

09

Item No.: 09  
Date: 22 2024 OCT



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

Province of Leyte  
Legal Office  
Released: *[Signature]*  
Time: *[Signature]*  
Date: *10.11.24*

-oOo-



**PROVINCIAL LEGAL OFFICE**

**2<sup>nd</sup> INDORSEMENT**  
October 9, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 01, S.2024 of the Sangguniang Bayan of Villaba, Leyte.

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

- Ordinance No. 01, S.2024 entitled: **“An Ordinance amending sections 1,2,3,4,7 and 8 of Ordinance No. 54”**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance to its power for it is within the powers of the Local Council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution<sup>1</sup>. Hence, recommending for 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.

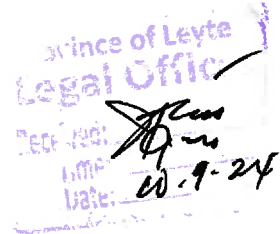
**ATTY. JOSE RAYMUND A. ACOL**  
*Asst. Provincial Legal Officer* *[Signature]*

<sup>1</sup> (Constantino vs. Desierto, 288 SCRA 654)

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
08 October 2024



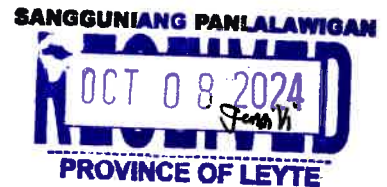
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 01, S. 2024** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: **An Ordinance Amending Sections 1, 2, 3, 4, 7 and 8 of Ordinance No. 54, s-2017, entitled "The Franchising Authority Over Tricycle and Single Motorcycles and Trisikad (Pot-Pot) by the Local Government of Villaba, Leyte and Fixing Fees and Charges and Other Purposes Specified Therein.**

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



October 8, 2024

**THE SANGGUNIANG PANLALAWIGAN MEMBERS**  
New Provincial Government Complex  
Campetic, Palo, Leyte



Thru: **LEONARDO M. JAVIER, JR.**  
Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

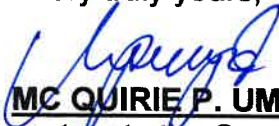
We respectfully transmit herewith sixteen (16) copies of:

**MUNICIPAL ORDINANCE NO. 01, S-2024** entitled: "AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 4, 7 AND 8 OF ORDINANCE NO.54. S-2017 ENTITLED "THE FRANCHISING AUTHORITY OVER TRICYCLE AND SINGLE MOTORCYCLES AND TRISIKAD (POT-POT) BY THE LOCAL GOVERNMENT OF VILLABA, LEYTE AND FIXING FEES AND CHARGES AND OTHER PURPOSES SPECIFIED THEREIN,"

for review and approval.

Best regards.

Very truly yours,

  
**MC QUIRIE P. UMPAD**  
Secretary to the Sanggunian



**RESOLUTION NO 01, S. 2024**

**A RESOLUTION AMENDING MUNICIPAL ORDINANCE NO. 54, S-2017**

**WHEREAS**, it has been observed and noted that some of the provisions of Municipal Ordinance No. 9, s. 2004 which are aimed to regulate the operations of motorized tricycles and single motorcycles for hire are not anymore sited to the situation at hand;

**WHEREAS**, it has been observed and noted that the said Franchise Ordinance is in complicit with the 2008 TAX REVENUE CODE of our municipality;

**WHEREAS**, there is compelling necessity of amending some provisions of said ordinance so as to adapt them to the present public demand; and

**WHEREAS**, the emergence of the single motorcycle otherwise known as “HABAL-HABAL” as public conveyance enhances the creation of more effective franchising regulations,

On motion by the Hon. Niel Albert Inopiquez, duly seconded by the Hon. Roque M Compra, Be it;

**RESOLVED, AS IT IS HEREBY RESOLVED, TO AMEND** Municipal Ordinance No. 54 S.2017 to wit:

**MUNICIPAL ORDINANCE NO. 01, S.2024**






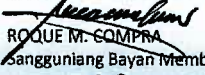






**AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 4, 7 AND 8 OF ORDINANCE NO.54, S-2017 ENTITLED “THE FRANCHISING AUTHORITY OVER TRICYCLE AND SINGLE MOTORCYCLES AND TRISIKAD (POT-POT) BY THE LOCAL GOVERNMENT OF VILLABA, LEYTE AND FIXING FEES AND CHARGES AND OTHER PURPOSES SPECIFIED THEREIN”**

Be it ordained by the Sangguniang Bayan of Villaba, Leyte, in regular session that:

**SECTION 1. PARAGRAPHS A, B, C, D, AND E OF SECTION 1 MUNICIPAL ORDINANCE NO.54-2017 ARE HEREBY AMENDED TO READ AS FOLLOWS:**

**DEFINITIONS WHEN USED IN THIS ORDINANCE:**

- A. **MOTORCYCLE FOR HIRE** – refers to a vehicle with two (2) wheels propelled by an engine. It is a single motorcycle with a capacity of three (3) persons including the driver operated to render transport services to the general public for a fee.
- B. **MOTORIZED TRICYCLE FOR HIRE** – is a motor vehicle composed of a motorcycle fitted with a single wheel sidecar. It can also be a motorcycle with a

 DENNIS L. SY Vice Mayor / Residing Officer	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member	 ELLY MARIA M. ENEVOLDSEN Sangguniang Bayan Member
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 MACARIO V. ESMAS LNB President	 RILE CHRISTIAN G. VELOSO SK Pederasyon President	 RHODORA A. YLAGA PIC, Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

two-wheel cab having, all in all, a total of four wheels. It is operated for transport services to the general public for a fee.

