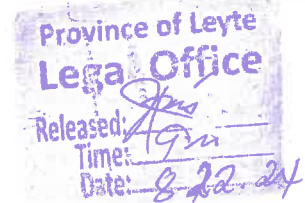


Item No.: 02

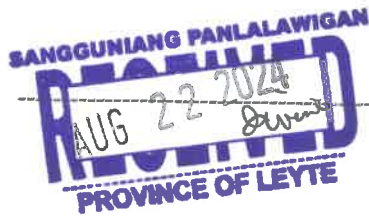
Date: 27 2024 AUG



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City



-oOo-



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 19, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-126 of the Sangguniang Bayan of Mayorga, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2024-126 entitled: “An Ordinance Amending Certain Provisions of Municipal Ordinance No.2017-91, entitled: An Ordinance Regulating the Operation of Motorized Tricycles in the Municipality of Mayorga, Leyte, Designating a Parking Area and Providing Penalties for Violations Thereof.

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 447 (1)(iii)¹ and (3)(vi)² of the Local Government Code of 1991(R.A 7160).

Likewise as settled in the case of Constantino v. Desierto 288 SCRA 654, it is within the power of the Local Council to repeal or amend its prior acts either expressly, or by the passage of an essentially inconsistent resolution. Hence, recommending the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *[Signature]*

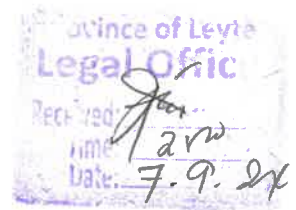
¹ Section 447(1)(iii) Approve ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both at the discretion of the court,

² Section 447(3)(vi) Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the municipality.

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
09 July 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2024-126** of the **MUNICIPALITY of MAYORGA, LEYTE**, entitled: **An Ordinance Amending Certain Provisions of Municipal Ordinance No. 2017-91, entitled: An Ordinance Regulating the Operation of Motorized Tricycles in the Municipality of Mayorga, Leyte, Designating a Parking Area and Providing Penalties for Violations Thereof.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Mayorga
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

04 July 2024

HON. LEONARDO M. JAVIER, JR.
Vice-Governor and Presiding Officer, and
THE HONORABLE MEMBERS
Sangguniang Panlalawigan
Province of Leyte
Leyte Provincial Government Complex
Palo, Leyte



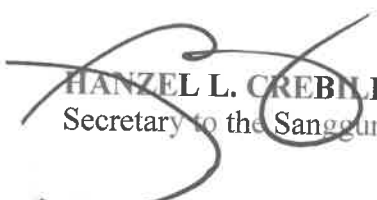
Sir:

Respectfully transmitting herewith to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Municipal Ordinance No. 2024-126 *entitled* "AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2017-91, ENTITLED: AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF MAYORGA, LEYTE, DESIGNATING A PARKING AREA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF." Subject ordinance is being forwarded to Honorable Body for review in compliance with Section 56 of Republic Act 7160.

Enclosed likewise are the Certification of Posting issued by this office and by the Barangay Chairmen of the sixteen (16) barangays of Mayorga, Leyte in compliance with Section 59 (b) of RA 7160.

Please find them in order. Your favorable action hereof is pure and simple dedication to serve.

Very truly yours,


HANZEL L. CREBILLO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Mayorga
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

04 July 2024

HON. LEONARDO M. JAVIER, JR.
Vice-Governor and Presiding Officer, and
THE HONORABLE MEMBERS
Sangguniang Panlalawigan
Province of Leyte
Leyte Provincial Government Complex
Palo, Leyte

SANGGUNIANG PANLALAWIGAN



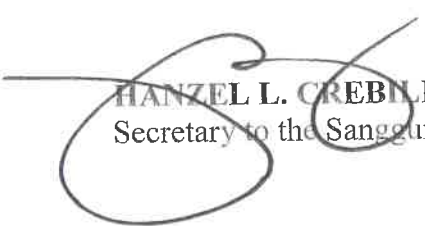
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Please find them in order. Your favorable action hereof is pure and simple dedication to serve.

Very truly yours,


HANZEL L. CREBILLO
Secretary to the Sanggunian



HANZEL L. CRIBILLO
Secretary to the Sanggunian

ATTESTED:

HON. SERGIO I. ZABALA
Municipal Vice-Mayor
Presiding Officer

HON. MARK CLOYD M. TAN-PIENGGCO
SB Member/Pro-Tempore

HON. JOSEPH A. AMANTE
SB Member

HON. JAIRO C. BELTRAN
SB Member/Floor Leader

HON. DOMINADOR D. TALLECER
SB Member

HON. CRISANTO C. CABAObAO, JR.
SB Member

HON. MIGUEL G. LUMPAS
SB Member

HON. HENRY B. LAGARTO
SB Member

HON. JERWIN R. SUGBO
SB Member

HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:

HON. ALEXANDER S. DE PAZ
Municipal Mayor

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 83rd REGULAR SESSION OF THE MEMBERS OF THE SANGGUNIANG BAYAN OF MAYORGA, LEYTE HELD AT THE SESSION HALL, LEGISLATIVE BUILDING MAYORGA, LEYTE ON MAY 6, 2024.

PRESENT:

HON.SERGIO I. ZABALA	- Municipal Vice Mayor Presiding Officer
HON.MARK CLOYD M. TAN-PIENGGCO	- SB Member/Pro Tempore
HON. JOSEPH A. AMANTE	- SB Member
HON.JAIRO C. BELTRAN	- SB Member/Floor Leader
HON. DOMINADOR D. TALLECER	- SB Member
HON. CRISANTO C. CABAObAO, JR.	- SB Member
HON. MIGUEL G. LUMPAS	- SB Member
HON. HENRY B. LAGARTO	- SB Member
HON. JERWIN R. SUGBO	- SB Member
HON. SOTERO G. ABRAHAN, JR.	- LnBP President Ex- Officio Member

ABSENT:

HON. NIÑA A. CADUCIO	- PnSK President Ex- Officio Member
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MUNICIPAL ORDINANCE NO. 2024-126

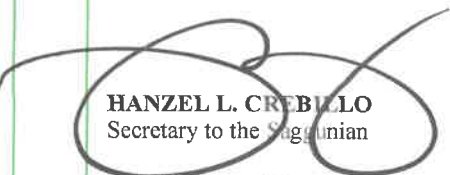
“AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2017-91, ENTITLED: AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF MAYORGA, LEYTE, DESIGNATING A PARKING AREA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.”

