

Item No.: 03

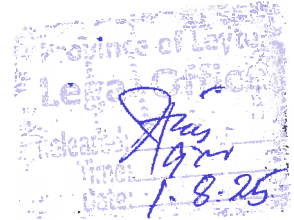
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Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

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**PROVINCIAL LEGAL OFFICE**



**SANGGUNIANG PANLALAWIGAN**

2<sup>nd</sup> **INDORSEMENT**  
December 26, 2024



**PROVINCE OF LEYTE**

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 32 series 2024 of the Sangguniang Bayan of Jaro, Leyte.

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

- Ordinance No. 32 series 2024 entitled: **“An Ordinance providing for the rules, regulations and operating conditions for the grant of franchise for motorized tricycle for hire in the Municipality of Jaro, Leyte, etc.”**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 447(a)(3)(i) and (vi)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160). Hence, we recommend 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 the 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 

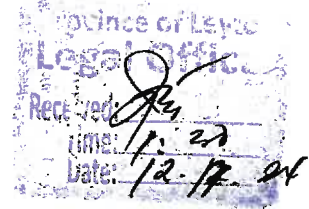
<sup>1</sup>(i) *Fix and impose reasonable fees and charges for all services rendered by the municipal government to private persons or entities;*

(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*

Republic of the Philippines  
PROVINCE OF LEYTE  
Tacloban City

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
17 December 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein **Ordinance No. 32, series of 2024 of the Municipality of Jaro, Leyte**, entitled: **An Ordinance providing for the rules, regulations and operating conditions for the grant of franchise for motorized tricycle for hire in the Municipality of Jaro, Leyte, and authorizing the business operation thereof, repealing or amending any existing ordinances inconsistent thereto.**

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

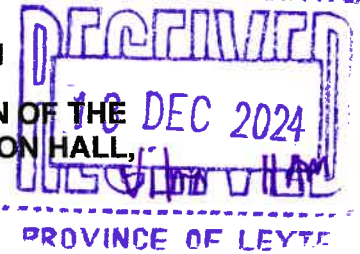


Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF JARO

SANGGUNIANG PANLALAWIGAN

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 102<sup>nd</sup> REGULAR SESSION OF THE  
SANGGUNIANG BAYAN OF JARO, LEYTE HELD AT THE SB SESSION HALL,  
LEGISLATIVE BUILDING ON OCTOBER 21, 2024



**PRESENT:**

HON. RODRIGO C. ARBAS	-Municipal Vice-Mayor/Presiding Officer
HON. JONELL MARTIN A. QUE	-SB Member
HON. LANDILINO T. KATANGKATANG	-SB Member
HON. JULIAN L. EMNAS	-SB Member
HON. FRANCISCO R. ALTRES	-SB Member/Majority Floor Leader
HON. ALEXANDER N. SALGADO	-SB Member
HON. REY P. AURE	-SB Member
HON. PEDRO B. TAÑALA, JR.	-SB Member/ABC Fed.-President
HON. VIANCA MAE N. FAMILAR	-SB Member/SK Fed.-President

**ABSENT:**

HON. LEO ANGELO T. PORMIDA	-SB Member
HON. GUALBERTO V. ELISES	-SB Member/Presiding Officer Pro-Tempore

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**EXPLANATORY NOTE**

Section 447, (3) (vi) of the RA 7160 or the Local Government Code of 1991 authorizes the Sangguniang Bayan, subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of Motorized Tricycle for Hire and grant franchises for the operation thereof within the territorial jurisdiction of the municipality.

In order to promote public welfare, the Sangguniang Bayan deem it imperative to establish a tricycle operation policy that will guide and enhance its transport and traffic concerns; thus, the need to enact an ordinance that will provide for the rules, regulations and operating conditions of Motorized Tricycles for Hire (MTH), plying within the territorial jurisdiction of the Municipality of Jaro, Leyte.

The provisions of the hereunder ordinance is suppletory to Ordinance N0. 19, Series of 2023, entitled: The Revised Traffic Code for the Municipality of Jaro, Leyte, duly enacted and approved by the Sangguniang Bayan on November 20, 2023.

  
**HONORABLE ALEXANDER N. SALGADO**  
Chairman Committee on Peace and Order, Public  
Safety and Transportation

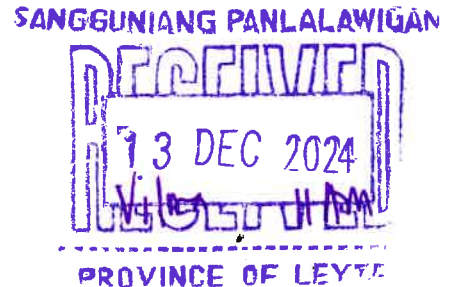


Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
Office of the Sangguniang Bayan Secretary  
Legislative Building  
Corner Del Carmen and Real Streets

December 12, 2024

**THE HONORABLE SANGGUNIANG PANLALAWIGAN**  
Provincial Capitol Complex  
Tacloban City

Thru: **Florinda Jill S. Uyvico**  
Secretary to the Sanggunian



Madam;

Respectfully forwarding **MUNICIPAL ORDINANCE NO. 32**, series of 2024, otherwise known as, "AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF PRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO." for review and favorable action by the Honorable Sangguniang Panlalawigan.

Thank you in advance for your kind consideration on the matter.

Very truly yours,

**NICOMEDES R. BORJA**  
Board Secretary V  
Secretary to the Sanggunian

NOTED:

**HON. RODRIGO C. ARBAS**  
Municipal Vice-Mayor  
Presiding Officer


**INTRODUCED BY: HONORABLE ALEXANDER N. SALGADO**  
Chairman Committee on Peace and Order, Public Safety and Transportation

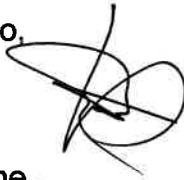
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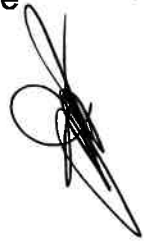
**ORDINANCE NO. 32**  
**SERIES OF 2024**


AN ORDINANCE PROVIDING FOR THE RULES, REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF FRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO

**Be it ordained** by the Sangguniang Bayan of Jaro, Leyte in a regular session duly assembled:

**SECTION 1. TITLE** - This Ordinance shall be referred to: AN ORDINANCE PROVIDING FOR THE RULES, REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF FRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF. 