- C. TRICYCLE OPERATORS – are persons engaged in the business of operating tricycles.
- D. MOTORIZED TRICYCLE AND SINGLE MOTORCYCLE OPERATORS PERMIT (MTSMOP) – is the document granting FRANCHISE or LICENSE to a person natural or juridical, allowing him to operate Single Motorcycle for hire and Tricycle for hire over zones specified therein.
- E. ZONE – is a contiguous land area or block, say a subdivision or barangay, where tricycles-for-hire and motorcycle for hire may operate without a fixed origin and destination.

**OTHER TERMS:**

- F. FARE – money or its equivalent to paid for transportation of a passenger.
- G. STUDENT – a person engages in a course of study, especially in an education institution.
- H. SENIOR CITIZEN – an elderly person who is 60 years old and above.
- I. DISABLED – person/persons with disability/ handicap.
- J. NEGOTIATED FARE (Pakyaw) refers to the amount of fare agreed upon between drivers and passenger for particular destination.


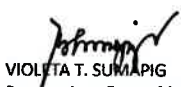

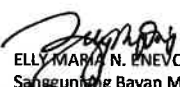

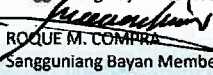
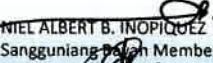
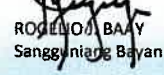


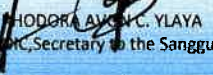

**Section 2. PARAGRAPHS A, B AND C ARE AMENDED TO READ AS FOLLOWS:**

- a. As operator's permit on every unit of motorized tricycle, a FRANCHISE FEE of five hundred pesos (PHP 500.00) shall be collected to from the operator for his cooperation within the Municipality of Villaba Leyte. The franchise shall be valid for the period of two (2) years upon payment thereof.
- b. As operator's permit on every unit of single motorcycle for hire, a FRANCHISE FEE of two hundred pesos (PHP 200.00) shall be collected from the operator for his operation within the Municipality of Villaba Leyte.
- c. As operator's permit on every unit of pedicab "pot-pot" or "trisikad" a FRANCHISE FEE of one hundred pesos (PHP 100.00) shall be collected from the operator for his operation within the Municipality of Villaba, Leyte. The franchise shall be valid for the period of two (2) years upon payment thereof.

**ADDITIONAL PROVISION:**

D. All motorcycles within the jurisdiction of Villaba, Leyte shall be registered in the PNP Office of Villaba, for record purposes. Stickers free of charge shall be issued in color coding upon registration to determine the said motorcycle is issued as Tricycle or habal-habal. Failure or refusal of the owner to register within (30) days from the effectivity of this ordinance shall be subject to fine of P1,000.00. All payments of Tricycle, Motorcycle service (habal-habal) shall be paid at the municipal Treasurers Office as prescribed in the Revenue Code.

**Section 3. OTHER FEES IN SECTION 3, MUNICIPAL ORDINANCE NO. 54 - 2017 ARE AMENDED TO READ AS FOLLOWS:**

 DENNIS L. SY Vice Mayor/Presiding Officer	 VIOLITA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. JOMPAD Sangguniang Bayan Member	 ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member
 FELIPE S. SASAS, SR Sangguniang Bayan Member	 ROQUE M. COMPRAS Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROGELIO B. BAAY Sangguniang Bayan Member
 MACARIO V. ESMAS LNB President	 RILE CHRISTIAN M. VELOSO SK Pederasyon President	 HODORA A. C. YLAYA SK, Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

**For the new applicant:**

**For Tricycle:**

- a. Mayor's Permit
- b. Community tax certificate
- c. Inspection fee
- d. Filling fee
- e. Barangay clearance (of operator)
- f. Police Clearance (of operator)
- g. Health Certificate
- h. Business Clearance
- i. OR/CR Tricycle
- j. Driver's License

**For Single Motorcycle for Hire (Habal-Habal):**

- a. Mayor's Permit
- b. Community tax certificate
- c. Inspection fee
- d. Filling fee, Confirmation/Certification
- e. Barangay clearance (of operator)
- f. Police Clearance (of operator)
- g. Health Certificate
- h. Business Clearance
- i. OR/CR Single Motorcycle
- j. Driver's License

**ADDITIONAL PROVISION:**

**Requirement for Renewal of Franchise**


- a. Mayor's Permit
- b. Community tax certificate
- c. Inspection fee
- d. Filling fee, Confirmation/Certification
- e. Barangay clearance (of operator)
- f. Police Clearance (of operator)
- g. Health Certificate
- h. Business Clearance
- i. Barangay Clearance
- j. VTODA Certificate
- k. OR/CR Single Motorcycle
- l. Driver's License

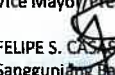
**Section 4. THE FARES AS PROVIDED IN THIS SECTION ARE ALSO AMENDED AND NEW FARES READ AS FOLLOWS FOR TRICYCLES AND SINGLE MOTORCYCLES (HABAL-HABAL):**