Sponsor: Hon. Henry B. Lagarto

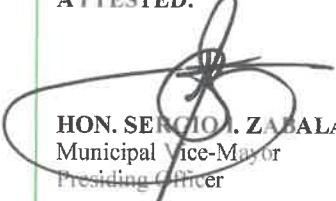
EXPLANATORY NOTE

WHEREAS, Section 447, 3(vi) of RA 7160 otherwise known as the Local Government Code of 1991, states that, the Sangguniang Bayan, subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the municipality;

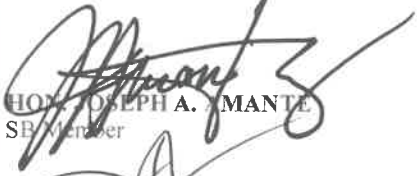
WHEREAS, it is the paramount duty of the Local Government to ensure the safety of both the riding public and the motorized tricycle operators/owners and its drivers in the conduct of public conveyances;


HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:



HON. SENCIO A. ZABALA
Municipal Vice-Mayor
Presiding Officer


HON. MARK CLOYD M. TAN-PIENGCO
SB Member/Pro-Tempore


HON. JOSEPH A. MANTE
SB Member


HON. JAIRO C. BELTRAN
SB Member Floor Leader

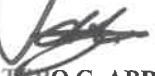

HON. DONADOR D. TALLECER
SB Member


HON. CRISANTO C. CABAObAO, JR.
SB Member


HON. MIGUEL G. LUMPAS
SB Member


HON. HENRY B. LAGARTO
SB Member


HON. JERWIN E. SUGBO
SB Member


HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:


HON. ALEXANDER S. DE PAZ
Municipal Mayor

WHEREAS, the local statute will further preserve the interest of the motorized tricycle operators and drivers and shall safeguard the interests of the public, in general;

WHEREAS, amid the continued price hikes in petroleum products being experienced by the public, a tricycle fare adjustment is in need in order to neutralize its adverse effect to our tricycle operators and drivers;

WHEREFORE, on motion of the **Honorable Henry B. Lagarto**, duly seconded by the **Honorable Jairo C. Beltran**; be it

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG BAYAN OF MAYORGA, IN SESSION ASSEMBLED, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, THAT:

SECTION 1. TITLE.

This Ordinance shall be known as the Revised Motorized Tricycles Operations Ordinance of Mayorga, Leyte.

SECTION 2. PURPOSE

- a. To promote orderly traffic rules and regulations.
- b. To preserve the interest of the motorized tricycle operators and drivers and safeguard the interest of the riding public.

SECTION 3. AUTHORITY

This Ordinance is enacted pursuant to the provisions of R.A. 7160 otherwise known as the Local Government Code of 1991 which mandates the LGU to adopt adequate measures to protect, safeguard and improve the quality of life for every Mayorgueño.

SECTION 4. DEFINITION OF TERMS

As used in this Ordinance, the following terms are hereby defined as follows:

- a. Motorized Tricycle – a motor vehicle propelled other than muscular power, composed of a motorcycle fitted with a single wheel sidecar or a motorcycle with two wheeled cab, operated to render transport services to the public for a fee;
- b. Electric Motorized Tricycle – a three-wheeled vehicle based on the same technology as a bicycle or motorcycle, powered by an electric motor;
- c. Motorized Tricycle Operators Permit (MTO) – a document granting permit to a person, natural or juridical, allowing him to render transportation service to the public for a fee with the use of a motorized tricycle within the territorial jurisdiction of Mayorga;

HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:

HON. SERGIO J. LABALA
Municipal Vice-Mayor
Presiding Officer

HON. MARK CLOYD M. TAN-PIENGCO
SB Member/Pro-Tempore

HON. JOSEPH A. AMANTE
SB Member

HON. JAIR O. BELTRAN
SB Member/Floor Leader

HON. DOMINADOR D. TALLECER
SB Member

HON. CRISANTO C. CABAUBAO, JR.
SB Member

HON. MICHAEL G. LUMPAS
SB Member

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SB Member

HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:

HON. ALEXANDER S. DE PAZ
Municipal Mayor

- d. Franchise – a privilege and right granted to a person, natural or juridical, to operate a motorized tricycle in rendering transportation service to the public for a fee within the territorial jurisdiction of Mayorga;
- e. Parking Area – a particular area or space for parking motorized tricycles as determined by the Sangguniang Bayan;
- f. Mayorga Tricycle Regulatory and Franchising Council - the governing body with regards to the operations of Tricycle for hire in the Municipality;
- g. MCH – Motorcab for Hire;
- h. Route Measured Capacity (RMC) – the theoretical basis of determining the demand for vehicles on any route.

SECTION 5. OPERATOR'S QUALIFICATIONS

Only Filipino citizens of legal age, or a juridical person, preferably residents of the Municipality of Mayorga, Leyte with roadworthy motorcycle with an equally roadworthy and sturdy sidecar are qualified to be operators of motorized tricycle for hire, subject for inspection by the Mayorga PNP for the issuance of a Police Number, including but not limited to the following physical requirements:

- a. Clean windshield;
- b. Garbage receptacle;
- c. Functional horn that does not emit exceptionally loud or startling sound;
- d. Functional two signal lights, front and back for turning right or left or for emergency purposes;
- e. Functional tail light, including license plate light;
- f. Top chain extending to the rear wheel;
- g. Functional white head light and functional red tail light, visible at least 50 meters from the front and rear of the tricycle and functioning under all weather conditions;
- h. Functional light installed inside the sidecar and kept lighted while plying a designated route;
- i. Fully-operational mufflers;
- j. Roadworthiness of the tricycle unit.

SECTION 6. OPERATING CONDITIONS

In the operation of their transportation business, the franchisee shall observe the following rules and regulations:

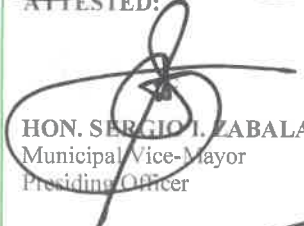
- a. Operators shall employ only drivers who are Filipinos of good moral character and duly Professional Licensed by the Land Transportation Office (LTO), to drive a motorized tricycle for hire;
- b. A tricycle for hire shall operate like a taxi service, that is, service rendered upon demand and without a fixed route within the Municipality but should not be allowed to carry passengers or goods or both, more than the capacity allowed under the existing traffic rules and regulations of the Municipality of Mayorga, Leyte;
- c. Operators who will use the designated parking area at the junction of Poblacion Zone I and Poblacion Zone III beside the basketball court shall paint the roof of their MCH with color yellow and the body with color red;
- d. Operators who will use the designated parking area at the junction of Poblacion Zone I and Poblacion Zone II going to La Paz shall paint the roof of their MCH with color yellow and the body with color apple green;
- e. Operators who will use the designated parking area at the junction of Barangay Union and Barangay Ormocay shall paint the roof of their MCH with color yellow and the body with color yellow green;
- f. A tricycle for hire must have two (2) pcs 1-foot long orange reflectorized sticker at the front and back of the unit;
- g. A tricycle for hire must indicate the name of the operator, address and contact number inside the unit;
- h. Electric Motorized Tricycle being applied for franchise shall follow the designated color assigned to a particular parking area where the operator wishes to join;
- i. The Driver's ID shall be displayed inside the unit visible to the passengers;

SECTION 7. AUTHORITY REQUIRED ON CERTAIN ACTS OF THE OPERATORS


Without authority from the Sangguniang Bayan, the operator shall not increase, decrease, transfer, drop and/or substitute units, as well as suspend operation for more than one (1) month unless such


HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:


HON. SERGIO I. ZABALA
Municipal Vice-Mayor
Presiding Officer


HON. MARK CLOYD M. TAN-PIENGCO
SB Member/Pro-Tempore


HON. JOSEPH A. AMANTE
SB Member


HON. JAIRON L. DELTRAN
SB Member/Floor Leader


HON. DOMINADOR D. TALLECER
SB Member


HON. CRISANTO C. CABAObAO, JR.
SB Member


HON. MIGUEL G. LUMPAS
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HON. HENRY B. LAGARTO
SB Member


HON. JERWIN R. BUGBO
SB Member


HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED


HON. ALEXANDER S. DE PAZ
Municipal Mayor

HANZEL L. CRIBILLO
Secretary to the Sanggunian

ATTESTED:

HON. SERGIO I. LABALA
Municipal Vice-Mayor
Presiding Officer

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SB Member

HON. SOTERIO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:

HON. ALEXANDER S. DE PAZ
Municipal Mayor

suspension of operation is due to major repair of the unit/s. In which case, notice shall be given to the Office of the Municipal Mayor for proper recording.