**SECTION 2. SCOPE** - This Ordinance shall apply to all motorized tricycles for hire operating or plying within the territorial jurisdiction of the Municipality of Jaro, Leyte. 

**SECTION 3. DEFINITION OF TERMS** - For purposes of this Ordinance, the following words and/or phrases shall be construed and defined as follows: 

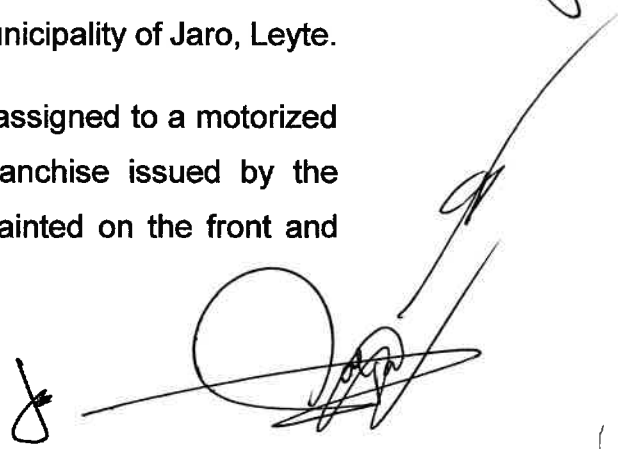
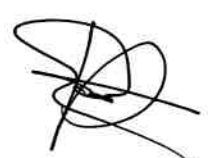
- A. Franchise** - is a privilege or power of a public concern which ought not to be exercised by a private individual at his will and pleasure but should be presumed for the public control or administration by the government directly or by public agents under such condition and regulations as the government may impose in the public interest and for public security. 




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It is a privilege which the individual cannot exercise as a right and which depends for its lawful existence upon a grant from the government.

- B. Motorized Tricycle for Hire (MTH)** - shall mean any motorcycle fitted or attached with a single wheeled side-car or any three-wheeled motorized vehicle used to convey or transport passengers at a fixed rate or fare to their places of destination.
- C. Tricycle Driver** - shall refer to any person duly licensed by the Land Transportation Office (LTO) to drive and operate a motorcycle or a tricycle and who actually drive and control a motorized tricycle while in operation in public streets and highways.
- D. Tricycle Operator** - shall refer to the registered owner of a motorized tricycle as appearing in the Certificate of Registration issued by the LTO.
- E. Tricycle Driver/Operator** shall refer to the driver who takes charge of driving and operating the motorized tricycle and at the same time the registered owner of the same duly franchised by LGU Jaro, Leyte.
- F. Motorized Tricycle Operators Franchise (MTOF)** - is the franchise document or license to operate issued by the Sangguniang Bayan in accordance with Section 447 (3) (vi) of the Local Government Code allowing and/or permitting a qualified person, either natural or juridical, to operate a tricycle transport service within the territorial limits of the Municipality of Jaro, Leyte.
- G. Tricycle Body Number** - is that number assigned to a motorized tricycle for hire and indicated in the franchise issued by the Sangguniang Bayan, which number is painted on the front and rear portions of the side car.



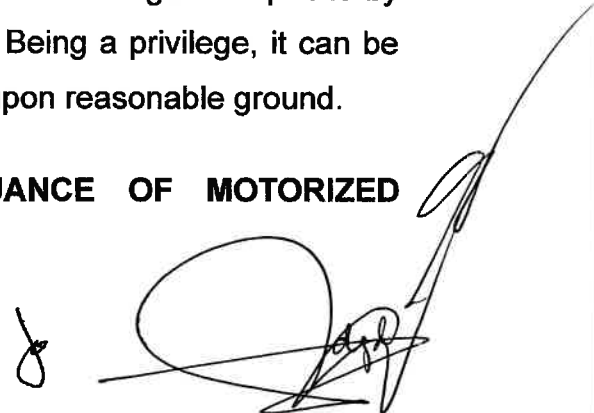
- H. **Uniform Body Color** – refers to designated color of motor vehicle plying within the territorial jurisdiction of Jaro, Leyte.
- I. **Juridical Entity** – an entity, a firm, that is not a single natural person, as a human being, authorized by law with duties and rights, recognized as a legal authority having a distinct identity, and legal personality.
- J. **Natural person** – a real/living human being, whether an adult or child, as distinguished from a corporation which is often treated at law as a fictitious person.
- K. **Citation ticket** – tickets issued by the apprehending officer to violators of this ordinance.
- L. **JATEMO**– refers to the Jaro Traffic Enforcement and Management Office 
- M. **JMFRB**– refers to the Jaro Motorcycle Franchising and Regulatory Board
- N. **MTO** – Municipal Treasurer’s Office. 
- O. **MTHF**- Motorized Tricycle for Hire Franchise
- P. **JPNP**- The Jaro Philippine National Police 

**SECTION 4. ISSUANCE/GRANT OF TRICYCLE FRANCHISE/MTHF** - The Sangguniang Bayan shall issue/grant franchise to operate a Motorized Tricycle for Hire and authorize the business operation thereof. The franchise is a privilege granted to qualified persons who desires to provide transport service to the general public by means of motorized tricycle for monetary consideration. Being a privilege, it can be revoked, cancelled or withdrawn unilaterally at any time upon reasonable ground.

**SECTION 5. REQUIREMENTS FOR ISSUANCE OF MOTORIZED TRICYCLE OPERATORS FRANCHISE/MTHF.**

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1. Must be bonafide resident of Jaro, Leyte evidenced by any issued government ID.
2. Must be in possession of a motorized tricycle unit with valid registration papers evidencing ownership issued by the Land Transportation Office (LTO) and supported by a Common Carrier Insurance Policy for the protection of passengers and third parties in case of accident.
3. The driver must be a duly licensed or in possession of a driver's license to drive a motorized tricycle issued by the LTO.
4. Must have a garage/space for parking area when the unit is not in actual operation.

**B. All applicants who desire to operate a Motorized Tricycle for Hire shall also accomplish the following:**

1. File an application and/or petition for a franchise in a form prescribed for the purpose before the Office of the Sangguniang Bayan together with all the supporting documents, such as, but not limited to the following:
  - a. Drivers License duly issued by the LTO
  - b. Proof of Ownership of the MTH Unit
  - c. Original and photocopy of Certificate of Registration (CR) and current/updated Official Receipt issued by the Land Transportation Office (LTO).
  - d. Common Carrier Insurance Policy
  - e. Barangay Certification issued by the Punong Barangay where operator/driver actually resides.
  - f. Community Tax Certificate
  - g. 2 latest passport pictures of the applicant.