 DENNIS L. SY Vice Mayor/Presiding Officer	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member	 ELEX MARIA N. ENEVOLDSEN Sangguniang Bayan Member
 FELIPE S. CASAS, SR Sangguniang Bayan Member	 ROQUE M. COMPADRE Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROBERTO A. BALY Sangguniang Bayan Member
 MACARIO V. BSMAS LNB President	 RILE CHRISTIAN G. VELOSO SK Pederasyon President	 RHODORA K. YLAGA OIC, Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

Passengers are charged a base fare depending on the vehicle type: Php. 20.00 for tricycles and for Single Motorcycle while Php.10.00 for pedicab (pot-Pot) within their designated routes. For trips exceeding the first kilometer, an additional P5 is charged every 500 meters for tricycles. The proposed fare presents a base fare of twenty pesos (Php.20.00) for trips within 3km of the municipality, and five pesos (Php.5.00) shall be added to the base fare for every succeeding kilometer thereafter. Within the 3km radius with the municipal proper as the center of radius, a additional fifteen pesos (Php.10.00) on top of the regular fare for trips outside the 3km radius. To avoid unreasonable fares.

BARANGAY MOTORCYCLES	TRICYCLES	SINGLE  (Habal-habal)
1. Abijao (Short-distance)	30.00	40.00
Abijao – Tagbubunga	20.00	
Abijao – Jordan I	10.00	
Abijao – Jordan II	15.00	
Abijao – Bangkal	20.00	
Abijao – Balite	25.00	
2. Balite	20.00	20.00
3. Bangkal	25.00	30.00
4. Buga-Buga	pakyawan system	40.00
5. Cabunga-an (A. Tumamak)	30.00	25.00
6. Cabungahan	100.00	80.00
7. Cagnocot	50.00	50.00
8. Cahigan	70.00	
100.00		
9. Calbugos	70.00	60.00
10. Camporog	pakyawan system	90.00
11. Canquason	40.00	50.00
12. Capiñahan	Pakyawan system	100.00
13. Casilion	50.00	50.00
14. Catagbacan	pakyawan system	40.00
15. Fatima	15.00	20.00
16. Hibulangan	50.00	40.00
17. Hinabuyan	30.00	25.00
18. Iligay	pakyawan system	70.00
19. Jalas (short-distance)	pakyawan system	60.00
Jalas – Abijao	30.00	30.00
20. Jordan	25.00	30.00
21. Libagong	35.00	30.00
22. New Balanac	Pakyawan system	100.00

  
DENNIS L. SY  
Vice Mayor/Presiding Officer


  
FELIPE S. CASAS SR  
Sangguniang Bayan Member


  
MACARIO V. ESMAS  
LNB President


  
VIOLETA T. SUMAPIG  
Sangguniang Bayan Member


  
ROQUE M. COMPRAS  
Sangguniang Bayan Member


  
RILE CHRISTIAN G. VELOSO  
SK Pederasyon President

  
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RHODORA M. C. YLAYA  
P.C. Secretary to the Sangguniang Bayan

  
ELLY MARIA N. ENEVOLDSEN  
Sangguniang Bayan Member

  
ROGELIO J. BASY  
Sangguniang Bayan Member




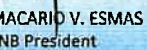


ENGR. CARLOS G. VELOSO  
Municipal Mayor

23. Payao	50.00	40.00
24. Del Norte	20.00	20.00
25. Del Sur	20.00	20.00
26. San Francisco 120.00	Pakyawan system	
27. Sambulawan (short-distance)	Pakyawan system	100.00
Casillon to Sambulawan	Pakyawan system	30.00
28. San Vicente	Pakyawan system	30.00
29. Santa Cruz	40.00	30.00
30. Silad	20.00	20.00
31. Suba:	20.00	20.00
a. Can-apog	20.00	20.00
b. Suba Crossing	20.00	20.00
32. Sulpa	Pakyawan system	50.00
33. Tabunok	50.00	40.00
34. Tagbubunga (short-distance)	40.00	70.00
Tagbubunga – Jordan	30.00	
Tagbubunga – Bangkal	40.00	
Tagbubunga – Balite	40.00	
35. Tinghub	Pakyawan system	30.00
36. Proper to DPWH	20.00	20.00
37. Proper to Silad Pier	20.00	20.00
38. Proper to New LGU BLDG.	20.00	20.00
39. Proper to Old LGU BLDG.	20.00	20.00
40. Proper to Palompon	60.00	pakyawan system

**Fares of pedicab “pot-pot” or “trisikad”**

Suba to Terminal/Public Market	10.00
Del Sur to Villaba South Central school	10.00
Del Norte to Terminal/Public Market	10.00
Old and New Cemetery to Terminal/Public Market	10.00
Terminal/Public to Fatima (VVHS)	10.00

The fare matrix doesn't apply to special trips. The matrix, however, applies primarily to standard rides. Negotiated “special trips” may cost different fares, with solo passengers sometimes covering the equivalent of four passengers. These fare rates are without prejudice of Pakyaw System agreed by the driver and passengers.