Abandonment or termination of its operation herein authorized shall be a cause for cancellation or forfeiture of said authority, in such case the owner or operator himself shall no longer be eligible for the Motorized Tricycle Operator's Permit (MTO).

Change or transfer of ownership of any unit/s herein authorized to operate shall be valid only upon approval of such application for transfer for a new franchise upon compliance of the requirements under this ordinance.

SECTION 8. PERIOD OR VALIDITY OF MTO AND FRANCHISE

A Franchise shall be valid only for three (3) years from the date of its issuance and renewable for another three (3) years upon expiration. An MTO shall be applied yearly within the first twenty (20) days of January by a franchisee. An MTO issued shall be subject to the conditions, among others, that the operator of the unit concerned shall register the same, as for hire, within one (1) month, otherwise, the said MTO shall be deemed cancelled or the corresponding penalty herein provided for in this ordinance be imposed against such operator. The LGU shall imprint the designated Police Number at the front and back of the unit having a white background with the size of 18x18 inches. Initial color for the Police Number is black and will change upon renewal of the MTO, to be determined by the Mayorga PNP.

SECTION 9. FARES

The Sangguniang Bayan shall have the power to fix, increase or decrease the fare rates for motorized tricycles. Said rates shall be chargeable within the Municipal proper or its immediate suburbs, to wit:

Barangay	Adult	Student	Senior Citizen
Mabini	30.00	20.00	20.00
Bonifacio	25.00	20.00	20.00
Talisay	50.00	40.00	40.00
Camansi	50.00	40.00	40.00
Calipayan	20.00	15.00	15.00
San Roque	20.00	15.00	15.00
Burgos	40.00	30.00	30.00
Luna	20.00	15.00	15.00
Liberty	25.00	20.00	20.00
Sta. Cruz	30.00	20.00	20.00
Union	40.00	30.00	30.00
Ormocay	60.00	50.00	50.00
Wilson	70.00	55.00	55.00
Zone 1	15.00	10.00	10.00
Zone 2	15.00	10.00	10.00
Zone 3	15.00	10.00	10.00

HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:

HON. SERGIO I. ZABALA
Municipal Vice-Mayor
Presiding Officer

HON. MARK CLOYD M. TAN-PIENCO
SB Member/Pro-Tempore

HON. JOSAPH A. AMANTE
SB Member

HON. JAIRO C. BELTRAN
SB Member/Minor Leader

HON. DOMINADOR D. TALLECER
SB Member

HON. CRISANTO C. CABAUBAO, JR.
SB Member

HON. MIGUEL G. LUMPAS
SB Member

HON. HENRY B. LACARTO
SB Member

HON. JERWIN F. SUGBO
SB Member

HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:

HON. ALEXANDER S. DE PAZ
Municipal Mayor

A printout of the MCH Fare Matrix must be displayed inside the unit.

SECTION 10. THE MAYORGA TRICYCLE FRANCHISING AND REGULATORY COUNCIL (MTFRC)

There shall be created a Mayorga Tricycle Franchising and Regulatory Council that will supervise and is authorized to implement rules and regulations approved by the Sangguniang Bayan and shall be composed of the following:

Chairperson : Municipal Mayor

Co-Chairperson : SB Chairman on Transportation and Communication

Members:

Municipal Engineer

Municipal Planning and Development Coordinator

Association President, MMODA

Association President, MAMODA

Association President, WOSOTODA

Municipal Treasurer

Business Permit and Licensing Officer

President, Liga ng mga Barangay

Chief of Police, PNP

Secretary to the Sangguniang Bayan

SECTION 11. POWERS, DUTIES AND FUNCTIONS OF THE MAYORGA TRICYCLE FRANCHISING AND REGULATORY COUNCIL.

The Mayorga Tricycle Franchising and Regulatory Council shall perform the following:

1. The council shall exercise quasi-judicial power to hear, modify and conduct hearings for the purpose of recommending suspension, revocation or cancellation to the Municipal Mayor of an MTOP of a motor tricycle operator for any violations stated in this ordinance;
2. Accept petitions for fare rate increase and recommend to the Sangguniang Bayan the amount of fares or adjusted fare; increases periodically, to be imposed in a particular zone or fixed route;
3. Recommend to the Sangguniang Bayan other reasonable fees and related charges in the regulation of tricycle-for-hire, after conducting a public hearing for that purpose;
4. Promulgate rules and regulations for the proper implementation of this Article which shall continue to be in full force and effect until revoked or modified by the Sangguniang Bayan;
5. Study, develop and recommend Tricycle Zones or Routes, Route Measured Capacity (RMC); designation of Color Scheme, Body Number and Tricycle Terminals.

HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:

HON. SERGIO J. ZABALA
Municipal Vice-Mayor
Presiding Officer

HON. MARK CLOYD M. TAN-PIENGGCO
SB Member/Pro-Tempore

HON. JOSEPH A. AMANTE
SB Member

HON. JAYED C. BELTRAN
SB Member/Floor Leader

HON. DONALDADOR D. TALLECER
SB Member

HON. CRISANTO C. CABAUBAO, JR.
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SB Member

HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:

HON. ALEXANDER S. DE PAZ
Municipal Mayor

6. In special or exceptional cases, the Municipal Mayor, thru the recommendation of the MTFRC, may deputize members of the Philippine National Police or traffic enforcers or barangay officials, who shall apprehend erring tricycle drivers, confiscate driver's license, issue Citation Tickets such as Ordinance Infraction Receipt or Ordinance Traffic Violation Receipt, and impound public tricycle;
7. Observe and certify election of officers of TODA/Tricycle Service Cooperative (TSC) and Federation of TODA/TSC;
8. Require TODA/Tricycle Service Cooperative to submit list of its members or franchise holders every month of July; and
9. Perform such other duties, powers and functions as may hereafter be authorized by the Sangguniang Bayan.

SECTION 12. RECORD KEEPING

All franchise granted by Mayorga Tricycle Regulatory Council shall have a complete record to be kept by the Business Permit and Licensing Office, who shall furnish a copy of the same to the Sangguniang Bayan.

SECTION 13. LIMIT ON THE ISSUANCE OF MTOP

Upon the recommendation of the Mayorga Tricycle Franchising and Regulatory Council, the Sangguniang Bayan shall have the power to increase or decrease the number of MTOP that may be issued for motorized and/or electric tricycle unit to operate in the Municipality of Mayorga, Leyte.