(Note: Picture taken in the last six (6) months, not computer generated)

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- g. 2 latest passport pictures of the applicant.  
(Note: Picture taken in the last six (6) months, not computer generated)
  - h. Picture of the MTH (front, back, right and left sides)
  - i. Certification issued by the transport association President, where the MTH operator/driver is a bonafide member.
2. Pay the Franchise Fee and Body Number/ Mayor's Permit, and other applicable fees.

**SECTION 6. NON – TRANSFERABILITY OF TRICYCLE FRANCHISE** - The franchise is issued on the basis of the personal character and qualification of the applicant. Hence, the franchise is non-transferable and non-negotiable.

**SECTION 7. VALIDITY AND LIMIT OF TRICYCLE FRANCHISE/MTHF** - The term of the MTH Franchise is three (3) years from the date of its issuance, subject to renewal. If the operator fails to renew his MTH franchise on the period given, he or she shall be treated as a new applicant.

The MTH Franchise may be suspended or cancelled upon due hearing by the Sangguniang Bayan.

The transfer of ownership shall be construed as an amendment to the MTHF and shall require appropriate approval of the Sangguniang Bayan.

In case of death of the MTHF HOLDER, the franchise shall automatically be cancelled. The successors of the late Franchisee may apply within 15 days if he/she is qualified and upon complying the following additional requirements, to wit:

- A. Death Certificate of MTHF holder
- B. Original MTHF issued by Sangguniang Bayan
- C. Marriage Contract/Birth Certification of the Applicant
- D. Other necessary support documents to prove relationship

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Provided, that upon expiration of the franchise, the successor of the deceased franchisee shall be required to apply for a new franchise if he/she intends to continue with the operation of the tricycle for hire.

**SECTION 8. RENEWAL OF MTH FRANCHISE** - The MTHF shall be renewed within thirty (30) days after its expiration, otherwise it shall be ground for automatic cancellation.

Failure to renew the yearly Mayor's Permit within thirty (30) days after its due date shall also be ground for automatic cancellation. The MTHF may be reconsidered for renewal upon payment of penalty in the amount of Php 300.00. The Sangguniang Bayan Technical Secretariat shall process/verify compliance for renewals.

Applications for new franchise and transfer of franchise ownership shall require the approval of the Sangguniang Bayan thru the Committee on Transportation and Public Utilities.

**SECTION 9. CHANGE OF MOTORCYCLE UNIT** - Any change of unit shall be construed as amendment to the MTHF and shall require authorization from the Sangguniang Bayan.

Provided, that conversion on the use of the MTH from public to private use, shall be approved by the Sangguniang Bayan, for the issuance of the "Dropping Certificate, as required by the LTO."

Provided, further that "dropping certificate" shall be issued upon payment the amount of Php 200.00 certification fee at the MTO.

**SECTION 10. CANCELLATION OF MTH FRANCHISE** - Any MTHF holder or franchisee may terminate his/her franchise at any time by surrendering the MTHF to the Sangguniang Bayan. The MTHF may be cancelled under the following conditions:

- A. Non-renewal of the MTOP/Mayor's Permit after 30-day grace period mentioned in Section 8 of this Ordinance;
- B. Death or demise of the MTHF holder;

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- C. MTHF holder voluntarily surrenders his/her franchise;
- D. By order of the Office of the Sangguniang Bayan on reasonable/justifiable grounds;
- E. Unauthorized transfer of MTHF, or who shall allow another to use his/her franchise without authority from the Sangguniang Bayan. In such case, the violator shall be precluded from getting a new franchise.
- F. The tricycle unit is used in the commission of a crime wherein the franchise holder and/or driver is/are involved.

**SECTION 11. PASSENGER FARES** - Tricycle fares for passengers shall be imposed at a level that will provide the operator a reasonable economic gain and still be within the affordable limit of the riding public. All tricycle drivers and operators shall post in a conspicuous place inside the tricycle the prescribed regular fare matrix for the information and guidance of the riding public.

The Sangguniang Bayan thru the Committee on Peace and Order, Public Safety and Transportation, shall through an ordinance, fix the fare for motorized tricycle for hire which shall be established at a level that will provide the operator a reasonable return of profit and still be affordable to the general public. Any increase or amendment to the fare rates shall likewise be made through an ordinance.

Provided, that the establishment of the fix rate of fares for motorized tricycle for hire plying within the jurisdiction of Jaro, shall be with the consultations from the driver/owner of the MTH, duly holders of an approved MTHF.

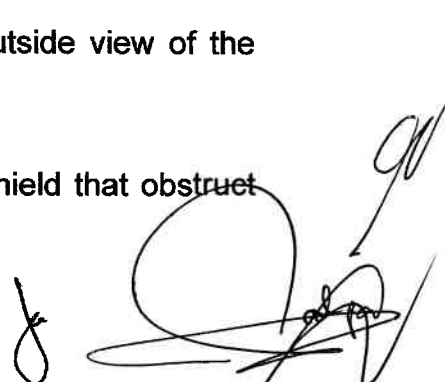
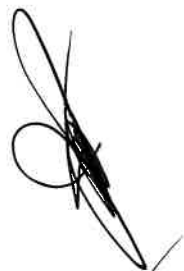
**SECTION 12. OPERATING CONDITIONS** - The following rules and regulations are hereby prescribed for the operation of tricycles for hire:

- A. The driver and the operator of motorized tricycles shall at all times operate and maintain a roadworthy, dependable and highly reliable tricycle unit in such a way as to insure the passengers' safe arrival to their destination. It shall as well ensure the comfort of the passengers such that the floor to roof height shall suffice

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- B. In order to establish a uniform identity for all motorized tricycles for hire in Jaro, Leyte and for security reasons, ORANGE shall be adopted as a common body color.
  
- C. The diver/operator shall secure Mayor's Permit and Body Number from the Business Permit and License Division. The following are the requirements:
  - 1. Approved Franchise by the Sangguniang Bayan, including all documents appended therein;
  - 2. Payment of the fees as provided in this ordinance.
  