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	 ENGR. CARLOS G. VELOSO Municipal Mayor		



**Section 5. THE ZONES AS PROVIDED IN THIS SECTION ARE READ AS FOLLOWS:**

ZONE 1- SOUTH TO BALITE, BANGKAL, JORDAN, ABIJAO, JALAS AND TAGBUBUNGA

ZONE 2- EAST TO CABUNGAAN (A. TUMAMAK) HIBULANGAN, CANQUIASON, SULPA, CASILION, SAMBULAWAN AND CAPINAHAN

ZONE 3- NORTH TO SILAD, HINABUYAN, LIBAGONG, CAGNOCOT, ILIGAY, AND PAYAO

ZONE 4- STA. CRUZ, TABUNOC, CALBUGOS, CABUNGAHAN, CAHIGAN AND SAN FRANCISCO

**SECTION 6. OPERATION CONDITION:** The tricycle and motorcycle for hire shall observe the fare rates and be allowed to operate without a fixed route within the zone so provided. These vehicles are prohibited to ply the main national highway wherein public conveyances are operating for public transport for fees.

**ADDITIONAL PROVISION:**

**SECTION 7. DISCOUNT:** MUNICIPAL ORDINANCE NO. 54 - 2017 ARE AMENDED TO READ AS FOLLOWS:

1. Twenty Percent (20%) discount on the actual fare shall be granted to senior Citizens pursuant to Republic Act No. 9994, otherwise know as the "Expanded Senior Citizen Act of 2010";
2. Twenty Percent (20%) discount on the actual fare shall be granted to Persons with Disabilities pursuant to Republic Act No. 9442, otherwise know as "An Act Amending the Magna Carta for Disabled Persons and for Other Purposes;
3. Twenty Percent (20%) discount on the actual fare shall be granted to students pursuant to Republic Act No. 11314 otherwise known as "An Act Institutionalizing the Grant of student Fare Discount Privileges on Public Transportation and for Other Purposes."

Senior Citizen, Person with Disabilities, and Student who wish to avail themselves of the Discount shall present their respective valid identification cards.

4. The foregoing schedule of fare rates should be posted mandatorily in any part of the tricycle, motorcycle and pedicab where said schedule can be easily seen by the passengers thereof. Failure to observe this requirement constitute a violation of this Ordinance thereby making the operator and/or driver of the tricycle liable to the penalty of Php.1,000.00

DENNIS L. SYC  
Vice Mayor/Presiding Officer

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ELY MARIA N. ENEVOLDSEN  
Sangguniang Bayan Member

ROGERIO J. BAAY  
Sangguniang Bayan Member

ENGR. CARLOS G. VELOSO  
Municipal Mayor

**ADDITIONAL PROVISION:**

**Section 8. PENAL PROVISION:** Violations of any of the provisions as provided in this Ordinance shall be penalized as follows:

for tricycle and habal-habal

- 1<sup>st</sup> Offense – Php. 200.00
- 2<sup>nd</sup> Offense - Php. 500.00
- 3<sup>rd</sup> Offense – Php. 1,000.00


Succeeding offenses – revocation/cancellation of their Franchise or Business Permit. Operating a tricycle and motorcycle without a Land Transportation registration shall be impounded until such time that the tricycle or motorcycle is registered by the LTO.

**Section 9. SEPARABILITY CLAUSE:** If for any reason any section of this ordinance shall be held unconstitutional or invalid other sections which are not affected thereby shall continue to be in full force and effects.

**Section 10. REPEALING CLAUSE:** All ordinances in this municipality, rules, regulations, or parts thereof inconsistent with or in conflict with the provisions of this ordinance, shall be deemed repealed or amended accordingly. However, all other provision of Ordinance No. 54, as amended, which are not affected by this latest amendment remain to be full force and effect.

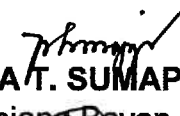
**Section 11. EFFECTIVITY:** This ordinance shall take effect immediately upon approval and after the compliance with the requirements of Republic Act No.7160, otherwise known as the "Local Government Code of 1991".

This Ordinance was approved by the Sangguniang Bayan in its Regular Session on August 5, 2024.

  
**RHODORA AVON C. YLAYA**  
OIC, Secretary to the Sanggunian

ATTESTED:

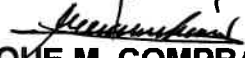
  
**DENNIS L. SY**  
Vice Mayor/Presiding Officer


  
**VIOLETA T. SUMAPIG**  
Sangguniang Bayan Member


  
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Sangguniang Bayan Member

  
**FELIPE S. CASAS, SR.**  
Sangguniang Bayan Member

  
**HON. NIEL ALBERT B. INOPIQUEZ**  
Sangguniang Bayan Member

  
**ROQUE M. COMPRA**  
Sangguniang Bayan Member

  
**HON. ROGELIO J. BAAY**  
Sangguniang Bayan Member

  
**ELLY MARIA N. ENEVOLDSEN**  
Sangguniang Bayan Member

**MACARIO V. ESMAS**  
LNB President

  
**RILE CHRISTIAN G. VELOSO**  
SK Pederasyon President

APPROVED:

  
**ENGR. CARLOS G. VELOSO**  
Municipal Mayor

28 AUG 2024



**Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF VILLABA**

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EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF VILLABA, LEYTE AT THE MUNICIPAL SESSION HALL ON JANUARY 09, 2017.