SECTION 14. FEES

There is hereby imposed the following fees valid for three (3) years upon date of issuance, to be paid to the Municipal Treasurer, this municipality, before any MTOP shall be issued:

- a. Franchise fee -
Php 1,000.00 per unit

For annual fees to be paid to the Municipal Treasurer, this municipality:

- a. Motorized Tricycle Operators Permit -
Php 700.00 per unit with Driver's ID

- b. Inspection fee -
Php 300.00 per unit

For special fees to be paid to the Municipal Treasurer, this municipality:

- a. Fare Adjustment fee for fare increase -
Php 300.00 per unit

HANZEL L. GREBILLO
Secretary to the Sanggunian

ATTESTED:

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HON. HENRY B. LAGARTO
SB Member

HON. JERWIN V. SUGBO
SB Member

HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:

HON. ALEXANDER S. DE PAZ
Municipal Mayor

- b. Filing Fee for Amendment of MTOP -
Php 200.00 per MTOP
- c. Filing Fee for Amendment of Franchise -
Php 500.00 per Franchise
- d. Filing Fee for Amendment of Franchise -
Php 200.00 per Franchise in case of death of
the Franchisee

There is hereby imposed a parking fee upon use of the designated parking area, to be paid to the Municipal Treasurer or his representative, this municipality:

- a. Parking Fee -
Php 10.00 per day

SECTION 15. PENALTY CLAUSE

The following acts or omissions shall subject the operator the corresponding surcharges or fines indicated therein:

- a. A fine of not less than Php 500.00 or an imprisonment of one (1) month, or both fine and imprisonment at the discretion of the court for Motorcab for hire (MCH) without a valid Motorized Tricycle Operator's Permit (MTO).
- b. A surcharged of Php 150.00 plus a monthly interest of 5% of all fees mentioned in Section 14 of this ordinance shall be imposed upon holders of MTO who fails to renew on time.
- c. A penalty of Php 200.00 shall be imposed upon MCH operators who fail to register his motorized tricycle unit, as for hire, with the Land Transportation Office (LTO) within one (1) month after the issuance of its MTO.
- d. A fine of Php 500.00 shall be imposed upon motorized tricycle operators who shall hire or allow their units to be driven by persons without the proper valid driver's license.
- e. A fine of Php 1,000.00 and cancellation of the operator's franchise if found to have used one or single police number to two (2) or more units allowing others to use his police number.
- f. A fine of Php 1,000.00 should the operator or owner of the franchise fail to notify in writing the Sangguniang Bayan of any change, transfer, dropping or substitution of any of his units as provided for under Section 7 hereof, within thirty (30) days from such change, transfer, dropping or substitute.

SECTION 16. DRIVER'S LIABILITIES.

A fine of Two Hundred Pesos (Php 200.00) shall be imposed upon motorized tricycle drivers who shall commit the following acts:

- a. For refusing to render transport service without any valid or justifiable reasons;
- b. For carrying passengers or goods or both more than the capacity for which a motorized tricycle is ordinarily designated. Which is six (6) persons including the driver or three hundred (300) kilograms equivalent load capacity for goods;
- c. For carrying passengers in an arrogant, discourteous or reckless manner;
- d. For driving in the influence of liquor and/or prohibited drugs;
- e. For wearing *sando* or sleeveless while rendering transportation service;
- f. Overcharging of fare;

In case of third violation in any of the aforementioned acts or omissions, a fine of Php 1,000.00 shall be imposed upon the driver, and upon the operator, the suspension of his authority or franchise for a period of not exceeding six (6) months.

SECTION 17. CIVIL REMEDIES.

To assure the payments of all fees, fines or penalties imposed by this ordinance, the motorized tricycles involved of the erring operator shall be impounded and shall be released only until such fees or penalties are duly paid. An impounding fee of Php 50.00 per day, per unit shall be collected.

SECTION 18. CANCELLATION OF MTOP.

The Mayorga Tricycle Regulatory and Franchising Council may recommend to the Municipal Mayor to revoke or cancel an MTOP on the following grounds:

1. Making false statements and informations in the application;
2. Drunkenness of the driver;
3. If the unit, for which it has been issued, is no longer roadworthy or its sidecar dilapidated or for other justifiable reasons for which would promote the safety and best interest of the riding clientele, in particular and the public in general.


HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:


HON. SERGIO L. ZABALA
Municipal Vice-Mayor
Presiding Officer


HON. MARK CLOYD M. TAN-PIENGCO
SB Member/Pro-Tempore


HON. JOSEPH A. AMANTE
SB Member


HON. JAIRO C. BELTRAN
SB Member/Floor Leader


HON. DOMINADOR D. TALLECER
SB Member


HON. CRISANTO C. CABAObAO, JR.
SB Member


HON. MIGUEL G. LUMPAS
SB Member


HON. HENRY B. LAGARTO
SB Member


HON. JERWIN R. SUGIO
SB Member


HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:


HON. ALEXANDER S. DE PAZ
Municipal Mayor

ATTESTED:


HON. SERCIO I. ZABALA
Municipal Vice-Mayor
Presiding Officer


HON. MARK CLOYD M. TAN-PIENGCO
SB Member/Pro-Tempore



HON. JOSEPH A. MANTE
SB Member


HON. JAIME C. BELTRAN
SB Member/Door Leader



HON. DOMINADOR D. TALLECER
SB Member


HON. CRISANTO C. CABAObAO, JR.
SB Member


HON. MIGUEL G. LUMPAS
SB Member


HON. HENRY B. LAGARTO
SB Member


HON. JERWIN R. SUGBO
SB Member


HON. SOTERO G. ABRAHAN, JR.
LnBP President/Ex-Officio Member

APPROVED:


HON. ALEXANDER S. DE PAZ
Municipal Mayor

SECTION 19. PERSON LIABLE IN CASE OF JURIDICAL ENTITY.

The person managing the operation of the Motorized Tricycle service shall be liable for the payment of all fees, fines and penalties and other liabilities and may be subject to imprisonment for the violation of any of the provisions of this ordinance.

SECTION 20. DESIGNATION OF TEMPORARY TERMINAL PARKING AREA.

Motorized Tricycles with MTOP are authorized to park their units at the junction of Poblacion Zone I and Poblacion Zone II going to La Paz, the junction of Poblacion Zone I and Poblacion Zone III beside the basketball court and the junction of Barangay Union and Barangay Ormocay as their designated temporary terminal parking area.

SECTION 21. SEPARABILITY CLAUSE

If any provision of this Ordinance or any part thereof be declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue in full force and effect.

SECTION 22. APPLICABILITY CLAUSE

All other matters related to the impositions of this ordinance shall be governed by the pertinent provisions of existing laws and other ordinances.

SECTION 23. REPEALING CLAUSE

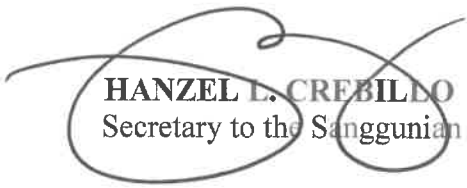
All ordinances, resolutions, executive orders or regulations and other issuances inconsistent with the provisions and/or purposes of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 24. EFFECTIVITY CLAUSE.