- D. No tricycle unit shall also be issued MTHF unless it is of business type model that are steady and safe to carry passengers. It shall not be allowed to carry more than five (5) passengers. The maximum passenger capacity shall be indicated inside the unit. Children 7 years old and above are required to pay the fare rate.
  
- E. Back riding for tricycles shall only be allowed under the following conditions:
  - 1. There should only be one (1) back rider;
  - 2. Back riding passenger must not be a minor, a senior citizen or a person with disability; and
  - 3. Back rider must not be under the influence of liquor.
  
- F. Carriers for baggage's and other cargoes shall be placed on top of the side-car.
  
- G. Durable transparent plastic or any similar contrivance must be used as a sidecar windshield and must be free from unauthorized stickers and paintings that will obstruct the outside view of the passenger.
  
- H. Stickers or paintings of any kind on the windshield that obstruct vision shall not be allowed.



- I. The body number at the front portion of the side car shall be properly illuminated or lighted by two small lights for easy identification.
- J. Any tricycle driver/operator who does not wish to convey passengers at any given period during the day must place on the front windshield of his sidecar the sign: "ON SERVICE" or "ON CALL", for the information of the general public.
- K. In consonance to the Waste Management Program of the LGU, every tricycle unit shall have a trash can.

**SECTION 13. CONDITIONS FOR DRIVERS** - Only drivers with duly issued Professional Driver's License by the LTO shall be allowed to drive motorized tricycle for hire.

Tricycle drivers must likewise be tidy and neat in appearance when conveying passengers to impress the dignity and importance of their chosen occupation, as well as promote tourism industry. Wearing of slippers or driving barefoot, wearing sleeveless shirts shall not be allowed.

Tricycle drivers shall at all times be courteous, respectful and law abiding and observant of existing traffic rules and regulations. No driver shall be allowed to operate and drive a motorized tricycle while under the influence of liquor or prohibited drugs.

Provided, the Sanggunian may at its sound judgment, conduct seminars for information dissemination on the provisions of this ordinance in coordination with LTO, PNP-Traffic Enforcers, and the Jaro Traffic Enforcement and Management Office to drivers/operators, and for the grant of driving accreditation/s as transport service sector in the municipality, after complying with all the rules and procedures set forth by the JMFRB and/or the Sangguniang Bayan thru the Committee on Franchising and Accreditation.

**SECTION 14. PAYMENT OF FEES** - The fees herein prescribed shall be collected by the Municipal Treasurer's Office. A franchise fee shall be imposed by the Sangguniang Bayan for every unit authorized to operate. The following fees shall be paid upon filing of application for a term of Three (3) years, to wit:

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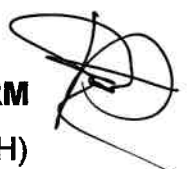
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a. Franchise Fee:	
1. New Application	Php 2,000.00/per unit
2. Renewal of Application	1,000.00/per unit
b. Mayor's Permit Fee per unit/annually	250.00
c. Medical Certificate	100.00
d. MTOP Plate Number Fee	150.00
e. Driver's Identification (ID) Card Fee	150.00
f. Sticker Fee (color coded)	150.00
g. Police Clearance Fee	100.00
h. Fee for change of MTH Unit	250.00
i. Change of ownership of MTH	250.00
j. Filing Fee for amendment of MTH Franchise	250.00
k. Transfer Fee in case of death or permanent disability of franchisee	250.00



Provided, that franchise holders who apply for the annual Mayor's Permit after the regular deadline as provided for under the "Revised Tax Code of the Municipality of Jaro", shall pay a surcharge of (50%) of the validation fee/mayor's permit fee. Any surcharges collected shall accrue to the general fund of the municipality.

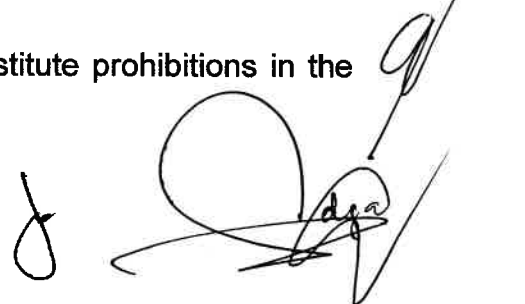
**SECTION 15. PROCEDURE ON THE ENFORCEMENT OF THE UNIFORM BODY COLOR** – A uniform color shall be designated to all motorcycle-for-hire (MCH) plying their routes within the jurisdiction of Jaro, Leyte.



- A. Designated color of each tricycle for hire in the municipality shall be distinguished by its uniform body color "**ORANGE**" which shall be painted by the owner/operator of the vehicle.
- B. Franchise Case Number should be legibly printed in bold black letters (3/4-inch x 5 inches) in the body of the tricycle including the name and address of the operator and the capacity of passengers.



**SECTION 16. PROHIBITIONS** - The following constitute prohibitions in the operation of the motorcycle-for-hire:



- A. Stickers, paintings and other adornments that hamper the proper viewing of the distinctions of the motor vehicles particularly the name and address of the operator and passenger's capacity.

**SECTION 17. SPECIFIC IMPOSITIONS AND THEIR PENALTIES** - The following penalties are hereby imposed on erring motorized tricycle operators and drivers.

- A. **Operating Without Franchise/Fake Franchise** - No tricycle for hire shall operate within the territorial jurisdiction of the municipality unless it has secured an approved franchise. Any driver/operator found driving/operating a motorized tricycle without Franchise or fake franchise shall suffer the penalty of fine in the amount of Two Thousand Five Hundred (Php 2,500. 00) Pesos.

- B. **Unauthorized Transfer of Franchise** - Any franchise holder who shall cause the transfer of ownership of franchise or who shall allow another to use his/her franchise without first securing authority from the Sangguniang Bayan as provided in Section 10 hereof shall suffer the penalty of fine in the amount of Two Thousand (Php 2,000.00) Pesos. In addition, the franchise shall be immediately cancelled/revoked.

- C. **Use of Franchise Belonging to Another Person** - Any person who shall use the franchise belonging to or registered in the name of another person shall suffer the penalty of fine in the amount of Two Thousand (Php 2,000.00) Pesos.

- D. **Use of MTH in the commission of crimes** - Any tricycle for hire with approved franchise who is found to have been used in the commission of a crime shall cause the immediate revocation/cancellation of franchise, without prejudice to the filing of appropriate cases in court, in accordance to any existing national or local laws.