Present:

Hon. Dennis L. Sy	-----Municipal Vice Mayor/Presiding Officer
Hon. Violeta T. Sumapig	-----SB Member
Hon. Felipe S. Casas, Sr.	-----SB Member
Hon. Rogelio J. Baay	-----SB Member
Hon. Niel Albert B. Inopiquez	-----SB Member
Hon. Eleodora N. Aragon	-----SB Member
Hon. Kathleen V. Mape	-----SB Member
Hon. Robert R. Veloso	-----SB Member
Hon. Mc Quirie P. Umpad	-----SB Member
Hon. Joselita N. Enevoldsen	-----ABC President

Absent:

None

**RESOLUTION NO. 4, S-2017**

**A RESOLUTION ADOPTING MUNICIPAL ORDINANCE NO.54, S-2017 AMENDING SECTION 1 PARAGRAPHS A AND B, SECTION 2 PARAGRAPHS A AND B, SECTION 3, SECTION 4 OF ORDINANCE NO.09, S-2004.**

**WHEREAS**, it has been observed and noted that some of the provisions of Municipal Ordinance No. 9, s. 2004 which are aimed to regulate the operations of motorized tricycles and single motorcycles for hire are not anymore sited to the situation at hand;

**WHEREAS**, it has been observed and noted that the said Franchise Ordinance is in complicit with the 2008 TAX REVENUE CODE of our municipality;

**WHEREAS**, there is a compelling necessity of amending some provisions of said ordinance so as to adapt them to the present public demand; and

**WHEREAS**, the emergence of the single motorcycle otherwise known as "HABAL-HABAL" as public conveyance enhances the creation of more effective franchising regulations,

On motion by the Hon. Kathleen V. Mape, duly seconded by the Hon. Rogelio J. Baay, Be it

**RESOLVED**, AS IT IS HEREBY RESOLVED, TO ADOPT Municipal Ordinance No.54, S-2017 to wit:

**MUNICIPAL ORDINANCE NO. 54, S-2017**

**AN ORDINANCE SUPERSEDING THE MUNICIPAL ORDINANCE NO.9, S. 2004 ENTITLED "THE FRANCHISING AUTHORITY OVER TRICYCLES AND SINGLE MOTORCYCLES BY THE LOCAL GOVERNMENT OF VILLABA, LEYTE AND FIXING FEES AND CHARGES AND OTHER PURPOSES SPECIFIED THEREIN"**

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Be it ordained by the Sangguniang Bayan of Villaba, Leyte, in regular session that:

**SECTION 1. PARAGRAPHS A AND B OF SECTION 1 MUNICIPAL ORDINANCE NO. 09-2004 ARE HEREBY AMENDED TO READ AS FOLLOWS:**

**DEFINITIONS WHEN USED IN THIS ORDINANCE:**

- a. **MOTORCYCLE FOR HIRE** – refers to a vehicle with two (2) wheels propelled by an engine. It is a single motorcycle with a capacity of three (3) persons including the driver operated to render transport services to the general public for a fee.
- b. **MOTORIZED TRICYCLE FOR HIRE** – is a motor vehicle composed of a motorcycle fitted with a single wheel sidecar. It can also be a motorcycle with a two-wheel cab having, all in all, a total of four wheels. It is operated for transport services to the general public for a fee.

**OTHER TERMS:**

- c. **TRICYCLE OPERATORS** – are persons engaged in the business of operating tricycles.
- d. **MOTORIZED TRICYCLE AND SINGLE MOTORCYCLE OPERATORS PERMIT (MTSMOP)** – is the document granting FRANCHISE or LICENSE to a person natural or juridical, allowing him to operate Single Motorcycle for hire and Tricycle for hire over zones specified therein.
- e. **ZONE** – is a contiguous land area or block, say a subdivision or barangay, where tricycles-for-hire and motorcycle for hire may operate without a fixed origin and destination.

**Section 2. PARAGRAPHS A AND B ARE AMENDED TO READ AS FOLLOWS:**

- a. As operator's permit on every unit of motorized tricycle, a FRANCHISE FEE of five hundred pesos (PHP. 500.00) shall be collected to from the operator for his operation within the municipality of Villaba, Leyte. The franchise shall be valid for the period of two (2) years upon payment thereof.
- b. As operator's permit on every unit of single motorcycle for hire, a FRANCHISE FEE of two hundred pesos (PHP. 200.00) shall be collected from the operator for his operation within the municipality of Villaba, Leyte. The franchise shall be valid for the period of two (2) years upon payment thereof.

**ADDITIONAL PROVISION:**

- c. As operator's permit on every unit of pedicab "pot-pot" or "trisikad" a FRANCHISE FEE of one hundred pesos (PHP. 100.00) shall be collected from the operator for his operation within the Municipality of Villaba, Leyte. The franchise shall be valid for the period of two (2) years upon payment thereof.

**Section 3. OTHER FEES IN SECTION 3, MUNICIPAL ORDINANCE NO.09 S.2004 ARE AMENDED TO READ AS FOLLOWS:**

For Tricycle:

- a. Mayor's Permit
- b. Community tax certificate
- c. Inspection Fee
- d. Filing Fee
- e. Barangay Clearance (of operator)
- f. Police Clearance (of operator)
- g. Health Certificate

For Single Motorcycle for Hire (Habal-Habal):

- a. Mayor's Permit
- b. Community tax certificate
- c. Inspection Fee
- d. Filing Fee
- e. Barangay Clearance (of operator)
- f. Police Clearance (of operator)
- g. Health Certificate

**Section 4. THE FARES AS PROVIDED IN THIS SECTION ARE ALSO AMENDED AND NEW FARES READ AS FOLLOWS FOR TRICYCLES AND SINGLE MOTORCYCLES (HABAL-HABAL):**

Minimum fare shall be set at Ten pesos (Php. 10.00); fares are also set from Villaba Town Proper (terminal) to any point of destination within the jurisdiction of Villaba and vice versa.