This ordinance shall take effect upon approval by the Sangguniang Panlalawigan of Leyte.

UNANIMOUSLY APPROVED. MAY 6, 2024.

I **HEREBY CERTIFY** to the correctness of the foregoing Ordinance, which was duly approved by the Sangguniang Bayan during its Regular Session, held on May 6, 2024.


HANZEL L. CREBILLO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Mayorga
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

April 4, 2024


NOTICE OF PUBLIC HEARING

TO THE GENERAL PUBLIC

As part of the legislative process, the Committee on Communication and Transportation will hold a Public Hearing on **April 19, 2024, Friday, 9:00 o'clock in the morning** at the Municipal Gymnasium, Mayorga Leyte purposely to discuss the following proposed Municipal Ordinance:

- 1. "AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2017-91, ENTITLED: AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF MAYORGA, LEYTE, DESIGNATING A PARKING AREA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF."**

All persons having an interest in this matter are hereby invited to attend and have the opportunity to express your views, comments and recommendations on the matter.


HON. HENRY B. LAGARTO
Chairman
Committee on Communication and
Transportation



Republic of the Philippines
Province of Leyte
Municipality of Mayorga



OFFICE OF THE SANGGUNIANG BAYAN

“PUBLIC HEARING”

“AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2017-91: AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF MAYORGA, LEYTE, DESIGNATING A PARKING AREA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.”

ATTENDANCE SHEET





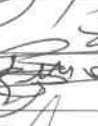

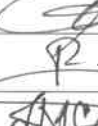

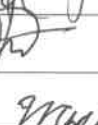


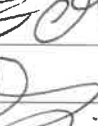
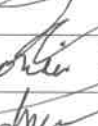

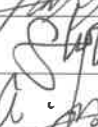


Municipal Gymnasium, Mayorga, Leyte
April 19, 2024- 9:00 AM

NAME

SIGNATURE

Hon. Henry B. Lagarto	<i>[Signature]</i>
Hon. Dominador D. Tallecer	<i>[Signature]</i>
Hon. Mark Lloyd M. Tan-piengco	<i>[Signature]</i>
Hon. Jairo C. Beltran	<i>[Signature]</i>
Hon. Miguel G. Lumpas	<i>[Signature]</i>
MARVIN C. TABUYAN	<i>[Signature]</i>
RENATO B CERRO	<i>[Signature]</i>
Ricky C. MAURILLO	<i>[Signature]</i>
Carmelo G. COMORA	<i>[Signature]</i>
Noel A. Simbatio	<i>[Signature]</i>
<i>[Signature]</i>	<i>[Signature]</i>
OSCAR B. ASMOLD JR	<i>[Signature]</i>
<i>[Signature]</i>	<i>[Signature]</i>
LITO Cubillo	<i>[Signature]</i>
Joelito Tallecer	<i>[Signature]</i>
Roberto Caorde	<i>[Signature]</i>
ROMEO MATOL	<i>[Signature]</i>
TEOMILO SILVANO	<i>[Signature]</i>
ARIEL A. BAUTISTA	<i>[Signature]</i>
RENATO A CINCO	<i>[Signature]</i>
RAUL G. DE PABO, JR	<i>[Signature]</i>
ANTONIO GACUSMO	<i>[Signature]</i>
ANTONIO ABRON	<i>[Signature]</i>

CLEMENTE D. PALACIO
GILBERTO DQUING
JOEL CABERO
VILLARMINO VIRGILIO
DIOMEDES R. REDUBAN
Romulo Fernandez
MICHAEL LAUZON
Leolito R. Bermudez
EDUARDO LUMPAZ,
Eddie I. GUITON
NICASOR BAYLON
GERARDO M. PELIAS
EDDIE DEMETRIO
RONIL OLAVE
Joseph M. Capongul
Welfredo ESTER
Noel P. Calypaz
ROBERTO DE LEON
MARCOS LAYOLIT
FRANCISCA
Romulo Gaddacon
Nicandro Babiano
PAMIL A. DEL ROSARIO
EDMAR A. DE PAZ
RODOLFO R. ACALA
ROMEO M. GARCIA JR.
RONIE FERNANDEZ
Maio P. VerLupio
Aurelio G. Manacpa
MARIO CRABILLO
JUSTIN MIGUEL CRUZ
ERNESTO SERRANO
Luis Lagana
Joel H. Calubay
JOY V. BERGARA

LEONILLO BAYLON

Jesiel Fleming

JONATHAN H. DURAN

Inigo X. Naparate Jr.

ERLEN ROSARIO

JOAN RESMA

LOLITA E. LAUZON

SERVINO CRISPULO

FEDRICO FESTILIX

Edgardo Calubog

Benjamin F. Palcan

SUTHER L. PAYMOND

Georga y Dampa

MARLO LAUZON

Erar Jervano

Paul Abancos Jr.

YIFONS & DUETRA

ANTONIO A. CAPODOL

RENATO ADARAGAN

LW S. SOLYARDON

Panab's admirab

ARIEL M. CABAODAG

VIRGINIO G. VERTULFO

MILTO FERINAY

ORNEL TANDOR

GLEEN DE SUR

CAMELO RIVERO

NELSON O. LAUZON

PESTILLOS JONARD R

JEFFREY H. RUIZAN

Angie Villamor

Angel A. Torres

Aira Mae S. Serillano

Ernesto Vertulfo

ALPINO, CARL C.

Jonathan

Duran

Joan

Resma

Lolita

Lauzon

Abancos Jr.

Paul

Yifons

LUMPAS JUN C.

Ma. Jasmin Pestilos

ALIN DIB T. DE PAZ

FRANLIN ZABALA





Republic of the Philippines
Province of Leyte
Municipality of Mayorga
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION OF POSTING

THIS IS TO CERTIFY that pursuant to section 59, chapter 3, Title Two, Book I of the Local Government Code of 1991, the undersigned had caused the posting of copies of Municipal Ordinance No. 2024-126 *entitled* **“AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2017-91, ENTITLED: AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF MAYORGA, LEYTE, DESIGNATING A PARKING AREA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF,”** which was approved by the Sangguniang Bayan on May 6, 2024 were actually posted on June 11, 2024 at the bulletin board of the Office of the Sangguniang Bayan, entrance of the Municipal Hall, and conspicuous place in all Barangay Halls and waiting sheds of the 16 barangays and the same was remain posted of not less than three (3) weeks therefrom.

Signed this 2nd day of July 2024 at the Office of the Sangguniang Bayan of Mayorga, Leyte.


HANZEL L. CREBILLO
Secretary to the Sanggunian


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Union
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

CERTIFICATION OF POSTING

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Signed this 2nd day of July 2024 at Barangay Union Mayorga, Leyte.


HON. SOTERO G. ABRAHAN, JR.
Barangay Chairman

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Ormocay
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

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Signed this 2nd day of July 2024 at Barangay Ormocay Mayorga, Leyte.