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In addition to the fines imposed for any of the violations committed in this section, the unit/s shall be impounded and released upon payments of the impounding fee in the amount of Php 75.00 per/day to cover for its safekeeping.

Any MTH driver or operator found violating any of the provisions of this Ordinance for which penalties are not specified in this section shall be penalized by a fine of Five Hundred Pesos (Php 500.00) for every violation.

**SECTION 18. TRAFFIC CITATION TICKETS**

- A. Any person apprehended for violation any provision(s) of this Ordinance shall be issued a Traffic Citation Ticket in the form prescribed for the purpose and to be issued by the apprehending officer of the deputized Philippine National Police Traffic Enforcers and/or the Jaro Traffic Enforcers.
- B. The provisions of the Traffic Citation Ticket shall be complied by the offender within the number of days prescribed therein.

**SECTION 19. PROCEDURE FOR ISSUANCE AND PROCESSING OF CITATION TICKETS** – The municipality establishes protocol for issuance of citation tickets to offender is hereby adopted. Any valid Identification Card may be retained, if necessary, to confirm the identity of the offender and/or to secure payment of penalty.

- A. **FOR RESIDENT OFFENDERS** – Fines shall be paid at the Municipal Treasure’s Office. Copies of issued citation tickets must be turned over to the Office of the Municipal Treasurer daily.
- B. **FOR NON-RESIDENT OFFENDERS**– Issued citations ticket to non-resident offenders must be submitted to the Office of the Municipal Treasurer within TWENTY-FOUR (24) HOURS or the following work day, if it falls on a weekend or holiday upon issuance.

**SECTION 20. SEPARABILITY CLAUSE** - If for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid by a competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

*Jamela*

*Jamela*

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**SECTION 21. APPLICABILITY CLAUSE** - All other matters relating to the impositions in this Ordinance shall be governed by pertinent provisions of existing laws and other municipal ordinances.


**SECTION 22. REPEALING CLAUSE** - All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 23. EFFECTIVITY** - This ordinance shall take effect Fifteen (15) days after a copy hereof is posted in at least three (3) conspicuous places in the municipality in accordance with the provision of R.A. 7160.

**ENACTED ON OCTOBER 21, 2024.**

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I HEREBY CERTIFY, to the correctness of the foregoing Ordinance.

  
**NICOMEDES R. BORJA**  
Secretary to the Sanggunian  
Board Secretary V

**CONCURRED:**

  
**HON. JONEL MARTIN A. QUE**  
SB Member

  
**HON. LANDILINO T. KATANGKATANG**  
SB Member

  
**HON. JULIAN L. EMNAS**  
SB Member

  
**HON. FRANCISCO R. ALTRES**  
SB Member/Majority Floor Leader

**HON. LEO ANGELO T. PORMIDA**  
SB Member  
Absent-Excused

**HON. GUALBERTO V. ELISES**  
SB Member/Presiding Officer Pro Tempore  
Absent-Excused

EXCERPT FROM THE MINUTES OF THE 102<sup>nd</sup> SB  
REGULAR SESSION HELD ON OCTOBER 21, 2024

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HON. ALEXANDER N. SALGADO  
SB Member

  
HON. REY P. AURE  
SB Member

  
HON. PEDRO B. TAÑALA, JR.  
SB Member/LIGA FED.-President

  
HON. VIANCA MAE N. FAMILAR  
SB Member/SK FED.-President

ATTESTED:

  
HON. RODRIGO C. ARBAS  
Municipal Vice-Mayor  
SB Presiding Officer

APPROVED:

  
HON. JASSIE LOU TAÑALA  
Municipal Mayor



Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF JARO

TANGGAPAN NG SANGGUNIANG BAYAN

MINUTES OF THE 102<sup>nd</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN  
OF JARO, LEYTE HELD AT THE SB SESSION HALL LEGISLATIVE BUILDING  
ON OCTOBER 21, 2024.

**PRESENT:**

HON. RODRIGO C. ARBAS	-Municipal Vice-Mayo/Presiding Officer
HON. JONELL MARTIN A. QUE	-SB Member
HON. LANDILINO T. KATANGKATANG	-SB Member
HON. JULIAN L. EMNAS	-SB Member
HON. FRANCISCO R. ALTRES	-SB Member/Majority Floor Leader
HON. ALEXANDER N. SALGADO	-SB Member
HON. REY P. AURE	-SB Member
HON. PEDRO B. TAÑALA, JR.	-SB Member/LIGA Fed.-President
HON. VIANCA MAE N. FAMILAR	-SB Member/SK Fed.-President

**ABSENT:**

HON. LEO ANGELO T. PORMIDA	-SB Member
HON. GUALBERTO V. ELISES	-SB Member/Presiding Officer Pro-Tempore

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**CALL TO ORDER, PRAYER, SINGING OF THE NATIONAL ANTHEM, ROLL CALL,  
READING AND APPROVAL OF PREVIOUS MINUTES:**

**CALL TO ORDER**

Honorable Rodrigo C. Arbas, Vice-Mayor and SB Presiding Officer called to order the 102<sup>nd</sup> Regular Session of the Sangguniang Bayan, at 9:46 in the morning and then request the SB members to stand for the prayer followed by the Pambansang Awit.

**PRAYER**

The Body offered the prayer.

**PAMBANSANG AWIT**

The Body sang the National Anthem

**ROLL CALL**


After the singing of the Pambansang Awit, the Chair request the SB Secretary to call the roll to determine if there is a quorum, as follows:

**PRESENT:**

HON. RODRIGO C. ARBAS	-Municipal Vice-Mayo/Presiding Officer
HON. JONELL MARTIN A. QUE	-SB Member
HON. LANDILINO T. KATANGKATANG	-SB Member
HON. JULIAN L. EMNAS	-SB Member
HON. FRANCISCO R. ALTRES	-SB Member/Majority Floor Leader
HON. ALEXANDER N. SALGADO	-SB Member
HON. REY P. AURE	-SB Member
HON. PEDRO B. TAÑALA, JR.	-SB Member/LIGA Fed.-President
HON. VIANCA MAE N. FAMILAR	-SB Member/SK Fed.-President

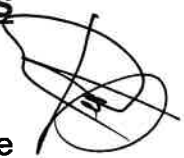
**ABSENT:**


HON. LEO ANGELO T. PORMIDA	-SB Member
HON. GUALBERTO V. ELISES	-SB Member

After the roll call the Chair opines that with Nine (9) SB members present declared there is a quorum and the 102<sup>nd</sup> SB Regular Session is open for the consideration of the new business for the day. 