MOTORCYCLE		TRICYCLE	SINGLE
1. Abijao	-	25.00	30.00
2. Balite	-	10.00	10.00
3. Bangkal	-	15.00	20.00
4. Buga-buga	-	not applicable	30.00
5. Cabunga-an (A. Tumamak)	-	15.00	10.00 to 15.00
6. Cabungahan	-	70.00	60.00
7. Cagnocot	-	30.00	25.00
8. Cahigan	-	70.00	60.00
9. Calbugos	-	40.00	30.00
10. Campurog	-	not applicable	80.00
11. Canquiason	-	25.00	25.00
12. Capinyahan	-	not applicable	100.00

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13. Casili-on	-	25.00	25.00
14. Catagbacan	-	pakyaw system	25.00
15. Fatima	-	10.00	10.00
16. Hibulangan	-	20.00	20.00
17. Hinabuyan	-	15.00	15.00
18. Iligay	-	pakyaw system	50.00
19. Jalas	-	pakyaw system	50.00
20. Jordan	-	15.00/20.00	20.00
21. Libagong	-	25.00	25.00
22. New Balanac	-	not applicable	50.00
23. Payao	-	25.00	30.00
24. Poblacion del Norte	-	10.00	10.00
25. Poblacion del Sur	-	10.00	10.00
26. San Francisco	-	not applicable	pakyaw system
27. Sambulawan	-	not applicable	90.00
Casili-on to Sambulawan	-	not applicable	30.00
28. San Vicente	-	not applicable	25.00
29. Santa Cruz	-	20.00	20.00
30. Silad	-	10.00	10.00
31. Suba:			
a) Can-apog	-	10.00	10.00
b) Suba Crossing	-	15.00	10.00
32. Sulpa	-		35.00
33. Tabunok	-	30.00	30.00
34. Tagbubunga	-	25.00	50.00
35. Tinghub	-	not applicable	20.00

These fare rates are without prejudice of Pakyaw System agreed by the driver and passenger.

**Section 5. THE ZONES AS PROVIDED IN THIS SECTION ARE READ AS FOLLOWS:**

**ZONE 1 – SOUTH TO BALITE, BANGKAL, JORDAN, ABIJAO, JALAS AND TAGBUBUNGA**

**ZONE 2 – EAST TO CABUNGA-AN (A. TUMAMAK), HIBULANGAN, CANQUIASON, SULPA, CASILI-ON, SAMBULAWAN AND CAPIÑAHAN**

**ZONE 3 – NORTH TO SILAD, HINABUYAN, LIBAGONG, CAGNOCOT, ILIGAY AND PAYAO**

**ZONE 4 - STA. CRUZ, TABUNOC, CALBUGOS, CABUNGAHAN, CAHIGAN AND SAN FRANCISCO**

**Section 6. OPERATION CONDITION:**

The tricycle and motorcycle for hire shall observe the fare rates and be allowed to operate without a fixed route within the zone so provided. These vehicles are prohibited to ply the main national highway wherein public conveyances are operating for public transport for fees.

**Section 7. SEPARABILITY CLAUSE:**

If, for any reason, any section or provision of this ordinance shall be deemed unconstitutional or invalid, no other section or provision hereof shall be affected thereof.

**Section 8. REPEALING CLAUSE:**

All ordinances n this municipality, rules, regulations or parts thereof, inconsistent with or in conflict with the provisions of this ordinance, shall be deemed repealed or amended accordingly


**Section 9. EFFECTIVITY:**

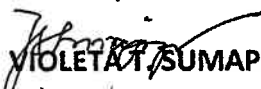
This ordinance shall take effect upon approval.

Adopted this 9<sup>th</sup> day of January, 2017.


I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING.


  
**CORNELIO V. HERNANDO, JR.**  
SB Secretary

  
ATTESTED:  
**HON. DENNIS L. SY**  
Municipal Vice Mayor/Presiding Officer

  
**HON. VIOLETA T. SUMAPIG**  
SB Member

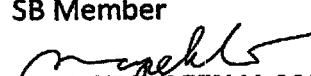
  
**HON. FELIPE S. CASAS, SR.**  
SB Member


  
**HON. ROGELIO J. BAAY**  
SB Member *emb.*


  
**HON. NIEL ALBERT B. INOPIQUEZ**  
SB Member

  
**HON. JOSELITA N. ENEVOLDSEN**  
ABC President

**HON. ELEODORA N. ARAGON**  
SB Member

  
**HON. KATHLEEN V. MAPE**  
SB Member

  
**HON. ROBERT R. VELOSO**  
SB Member

  
**HON. MC QUIRIE P. UMPAD**  
SB Member

APPROVED:  
  
**HONORABLE JULIETA A. LARRAZABAL**  
Municipal Mayor

## Minutes of the Public Hearing of the Committee on Transportation

The public hearing, called by the Chairman of Transportation of the Sangguniang Bayan of Villaba, Leyte, commenced at 10:00 AM after the invitees were present in the Sangguniang Bayan Session Hall, Administrative Building, New Municipal Compound. Attendees included Hon. Niel Albert B. Inopiquez, Chairman of the Committee; Hon. Roque M. Compra, Vice Chairman; Hon. Macario V. Esmas, LNB President, and some members and officers of the LNB; Mr. Teddy V. Vapor, Municipal Administrator; Mr. Manix Vladimir Roa, PNP Representative; Mr. Godofredo B. Pepito, VATODA President; Mr. Jeremias Boleros, TAGTODA President; Mr. Renwick L. Inopiquez, VTODA President; and Mr. Jemelito P. Suganob, 3-wheels (King Cab) Representative.