HON. ZOSIMO A. ALPINO III
Barangay Chairman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Sta. Cruz
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

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Signed this 2nd day of July 2024 at Barangay Sta. Cruz Mayorga, Leyte.


HON. FLORENCIO A. LUZADIO, JR.
Barangay Chairman

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay A. Mabini
-oOo-

OFFICE OF THE BARANGAY CHAIRWOMAN

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Signed this 2nd day of July 2024 at Barangay A. Mabini Mayorga, Leyte.



HON. FE A. TENEBRO
Barangay Chairwoman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Liberty
-oOo-

OFFICE OF THE BARANGAY CHAIRWOMAN

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Signed this 2nd day of July 2024 at Barangay Liberty Mayorga, Leyte.


HON. MENCHU J. ESTAS
Barangay Chairwoman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Gen. A. Luna
-oOo-

OFFICE OF THE BARANGAY CHAIRWOMAN

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Signed this 2nd day of July at Barangay Gen. A. Luna Mayorga, Leyte.


HON. MARILYN C. DE PAZ
Barangay Chairwoman

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Wilson
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

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Signed this 2nd day of July 2024 at Barangay Wilson Mayorga, Leyte.


HON. ROLAND V. SONELO
Barangay Chairman

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Calipayan
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

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Signed this 2nd day of July 2024 at Barangay Calipayan Mayorga, Leyte.


HON. DARIO S. ISAIAS
Barangay Chairman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Poblacion Zone I
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

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Signed this 2nd day of July 2024 at Poblacion Zone I Mayorga, Leyte.


HON. MANUEL L. PESTILOS
Barangay Chairman

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Camansi
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

CERTIFICATION OF POSTING

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Signed this 2nd day of July 2024 at Barangay Camansi Mayorga, Leyte.



HON. JOBERT D. LOPEZ
Barangay Chairman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay A. Bonifacio
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

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Signed this 2nd day of July 2024 at Barangay A. Bonifacio Mayorga, Leyte.


HON. NELSON L. SUPERIO
Barangay Chairman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Talisay
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

CERTIFICATION OF POSTING

THIS IS TO CERTIFY that copies of Municipal Ordinance No. 2024-126 *entitled* “**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2017-91, ENTITLED: AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF MAYORGA, LEYTE, DESIGNATING A PARKING AREA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF,**” which was approved by the Sangguniang Bayan on May 6, 2024 were actually posted on June 11, 2024 in conspicuous place in the Barangay Hall and Waiting Sheds of Barangay Talisay and the same was remain posted of not less than three (3) weeks therefrom.

Signed this 2nd day of July 2024 at Barangay Talisay Mayorga, Leyte.



HON. JOY E. BOLLENA
Barangay Chairman

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Poblacion Zone III
-oOo-

OFFICE OF THE BARANGAY CHAIRWOMAN

CERTIFICATION OF POSTING

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Signed this 2nd day of July 2024 at Poblacion Zone III Mayorga, Leyte.


HON. EVELYN C. SIMBORIO
Barangay Chairwoman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay Burgos
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

CERTIFICATION OF POSTING

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Signed this 2nd day of July 2024 at Barangay Burgos Mayorga, Leyte.


HON. JOLIE S. CLEMENCIO
Barangay Chairman


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Barangay San Roque
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

CERTIFICATION OF POSTING

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Signed this 2nd day of July 2024 at Barangay San Roque Mayorga, Leyte.


HON. CAMILO L. ALABAN
Barangay Chairman

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mayorga
Poblacion Zone II
-oOo-

OFFICE OF THE BARANGAY CHAIRMAN

CERTIFICATION OF POSTING

THIS IS TO CERTIFY that copies of Municipal Ordinance No. 2024-126 *entitled* “**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2017-91, ENTITLED: AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF MAYORGA, LEYTE, DESIGNATING A PARKING AREA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF,**” which was approved by the Sangguniang Bayan on May 6, 2024 were actually posted on June 11, 2024 in conspicuous place in the Barangay Hall and Waiting Sheds of Barangay Poblacion Zone II and the same was remain posted of not less than three (3) weeks therefrom.

Signed this 2nd day of July 2024 at Poblacion Zone II Mayorga, Leyte.


HON. ISRAEL C. LUMPAS
Barangay Chairman



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 58th REGULAR SESSION OF THE MEMBERS OF THE SANGGUNIANG BAYAN OF MAYORGA, LEYTE HELD AT THE SESSION HALL LEGISLATIVE BUILDING MUNICIPAL COMPOUND MAYORGA, LEYTE ON SEPTEMBER 25, 2017.

PRESENT:

HON. JAIRO C. BELTRAN	- Municipal Vice Mayor Presiding Officer
HON. WENCESLAO T. VELASCO JR.	- SB Member/Pro Tempore
HON. CRISANTO C. CABAObAO JR.	-SB Member
HON. JOSELITO V. COCHERO	- SB Member
HON. SERGIO I. ZABALA	- SB Member
HON. JOSEPH A. AMANTE	- SB Member
HON. WENCESLAO C. SUGBO	- SB Member
HON. MARILOU D. SABUSAP	- SB Member/Floor Leader
HON. JEFFREY P. CABAObAO	- SB Member
HON. REBECCA B. VILLAMOR	- ABC President

MUNICIPAL ORDINANCE NO. 2017-91

**“AN ORDINANCE REGULATING THE OPERATION OF
MOTORIZED TRICYCLES IN THE MUNICIPALITY OF
MAYORGA, LEYTE, DESIGNATING A PARKING AREA
AND PROVIDING PENALTIES FOR VIOLATIONS
THEREOF.”**

Sponsor: Hon. Wenceslao T. Velasco, Jr.

EXPLANATORY NOTE

WHEREAS, Section 447, 3(vi) of RA 7160 otherwise known as the Local Government Code of 1991, states that “the Sangguniang Bayan, subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the municipality;

WHEREAS, it is the paramount duty of the Local Government to ensure the safety of the both the riding public and the motorized tricycle operators/owners and its drivers in the conduct of public conveyances;

WHEREAS, the local statute will further preserve the interest of the motorized tricycle operators and drivers and shall safeguard the interests of the public, in general;

HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:

HON. JAIRO C. BELTRAN
Municipal Vice Mayor
Presiding Officer

HON. WENCESLAO T. VELASCO JR.
SB Member/Pro Tempore

HON. CRISANTO C. CABAObAO JR.
SB Member

HON. JOSELITO V. COCHERO
SB Member

HON. SERGIO I. ZABALA
SB Member

HON. JOSEPH A. AMANTE
SB Member

HON. WENCESLAO C. SUGBO
SB Member

HON. MARILOU D. SABUSAP
SB Member/Floor Leader

HON. JEFFREY P. CABAObAO
SB Member

HON. REBECCA B. VILLAMOR
ABC President

APPROVED:

HON. VALENTE O. ADOLFO
Municipal Mayor

HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:

HON. JAIRO C. BELTRAN
Municipal Mtr-Mayor
Presiding Officer

HON. WENCESLAO T. VELASCO JR.
SB Member/Pro Tempore

HON. CRISANTO C. CABAUBAO JR.
SB Member

HON. JOSELITO V. COCHERO
SB Member

HON. SERGIO I. ZABALA
SB Member

HON. JOSEPH A. AMANTE
SB Member

HON. WENCESLAO C. SUGBO
SB Member

HON. MARILOU D. SABUSAP
SB Member/Floor Leader

HON. JEFFREY P. CABAUBAO
SB Member

HON. REBECCA B. VILLAMOR
ABC President

APPROVED:

HON. VALENTE O. ADOLFO
Municipal Mayor

WHEREFORE, on motion of the **Honorable Joseph A. Amante**, duly seconded by the **Honorable Joselito V. Cochero**; be it

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Mayorga in session to enact this Ordinance:

SECTION 1. TITLE.