And then after the Chair request Hon. Francisco R. Altres to facilitate the order of business for the day.

**READING AND CONSIDERATION ON THE MINUTES OF THE PREVIOUS SESSION**

Hon. Altres took the floor and then request the reading on the minutes of the 101<sup>st</sup> SB Regular Session, held October 14, 2024. 

After reading the previous minutes, the Chair asks from the Body if there are corrections, inclusions and/or exclusions on the minutes, and hearing none from the floor declared that the minutes of the 101<sup>st</sup> SB Regular Session is duly approved without corrections thereto, as read by the SB Secretary. 

**PRIVILEGE HOUR**

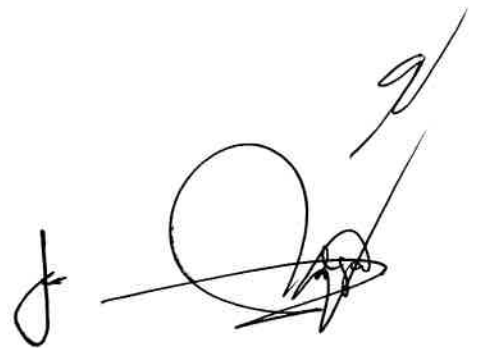
No one signify.

**QUESTION HOUR**

No question hour.

*Jamela*

*Panab*



**READING AND REFERRAL OF PROPOSED MEASURES**

**ITEM NO. 01: PROPONENT: HON. FRANCISCO R. ALTRES**  
Chairman Committee on Legal Matters, Laws and Privileges

RESOLUTION NO.15, SERIES OF 2024 FROM THE SANGGUNIANG BARANGAY OF BRY. CAGLAWAAN RESPECTFULLY REQUESTING HONORABLE RODRIGO C. ARBAS, MUNICIPAL VICE-MAYOR OF JARO, LEYTE TO SETTLE THE BOUNDARY DISPUTE BETWEEN BARANGAY POBLACION IV AND CAGLAWAAN JARO, LEYTE.

The Chair give the floor to Hon. Altres to apprise the Body of the Barangay Resolution No. 15, Series of 2024 of Brgy. Caglawaan.

Hon. Altres speaks out that the resolution of Brgy. Caglawaan, dated October 15, 2024, pertains to their request from the Vice-Mayor's Office to settle the boundary dispute between Brgy. Poblacion IV and Brgy. Caglawaan.

Further, Hon. Altres said that before the SB would intervene to settle the boundary dispute, there is a need to refer the matter to the Committee on Legal Matters, Laws and Privileges and the Committee on Land Use and utilization Chaired by Hon. Vianca Mae N. Familiar, to conduct a joint committee meeting in order for the two barangays to have time to submit documentary evidences to support on their respective claim of their established boundaries.

The Chair opines that Hon. Altres is correct that the issue shall be first referred to the concerned committees, before the SB will decide to render its decisions, and then ask from Hon. Altres, on the schedule of the joint committee meeting.

Hon. Altres suggest to conduct the joint committee meeting on October 30, 2024 (Wednesday) at 9:00 A.M., at the SB Session Hall. He further requests the members of the Committee on Legal Matters, Laws and Privileges and the Committee on Land Use, and Utilization to be present during the said committee meeting.

Further, Hon. Altres request the SB/LSS to send invitation to following resource persons, to wit:

- a. Ms. Christabel M. Ribo-MPDO
- b. Brgy. Chairman of Brgy. IV Poblacion
- c. Brgy. Chairman of Brgy. Caglawaan



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Likewise, Hon. Altres request the staff of the SB Secretary's Office to provide the copy of the previous Zoning Ordinance of the LGU to the members of the Committee for reference purpose during the committee meeting.

Hon. Emnas opines that it is high time to settle the boundary dispute, and for the Punong Barangay of Brgy. IV and Brgy. Caglawaan to meet and discuss their dispute to come-up a solution/settlement on the issue.

The Chair opines and declared that as scheduled there will be a joint committee meeting of the Committee on Legal Matters, Laws and Privileges and the Committee on Land Use and Utilization on October 30, 2024 at 9:00 A.M., to review Barangay Resolution No. 15, Series of 2024 of Brgy. Caglawaan and then encourage the committee members to attend the committee meeting.

**COMMITTEE REPORT:**

**ITEM NO. 01: READING AND ADOPTION OF COMMITTEE REPORT:**

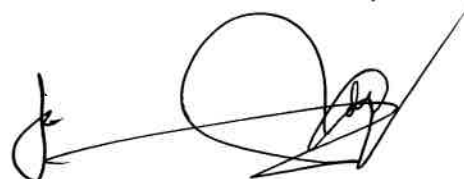
**PROPONENT: HON. LEO ANGELO T. PORMIDA**, Vice-Chairman Committee on Accreditation. Moved By: **HON. ALEXANDER N. SALGADO**-Committee Member

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 27, 2024 OF THE COMMITTEE ON ACCREDITATION ON THE REVIEW OF THE REQUEST FOR ACCREDITATION OF DUNAMAI FARMERS ASSOCIATION OF SAN ROQUE ST. BARANGAY CANHANDUGAN JARO, LEYTE.

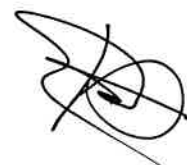
Hon. Altres opines that the proponent Hon. Pormida which is representing Hon. Elises, Chairman of the Committee on Accreditation is absent and suggest that in lieu of Hon. Pormida, any members of the committee may offer the motion.

The Chair opines and then request Hon. Que to offer the motion in lieu of Hon. Pormida. Hon. Que opines and inform the Chair that he is not a member of the committee, and then suggest that Hon. Salgado could offer the motion, as one of the members of the committee.

The Chair give the floor to Hon. Salgado to offer the motion to represent Hon. Elises and Hon. Pormida.



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Hon. Salgado took the floor and then manifest that as one of the members of the Committee on Accreditation, and for and in behalf on Hon. Pormida, move the above proposed resolution, duly seconded by Hon. Que, Hon Familiar and Hon. Altres.

The Chair opines that there is a motion duly seconded and then after declare for the plenary discussion of the above proposed legislative measure, and then after give the floor to Hon. Salgado.