Hon. Inopiquez greeted everyone and explained that the purpose of the public hearing was to discuss the passage of the ordinance: "AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 4, 7 AND 8 OF ORDINANCE NO.54. S-2017 ENTITLED "THE FRANCHISING AUTHORITY OVER TRICYCLE AND SINGLE MOTORCYCLES AND TRISIKAD (POT-POT) BY THE LOCAL GOVERNMENT OF VILLABA, LEYTE AND FIXING FEES AND CHARGES AND OTHER PURPOSES SPECIFIED THEREIN." He presented the amended ordinance and opened the floor for comments, suggestions, and inclusions to improve the proposed amendments.

Mr. Teddy Vapor emphasized that applicants for franchising should present the OR/CR and the driver's license before receiving the franchise. He also questioned how the drivers determine the fare. Mr. Godofredo B. Pepito responded that they just follow the previous fare rates used by former drivers. Hon. Esmas inquired about the allocation of the fine of P1,000. Hon. Inopiquez replied that all fines and payments should be made at the Municipal Treasurer's Office. The Hon. Esmas also asked if the drivers agreed to the new fare rate, to which they did.

Mr. Vapor suggested that all motorcycles within Villaba, Leyte, be registered at the PNP Office of Villaba for record purposes. Free stickers, color-coded upon registration, should be issued to indicate if the motorcycle is for tricycle or habal-habal use. Hon. Inopiquez proposed a fine of P1,000 for owners who fail or refuse to register within 30 days from the ordinance's effectivity. Hon. Kenneth of Brgy. Fatima suggested to include a minimum fare of ten pesos (P10.00) for pedicabs (pot-pots). Hon. Compra recommended adding a separability clause to the ordinance.

With no further concerns raised, the hearing adjourned at 11:45 AM.

  
HON. NIEL ALBERT B. INOPIQUEZ

Chairman

  
HON. ROQUE M. COMPRA

Vice Chairman

  
HON. VIOLETA T. SUMAPIG

MEMBER




**COMMITTEE ON TRANSPORTATIONS AND COMMUNICATIONS**

**COMMITTEE REPORT**

**SUBJECT: AN ORDINANCE AMENDING SECTIONS 1,2,3,4 AND 7 OF ORDINANCE NO.9 S-2004 ENTITLED "THE FRANCHISING AUTHORITY OVER TRICYCLE AND SINGLE MOTORCYCLES AND TRISIKAD (POT-POT) BY THE LOCAL GOVERNMENT OF VILLABA, LEYTE AND FIXING FEES AND CHARGES AND OTHER PURPOSES SPECIFIED TRHEREIN"**

**FINDINGS AND RECOMMENDATIONS:**

The Municipal Administrator emphasized that applicants for franchising should present the OR/CR and the driver's license before receiving the franchise, and how the drivers determine the fare. And the ABC president inquired about the allocation of the fine of 1,000.00. The Committee Chairman responded that all fines and payments should be made at the Municipal Treasure's Office for record purposes.

  
**HON. NIEL ALBERT B. INOPIQUEZ**  
Committee Chairman

  
**HON. ROQUE M. COMPRA**  
Member

**HON. VIOLETA T. SUMAPIG**  
Member

ATTENDANCE SHEET

7

PUBLIC HEARING (IN TOURISM AND AFFAIRS OFFICE AND COUNCILS) (JULY 29-30-31, 2024)  
Franchising Authority over Tricycles and Single Motorcycles by the Local Gov. Unit

