for violation therefore.

-p.t.o-

SECTION 3. SCOPE OF APPLICATION - This ordinance shall only apply to areas within the territorial jurisdiction of Barangays Bahay, Itulan and Cuco, Pasacao, Camarines Sur.

ARTICLE II

SECTION 4. DEFINITION OF TERMS - Terms as used in this ordinance shall mean:

- (a) Area of Operation - a particular Barangay or specific location and / or special route where the special motorized trimobile can legally operate;
- (b) All other definition of terms involving trimobiles, tricycles, motorized and non-motorized pedicabs / padyaks shall be based upon the definition of terms under the Code of Ordinances (Municipal Ordinance No. 03, Series of 2000).

SECTION 5. AREAS COVERED BY THIS SPECIAL FRANCHISE- The areas to be covered by this Special Franchise shall be limited only to the following designated areas, such as to wit:

- (a) From Municipal Poblacion Trimobile Terminal using the National Road to Junction of National Road towards Barangay Bahay, Itulan and Cuco and back.

SECTION 6. PROHIBITIONS

- (a) In no case shall these Special Trimobiles be allowed to operate and ply outside their authorized area of operations and routes unless the travel is an emergency case which endanger lives and limbs such as bringing patient to hospital, reporting an accident or crime incident to the PNP Command.
- (b) No special Franchise Trimobile Drivers will be allowed to drive this special franchised trimobile without first being accredited and registered by the Sangguniang Bayan.
- (c) From Municipal Poblacion Trimobile Terminal, these Special Franchised Trimobiles shall not pick-up passengers whose drop-off points shall be along the National Road to the junction towards Bahay-Itulan-Cuco Road and vice versa.
- d) All improvised and motorized padyaks/pedicabs plying the Cuco to Municipal Poblacion and Vice Versa Route shall no longer be allowed to transport passengers except only up to the junction of National Road and Cuco-Bahay Road from Cuco and Vice versa.

SECTION 7. COLOR CODE AND NUMBER OF UNITS- It is hereby authorized the issuance of Special Franchise for Fifteen (15) Special Motorized Trimobile Units which shall operate only on the Specific designated areas mentioned in Section 5 hereof.

<u>COLOR CODE</u>	<u>AREA OF OPERATION</u>	<u>AUTHORIZED ROUTE</u> <u>MEASURE CAPACITY (RMC)</u> <u>NO. OF UNITS</u>
GREEN	Barangay Cuco to Junction of National Road and towards the Municipal Poblacion Trimobile Terminal and Vice Versa	15

SECTION 8. REQUIREMENTS FOR SPECIAL FRANCHISE AND OPERATION - For the requirements in Franchising Registration, Qualification of applicants, Mayor's Permit, Passengers Rates, Trimobile Accessories, Fees and Charges, Driver's ID, Accreditation, and Violations, the pertinent provisions of Municipal Ordinance No. 3, Series of 2000 otherwise known as the Code of General Ordinances and of Municipal Ordinance No. 12, Series of 2002 otherwise known as the 2002 Revenue Code shall be followed.

SECTION 9. ASSOCIATION PRESIDENT RECOMMENDATION- All applications for Special Motorized Trimobile Operator's Franchise shall be recommended to the Sangguniang Bayan of Pasacao thru the Sangguniang Bayan Secretary in writing by its Special Trimobile Association President subject to the authorized Route Measure Capacity (RMC) assigned to the particular area of operation.

SECTION 10. PENALTIES. - Any driver and or operator of any special franchised motorized tricycle found violating any provision of this ordinance shall be penalized with a fine of Two Hundred (P 200.00) Pesos for the 1st Offense, Three Hundred (P300.00) Pesos for the 2nd Offense, and Five Hundred (P 500.00) Pesos for the 3rd Offense or an imprisonment of not less than one (1) month or both such fine and imprisonment upon the discretion of the court.

The violator at his option, may avail of the administrative fine on the following schedules:

- | | |
|------------------|---|
| - First Offense | - 25% of the fine |
| - Second Offense | - 50% of the fine |
| - Third Offense | - 75% of the fine |
| - Fourth Offense | - Revocation of the Mayor's Permit
and /or impounding of trimobile |

SECTION 11. SUPPLICATORY PROVISION. - This ordinance shall become supplementary to Municipal Ordinance No. 3, Series of 2000 otherwise known as the Code of General Ordinances of Pasacao and Municipal Ordinance No. 12, Series of 2002 otherwise known as the 2002 Revenue Code of Pasacao.

SECTION 12. EFFECTIVITY - This Ordinance shall take effect upon its approval and publication in a local newspaper.

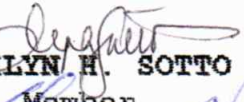
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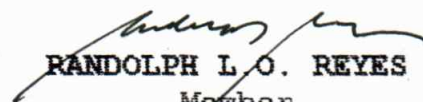
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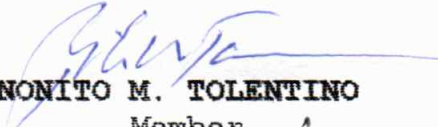
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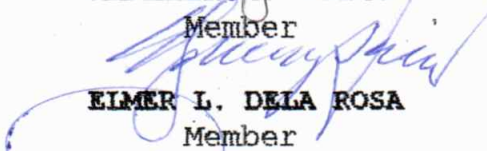
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WE HEREBY CERTIFY TO THE CORRECTNESS of the foregoing ordinance.


MARILYN H. SOTTO
Member



RANDOLPH L. O. REYES
Member


NONITO M. TOLENTINO
Member

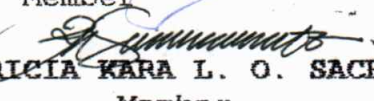

ELMER L. DELA ROSA
Member

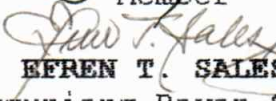

RANDY R. PANGANIBAN
Member


HONORIO C. FLORA, JR.
Member

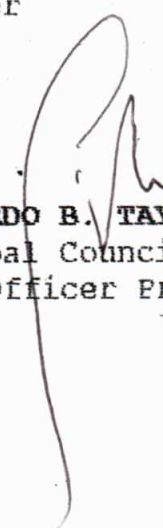

JOSE B. SACRAMENTO
Member


WELHELMINO P. DE GUZMAN (ABC)
Member


PATRICIA KARA L. O. SACRAMENTO (SKF)
Member

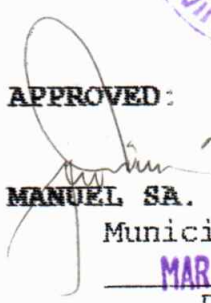

EFREN T. SALES
Sangguniang Bayan Secretary

ATTESTED BY:


EDGARDO B. TAYCO
Municipal Councilor /
Presiding Officer Pro-Tempore



APPROVED:


MANUEL SA. LEE-OLIVER, JR.
Municipal Mayor

MAR 16 2005

Date