Hon. Salgado took the floor and then request Ms. Ma. Loreville C. Reyes-SB/LSS to read the committee report, the Chair directed Ms. Reyes to read the committee report.

After the reading of the committee report, the Chair asks from the Body if there are corrections/amendments, and hearing none request Hon. Salgado to offer the final motion.

Hon. Salgado speaks out that was the committee report to review the application for accreditation of Dunamai Farmers Association, and then move for the final adoption of the committee report and it was duly seconded en masse.

And then after the Chair declared that Item No. 01, under the committee report has been moved, carried and approved en masse by the August Body.

**ITEM NO. 02: READING AND ADOPTION OF COMMITTEE REPORT:**

**PROPONENT: HON. LEO ANGELO T. PORMIDA**, Vice-Chairman Committee on Accreditation. Moved By: **HON. ALEXANDER N. SALGADO**-Committee Member

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 27, 2024 OF THE COMMITTEE ON ACCREDITATION ON THE REVIEW OF THE REQUEST FOR ACCREDITATION OF JARO LEYTE TRANSPORT COOPERATIVE (JLTC), ASSOCIATION OF SAN ROQUE ST. BARANGAY III POBLACION JARO, LEYTE.

The Chair opines that Hon. Salgado may proceed to offer the motion in the absence of Hon. Pormida. Hon. Salgado move the proposed resolution seconded by Hon. Altres, Hon. Emnas and Hon. Katangkatang, and then after request Ms. Ma. Loreville C. Reyes-SB/LSS to read the committee report.

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After the reading of the committee report, the Chair asks from the floor if there are corrections to the committee report, and hearing none request Hon. Salgado to offer the final motion.

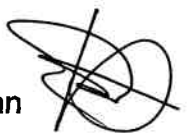
Hon. Salgado took the floor and then move the above cited proposed resolution, and it was duly seconded en masse.

And then after the Chair declared that for Item No. 02, under the committee report has been moved, carried and approved en masse, without corrections thereto, as read by Ms. Reyes-SB/LSS.

**ITEM NO. 03: READING AND ADOPTION OF COMMITTEE REPORT:**

**PROPONENT: HON. LEO ANGELO T. PORMIDA**, Chairman Committee on Finance, Budget and Appropriations. Moved By: **HON. JONELL MARTIN A. QUE**-Vice-Chairman of the Committee

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS ON THE REVIEW OF BARANGAY ORDINANCE NO. 01, SERIES OF 2024, DATED FEBRUARY 3, 2024, ENTITLED: "AN ORDINANCE IMPOSING FOR THE INCREASE OF FEES COLLECTION TO EVERY INDIVIDUAL APPLYING AND OR SEEKING FOR OFFICIAL CERTIFICATION, CLEARANCE/S AND OTHER RELATED SERVICES RENDERED BY THE BARANGAY GOVERNMENT OF BARANGAY VILLAPAZ JARO, LEYTE.

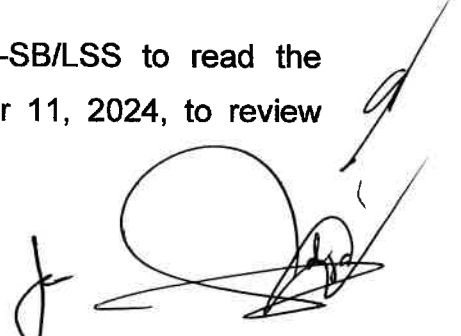


Hon. Altres opines that considering Hon. Pormida is absent the Vice-Chairman of the Committee Hon. Jonell Martin A. Que could offer the motion.

The Chair speaks out and said that Hon. Que may proceed to offer the final motion.

Hon. Que opines that for and in behalf of Hon. Pormida and as the Vice-Chairman of the Committee, move the above proposed resolution, seconded by Hon. Salgado, Hon. Altres and Hon. Familiar.

Further, Hon. Que request Mr. Joselito B. Cornista-SB/LSS to read the committee report of the committee meeting held on October 11, 2024, to review Barangay Ordinance No. 01, Series of 2024 of Brgy. Villa Paz.



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The Chair opines there is a motion duly seconded, and directed Mr. Cornista to read the committee report, and after it has been read, the Chair asks from the Body if there are corrections to the minutes, and hearing none, request Hon. Que to offer the final motion, and it was duly seconded en masse, without corrections thereto as read by Mr. Cornista.

And then after the Chair declared that for Item No. 03, under the committee report, it has been moved, carried and approved en masse.

**ITEM NO. 04: READING AND ADOPTION OF COMMITTEE REPORT:**


**PROPONENT: HON. LEO ANGELO T. PORMIDA**, Chairman Committee on Finance, Budget and Appropriations. Moved By: **HON. JONELL MARTIN A. QUE**-Vice-Chairman of the Committee

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS ON THE REVIEW OF BARANGAY ORDINANCE NO. 01, SERIES OF 2024, DATED JANUARY 6, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE. AMENDING BARANGAY ORDINANCE NO. 03, SERIES OF 2018, KNOWN AS "AN ORDINANCE IMPOSING FEES AND CHARGES ON INDIVIDUAL BARANGAY CLEARANCE, BARANGAY BUSINESS CLEARANCE, ISSUANCE OF CERTIFICATIONS AND OTHER SERVICES OFFERED OF THIS BARANGAY PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT CODE (RA 7160) AND PROVIDING PENALTY FOR VIOLATIONS THEREOF.

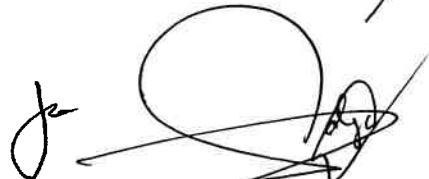


The Chair opines that considering Hon. Pormida is absent the Vice-Chairman of the Committee may proceed to offer the motion.

Hon. Que move the above proposal, seconded by Hon. Altres, Hon. Katangkatang and Hon. Emnas, and then after Hon. Que request Mr. Joselito B. Cornista-SB/LSS to read the minutes of the committee meeting, held on October 11, 2024, to review Barangay Ordinance No. 01, Series of 2024 of Brgy. San Roque.



After the reading of the committee report, the Chair ask from the Body if there corrections thereto, and hearing none from the floor, request Hon. Que to offer the final motion.