NAME	DESIGNATION	SIGNATURE
1 ALFRED Y. OUBA	PUNONG BARANGAY	[Signature]
2 JESUS M. ASTROLOGO	COUNCILOR	[Signature]
3 ROSARIO S. AMARAL JR.	COUNCILOR	[Signature]
4 ROBERTO M. COMARA	SB MEMBER	[Signature]
5 MAXIMO D. ONDE	PUNONG BARANGAY	[Signature]
6 PEDRO B. ABING JR.	PUNONG BARANGAY	[Signature]
7 BASILIO B. DEL CARMEN	PUNONG BARANGAY	[Signature]
8 GABRIEL B. JEPITO	VATODA	[Signature]
9 ROGER ENSOY	VATODA Sec.	[Signature]
10 JERONIA B. BARRERA	TAGTADA	[Signature]
11 BENEDICTO S. UMPAD	PUNONG BARANGAY	[Signature]
12 MARCIANO T. ARPON	PB/ CAN VICENTE	[Signature]
13 RENE L. MADRIGAL	VATODA	[Signature]
14 MARION C. ANICERO	SB MEMBER /	[Signature]
15 JUANITO R. SUGANON	KIP. CH.	[Signature]
16 MACARIO V. ESPAS	ABC. PRES.	[Signature]
17 KENNETH S. CABISAY	ABC. SEC. / PB-PATANA	[Signature]
18 REBECCO T. COMETA	PB SUBS	[Signature]
19 DOMINIC I. SALADAGA	VTCC TODA	[Signature]
20 RONIE LOYXETO	P.F.S. SIKAD	[Signature]
21 PEPY F. ESTER		[Signature]
22 ERWIN V. AGAS		[Signature]
23 RAMON A. MORALES		[Signature]
24 M. M. M. M.	MNO	[Signature]
25 OLYN B. PANG	MNO	[Signature]
26 WILLIAM C. BIARE	MNO	[Signature]
27 LEO C. CUNYO	MNO	[Signature]
28 CARLOS P. PANG	MNO	[Signature]
29 MILENE MADRIGAL	SB	[Signature]
30 ROSELIA H. LAMBA	SB	[Signature]
31 EARL DION MADRIGAL	Del Sur	[Signature]
32 NUBERT BALASCO	Del Sur	[Signature]
33 ROY DAMAYO	Sub	[Signature]
34 KRISTIAN FERNANDEZ	Sub	[Signature]
35 EARL ALBERT COMANAL	Del Sur	[Signature]
36 SONIA B. SANACE	SB STAFF	[Signature]
37 UTA DORCA	SB	[Signature]
38 UTA GRACE CASAS	SB	[Signature]
39 IVON MORALES	SB STAFF	[Signature]
40 BRADY ANTON	SB STAFF	[Signature]
41 GENE B. MORALES	SB	[Signature]
42 DARLING VELASCO	SB	[Signature]
43 JOYAX BOLLANO	SB	[Signature]
44 RAY PANG	SB	[Signature]
45 JOHN ED T. NUÑEZ	SB	[Signature]
46 JAYAN P. MORALES	SB	[Signature]
47 LOPEZ ANTON	SB STAFF	[Signature]
48 VIRGILIO E. TABLA	SB STAFF	[Signature]
49 NENEZIA B. MADRIGAL	Del Sur	[Signature]
50 CORNELIO HERNANDEZ	SB OFFICE	[Signature]



## **SANGGUNIANG BAYAN**

*Office of the Secretary to the Sanggunian*

# **NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be conducted by the Sangguniang Bayan Committee on Transportation on Wednesday, July 31, 2024 at 1:00 o'clock in the afternoon at the New Sangguniang Bayan Session Hall, New Municipal Building of this Municipality for the proposed ordinance authored by Sangguniang Bayan Member Niel Albert B. Inopiquez, entitled:

**“AN ORDINANCE SUPERSEDING THE MUNICIPAL ORDINANCE NO.9. S-2004 ENTITLED “THE FRANCHISING AUTHORITY OVER TRICYCLE AND SINGLE MOTORCYCLES BY THE LOCAL GOVERNMENT OF VILLABA, LEYTE AND FIXING FEES AND CHARGES AND OTHER PURPOSES SPECIFIED THEREIN”**

The former Chairman of the Committee on Transportation of the Sangguniang Bayan as well as the (current) Members of the Committee on Transportation of the Sangguniang Bayan, the Officers of the VTODA, TAGTODA, VTODA, the operators of the Five (5) King Cabs, representative from the different motorcycle organizations, the HRMO, the Municipal Administrator, all Thirty Five (35) Punong Barangays in the Municipality, representative from the PNP and the MTOP Officers and all interested parties are invited to attend.

Villaba, Leyte, July 24, 2024.

In public service,

  
**RHODORA AVON C. YLAYA**  
OIC, Secretary to the Sanggunian

Republic of the Philippines)  
City of Ormoc )S.S.

### AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines  
Province of Leyte  
Municipality of Villaba  
OFFICE OF THE SANGUNIANG BAYAN

#### MUNICIPAL ORDINANCE NO. 01, S.2024

**AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 4, 7 AND 8 OF ORDINANCE NO.54, S-2017 ENTITLED "THE FRANCHISING AUTHORITY OVER TRICYCLE AND SINGLE MOTORCYCLES AND TRISIKAD (POT-POT) BY THE LOCAL GOVERNMENT OF VILLABA, LEYTE AND FIXING FEES AND CHARGES AND OTHER PURPOSES SPECIFIED THEREIN"**

APPROVED:  
(SGD)ENGR. CARLOS G. VELOSO  
Municipal Mayor

was published in said newspaper for (1) one consecutive weeks in its EV Mail \_\_\_\_\_  
EV Mail Sept. 2-8, 2024 issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this SEP 09 2024 day of \_\_\_\_\_, 20\_\_ in Ormoc City.

  
JIMA ZANDRA J. VERGARA  
Affiant

### VERIFICATION

SWORN AND SUBSCRIBED before me this SEP 09 2024 day of \_\_\_\_\_ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

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Page No.: 2  
Book No.: IV  
Series of 20 24

**ATTY. ADELITO M. SOLIBAGA JR.**  
Notary Public for the City of Ormoc  
Municipalities of Kananga, Matag-ob,  
Merida and Isabel  
NC No. ORM-22-12-000-M, issued on 01/01/2023  
Valid until December 31, 2024  
PTC No. 7856-00, 01/03/2024, Ormoc City  
IBP No. 3826-00, 12/31/2023, Leyte  
Roll of Attorney No. 51625  
TIN: 207-593-130  
MCLE Compliance No. VI-001-4640  
Valid until April 14, 2025