This Ordinance shall be known as the Motorized Tricycles Operations Ordinance of Mayorga, Leyte.

SECTION 2. PURPOSE

- A. To promote orderly traffic rules and regulations.
- B. To preserve the interest of the motorized tricycle operators and drivers and safeguard the interest of the riding public.

SECTION 3. AUTHORITY

This Ordinance is enacted pursuant to the provisions of R.A. 7160 otherwise known as the Local Government Code of 1991 which mandates the LGU to adopt adequate measures to protect, safeguard and improve quality of life for every Mayorgueño.

SECTION 4. DEFINITION OF TERMS

- a. Motorized Tricycle – a motor vehicle propelled other than muscular power, composed of a motorcycle fitted with a single wheel sidecar or a motorcycle with two wheeled cab, operated to render transport services to the public for a fee;
- b. Motorized Tricycle Operators Permit (MTO) – a document granting permit to a person, natural or juridical, allowing him to render transportation service to the public for a fee with the use of a motorized tricycle within the territorial jurisdiction of Mayorga;
- c. Franchise – a privilege and right granted to a person, natural or juridical, to operate a motorized tricycle in rendering transportation service to the public for a fee within the territorial jurisdiction of Mayorga;
- d. Parking Area – a particular area or space for parking motorized tricycles as determined by the Sangguniang Bayan;

SECTION 5. OPERATOR'S QUALIFICATIONS

Only Filipino citizens of legal age, or a juridical person, preferably residents of the Municipality of Mayorga, Leyte with roadworthy motorcycle with an equally roadworthy and sturdy sidecar are qualified to be operators of motorized tricycle for hire;

HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:

HON. JAMES C. BELTRAN
Municipal Vice-Mayor
Presiding Officer

HON. WENCESLAO T. VELASCO JR.
SB Member/Pro Tempore

HON. CRISANTO C. CABAUBAO JR.
SB Member

HON. JOSELITO V. COCHERO
SB Member

HON. SERGIO I. ZABALA
SB Member

HON. JOSEPH A. AMANTE
SB Member

HON. WENCESLAO C. SUGBO
SB Member

HON. MARILOU D. SABUSAP
SB Member/Floor Leader

HON. JEFFREY P. CABAUBAO
SB Member

HON. REBECCA B. VILLAMOR
ABC President

APPROVED:

HON. VALENTE O. ADOLFO
Municipal Mayor

SECTION 6. OPERATING CONDITIONS

In the operation of their transportation business, the franchise shall observe the following rules and regulations:

- a. Operators shall employ only drivers who are Filipinos of good moral character and duly Licensed by the Land Transportation Office (LTO), to drive a motorized tricycle for hire;
- b. A tricycle for hire shall operate like a taxi service, that is, service rendered upon demand and without a fixed route within the Municipality but should not be allowed to carry passengers or goods or both, more than the capacity allowed under the existing traffic rules and regulations of the Municipality of Mayorga, Leyte;

SECTION 7. AUTHORITY REQUIRED ON CERTAIN ACTS OF THE OPERATORS

Without authority from the Sangguniang Bayan, the operator shall not increase, decrease, transfer, drop and/or substitute units, as well as suspend operation for more than one (1) month unless such suspension of operation is due to major repair of the unit/s. In which case, notice shall be given to the Office of the Municipal Mayor for proper recording.

Abandonment or termination of its operation herein authorized shall be a cause for cancellation or forfeiture of said authority, in such case the owner or operator himself shall no longer eligible for the Motorized Tricycle Operator's Permit (MTO).

Change or transfer of ownership of any unit/s herein authorized to operate shall be valid only upon approval of such application for transfer for a new franchise upon compliance of the requirements under this ordinance.

SECTION 8. PERIOD OR VALIDITY OF MTO

An MTO shall be valid only within one (1) year from the date of issuance but renewable for the same length of time on the anniversary date of issuance. An MTO issued shall be subject to the conditions, among others, that the operator of the unit concerned shall register the same, as for hire, within one (1) month, otherwise, the said MTO shall be deemed cancelled or the corresponding penalty herein provided for in this ordinance be imposed against such operator.

SECTION 9. FARES

The Sangguniang Bayan shall have the power to fix, increase or decrease the fare rates for motorized tricycles. Said rates shall be chargeable within the Municipality proper or its immediate suburbs, to wit:

HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:

HON. JAYRO C. BELTRAN
Municipal Vice-Mayor
Presiding Officer

HON. WENCESLAO T. VELASCO JR.
SB Member/Pro Tempore

HON. CRISANTO C. CABAUBAO JR.
SB Member

HON. JOSELITO V. COCHERO
SB Member

HON. SERGIO I. ZABALA
SB Member

HON. JOSEPH A. AMANTE
SB Member

HON. WENCESLAO C. SUGBO
SB Member

HON. MARILOU D. SABUSAP
SB Member/Floor Leader

HON. JEFFREY T. CABAUBAO
SB Member

HON. REBECCA B. VILLAMOR
ABC President

APPROVED:

HON. VALENTE O. ADOLFO
Municipal Mayor

	Adult	Student	Senior Citizen
Mabini	20.00	10.00	15.00
Bonifacio	15.00	10.00	10.00
Talisay	30.00	15.00	15.00
Camansi	30.00	15.00	15.00
Calipayan	10.00	5.00	8.00
San Roque	10.00	5.00	8.00
Burgos	15.00	5.00	10.00
Luna	10.00	5.00	8.00
Liberty	15.00	5.00	10.00
Sta. Cruz	15.00	5.00	10.00
Union	25.00	5.00	20.00
Ormocay	40.00	20.00	30.00
Wilson	40.00	20.00	30.00
Zone 1	5.00	5.00	4.00
Zone 2	5.00	5.00	4.00
Zone 3	5.00	5.00	4.00

SECTION 10. LIMIT ON THE ISSUANCE OF MTOP

The Sangguniang Bayan shall likewise have the power to increase or decrease the number of MTOP that may be issued for motorized tricycle unit to operate in the Municipality of Mayorga, Leyte.

SECTION 11. FEES

There is hereby imposed the following fees, to be paid to the Municipal Treasurer, this municipality, before any MTOP shall be issued:

- Franchise fee - Php 500.00 per unit.
- Supervision fee - Php 100.00 per unit.
- Confirmation fee - Php 100.00 per unit.

For annual fees to be paid to the Municipal Treasurer, this municipality:

- Motorized Tricycle Operators Permit (MTOP) - Php 300.00 per unit

For special fees to be paid to the Municipal Treasurer, this municipality:

- Fare Adjustment fee for fare increase - Php 100.00 per unit
- Filing Fee for Amendment of MTOP - Php 100.00 per MTOP

There is hereby imposed a parking fee upon use of the designated parking area, to be paid to the Municipal Treasurer or his representative, this municipality:

- Parking Fee - Php 5.00 per day

SECTION 12. PENALTY CLAUSE

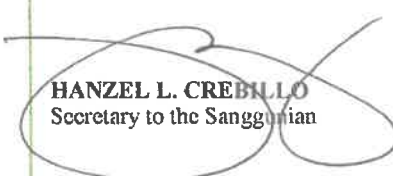
The following acts or omissions shall subject the operator the corresponding surcharges or fines indicated therein:

- a. A fine of not less than Php 500.00 or an imprisonment of one (1) month, or both fine and imprisonment at the discretion of the court for Motorcab for hire (MCH) without a valid Motorized Tricycle Operator's Permit (MTO).
- b. A surcharged of Php 150.00 plus a monthly interest of 5% of all fees mentioned in Section 11 of this ordinance shall be imposed upon holders of MTO shall fail renew the same month after its anniversary date of issuance.
- c. A penalty of Php 200.00 shall be imposed upon MCH operators who fail to register his motorized tricycle unit, as for hire, with the Land Transportation Office (LTO) within one (1) month after the issuance of its MTO.
- d. A fine of Php 500.00 shall be imposed upon motorized tricycle operators who shall hire or allow their units to be driven by persons without the proper valid driver's license.
- e. A fine of Php 1,000.00 and cancellation of the operator's franchise if found to have used one or single police number to two (2) or more units allowing others to use his police number.
- f. A fine of Php 1,000.00 should the operator or owner of the franchise fail to notify in writing the Sangguniang Bayan of any change, transfer, dropping or substitution of any of his units as provided for under Section 7 hereof, within thirty (30) days from such change, transfer, dropping or substitute.


SECTION 13. DRIVER'S LIABILITIES.

A fine of Two Hundred Pesos (Php 200.00) and four (4) hours community service, shall be imposed upon motorized tricycle drivers who shall commit the following acts:


- a. For refusing to render transport service without any valid or justifiable reasons;
- b. For carrying passengers or goods or both more than the capacity for which a motorized tricycle is ordinarily designated. Which is six (6) persons including the driver or three hundred (300) kilograms equivalent load capacity for goods;
- c. For carrying passengers in an arrogant, discourteous or reckless manner;
- d. For driving in the influence of liquor and/or prohibited drugs;
- e. For wearing *sando* or sleeveless while rendering transportation service;


HANZEL L. CREBILLO
Secretary to the Sanggunian

ATTESTED:


HON. VALERO C. BELTRAN
Municipal Vice-Mayor
Presiding Officer


HON. WENCESLAO T. VELASCO JR.
SB Member/Pro Tempore


HON. CRISANTO C. CABAObAO JR.
SB Member


HON. JOSELITO V. COCHERO
SB Member


HON. SERGIO T. ZABALA
SB Member


HON. JOSEPH A. AMANTE
SB Member


HON. WENCESLAO C. SUGBO
SB Member


HON. MARILOU D. SABUSAP
SB Member/Floor Leader


HON. JEFFREY P. CABAObAO
SB Member


HON. REBECCA B. VILLAMOR
ABC President

APPROVED:


HON. VALENTE O. ADOLFO
Municipal Mayor

HANZEL L. CREBILLO
Secretary to the Sanggunian


ATTESTED:



HON. JAIRO C. BELTRAN
Municipal Vice Mayor
Presiding Officer


HON. WENCESLAO T. VELASCO JR.
SB Member/Pro Tempore


HON. CRISANTO C. CABAObAO JR.
SB Member


HON. JOSELITO V. COCHERO
SB Member


HON. SERGIO I. ZABALA
SB Member


HON. JOSEPH A. AMANTE
SB Member


HON. WENCESLAO C. SUGBO
SB Member


HON. MABILOU D. SABUSAP
SB Member/Floor Leader


HON. JEFFREY P. CABAObAO
SB Member


HON. REBECCA B. VILLAMOR
ABC President

APPROVED:


HON. VALENTE O. ADOLFO
Municipal Mayor

In case if third violation of any of the aforementioned acts or omissions, a fine of Php 1,000.00 shall be imposed upon the driver, and upon the operator, the suspension of his authority or franchise for a period of not exceeding six (6) months.

SECTION 14. CIVIL REMEDIES.

To assure the payments of all fees, fines or penalties imposed by this ordinance, the motorized tricycles involved of the erring operator shall be impounded and shall be released only until such fees or penalties are duly paid. An impounding fee of Php 50.00 per day, per unit shall be collected.

SECTION 15. CANCELLATION OF MTOP.

The Municipal Mayor may revoke or cancel an MTOP if the unit, for which it has been issued, is no longer roadworthy or its sidecar dilapidated or for other justifiable reasons for which would promote the safety and best interest of the riding clientele, in particular and the public in general.

SECTION 16. PERSON LIABLE IN CASE OF JURIDICAL ENTITY.

The person managing the operation of the Motorized Tricycle service shall be liable for the payment of all fees, fines and penalties and other liabilities and may be subject to imprisonment for the violation of any of the provisions of this ordinance.

SECTION 17. DESIGNATION OF PARKING AREA.

Motorized Tricycles with MTOP are authorized to park their units at the junction of Poblacion Zone I and Poblacion Zone II going to La Paz and the junction of Poblacion Zone I and Poblacion Zone III beside the basketball court as their designated parking area.

SECTION 18. SEPARABILITY CLAUSE

If any provision of this Ordinance or any part thereof be declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue in full force and effect.

SECTION 19. APPLICABILITY CLAUSE

All other matters related to the impositions of this ordinance shall be governed by the pertinent provisions of existing laws and other ordinances.

SECTION 20. REPEALING CLAUSE

All ordinances, resolutions, executive orders or regulations and other issuances inconsistent with the provisions and/or purposes of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 21. EFFECTIVITY CLAUSE.

This ordinance shall take effect upon approval by the Sangguniang Panlalawigan of Leyte.

UNANIMOUSLY APPROVED. SEPTEMBER 25, 2017.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance which was duly approved by the Sangguniang Bayan during its Regular Session held on September 25, 2017.


HANZEL L. CREBILLO
Secretary to the Sanggunian


ATTESTED:



HON. JAIRO C. BELTRAN
Municipal Vice-Mayor
Presiding Officer


HON. WENCESLAO T. VELASCO JR.
SB Member/Pro Tempore


HON. CRISANTO C. CABAObAO JR.
SB Member


HON. JOSELITO V. COCHERO
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HON. SERGIO T. ZABALA
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HON. JOSEPH A. AMANTE
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HON. WENCESLAO C. SUGBO
SB Member


HON. MARILOU D. SABUSAP
SB Member/Floor Leader


HON. JEFFREY P. CABAObAO
SB Member


HON. REBECCA B. VILLAMOR
ABC President

APPROVED:


HON. VALENTE O. ADOLFO
Municipal Mayor