Hon. Que move the above proposed resolution, duly seconded en masse, and then after the chair declared that for Item No. 04, under the committee report, it has been moved, carried and approved en masse by the August Body.

**ITEM NO. 05: READING AND ADOPTION OF COMMITTEE REPORT:**

**PROPONENT: HON. ALEXANDER N. SALGADO**

Chairman Committee on Peace and Order, Public safety and Transportation

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON PEACE AND ORDER, PUBLIC SAFETY AND TRANSPORTATION ON THE REVIEW OF BARANGAY ORDINANCE NO. 02, SERIES OF 2024, DATED FEBRUARY 3, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE, ENTITLED: "AN ORDINANCE SETTING "CURFEW HOURS" PROHIBITING ALL MINORS ROAM AROUND, WANDER, STAY OR PLAY ON STREETS, ROADS, PLAZA OR OTHER PUBLIC PLACES OR ESTABLISHMENTS IN THE BARANGAY DURING CURFEW HOURS AS DEFINED IN THIS ACT (BETWEEN 9:00 P.M. TO 5:00 A.M.) SINGLY OR IN GROUPS WITHOUT LAWFUL PURPOSE OR JUSTIFIABLE REASONS.



Hon. Salgado took the floor and then move the above proposed resolution, seconded by Hon. Familiar, Hon. Que and Hon. Altres, and then after Hon. Salgado request Ms. Michelle M. Metran-SB/LSS to read the committee report.

The Chair opines that there is a motion duly seconded, and then after directed Ms. Metran to read the minutes of the committee meeting.



After the reading on the committee report the Chair ask from the Body if there are corrections to the minutes, and hearing none from the floor, request Hon. Salgado to offer the final motion for its adoption.



Hon. Salgado offer the final motion of the above cited proposed resolution and it was duly seconded en masse.


And then after the Chair declared that for Item No. 05, under the committee report, which is to review Barangay Ordinance No. 02, Series of 2024 of Brgy. San Roque, has been moved, carried and approved en masse by the August Body, without corrections as read by Ms. Metran.



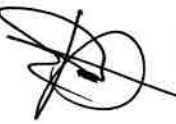
*Janelyn*


**ITEM NO. 06: READING AND ADOPTION OF COMMITTEE REPORT:**  
**PROPONENT: HON. ALEXANDER N. SALGADO**  
Chairman Committee on Peace and Order, Public safety and Transportation

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON PEACE AND ORDER, PUBLIC SAFETY AND TRANSPORTATION ON THE REVIEW OF BARANGAY ORDINANCE NO. 03, SERIES OF 2024, DATED MARCH 2, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE. ENTITLED: "AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE, KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND SERVICES WITHIN THE RESIDENTIAL AREAS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.

Hon. Salgado move the above proposed resolution, seconded by Hon. Altres, Hon. Emnas and Hon. Katangkatang, and then after, request Ms. Michelle M. Metran-SB/LSS to read before the Body the minutes of the committee meeting, held on October 11, 2024. 

The Chair recognizes Ms. Metran and directed her to read the committee report. After the reading on minutes of the committee meeting, the Chair asks from the Body for any corrections to the committee report and hearing none from the floor, request Hon. Salgado to offer the final motion for its adoption.

Hon. Salgado took the floor, and then move the above proposed legislative measure, duly seconded en masse. 

And then after the Chair declared that for Item No. 06, under the committee report, it has been moved, carried, as approved en masse by the August Body, without corrections thereto, as read by Ms. Metran. 

**CALENDAR OF BUSINESS**

**A. UNFINISHED BUSINESS**

**B. BUSINESS FOR THE DAY**

**ITEM NO. 01: EXECUTIVE AGENDA:**  
**PROPONENT: HON. LEO ANGELO T. PORMIDA, Chairman Committee on Finance, Budget and Appropriations. Moved By: Hon Jonell Martin A. Que, Vice-Committee Chairman.**

*Jannulari*


*Janab*

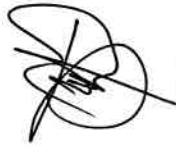
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A PROPOSED RESOLUTION AUTHORIZING HONORABLE JASSIE LOU TAÑALA, MUNICIPAL MAYOR, TO EXECUTE, SIGN AND PERFORM THE TERMS AND CONDITIONS SET FORTH IN THE MEMORANDUM OF AGREEMENT BETWEEN THE MUNICIPAL GOVERNMENT OF JARO AND THE LANDBANK OF THE PHILIPPINES (LBP) FOR THE AVAILMENT OF THE Link.Bizportal, weAccess FACILITY AND OTHER CASH MANAGEMENT SOLUTIONS THAT THE LGU-JARO MIGHT AVAIL IN THE FUTURE.


Hon. Que took the floor and then move the above proposed resolution, seconded by Hon. Altres, Hon. Familiar and Hon. Katangkatang.

The Chair opines there is a motion duly seconded, and then after the Chair declared the plenary discussion of the above proposed legislative measure, and then give the floor to Hon. Que.

Hon. Que opines that as far as he can remember in the previous SB Regular Session, the Sanggunian has requested from the Chairman of the Committee on Finance, Budget and Appropriations, that whenever there is an executive agenda for approval of the SB to require the LCE's Staff to complete all the necessary documents before it is submitted to the Sangguniang Bayan, in order to avoid delay on the approval of the executive agenda, due to lack of necessary documents. 

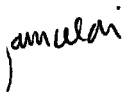
Further, Hon. Que said that the attach sample of MOA, it is incomplete for there are around three (3) pages only, and review of the sample MOA, the address of LGU-JARO is Brgy. Buri, that is why on his part he cannot fully understand the provision contained in the MOA. 

Hon. Que continue to ask for the opinion of the SB members if the SB will proceed to approved the proposed resolution, despite the fact that there is an error in the MOA, or to defer the same until the next SB Regular Session, to give time for the LCE's Office to submit the complete documents, or to ask the Chairman of the Committee on Finance, Budget and Appropriations if he has the complete documents on his position. 

Hon. Altres speaks out on his review on the MOA, the LGU address is indeed Brgy. Buri, but reading on the contents of the MOA it seems is in order, but there is still a need to complete the documents, specifically to correct the error in the MOA before approval of the resolution. 







The Chair opines that review on the documents attached to the executive agenda there is a pro-forma resolution, and the sample of MOA which the address of the LGU is Brgy. Buri, on his view there is a need first to correct the error, and then asks for the pleasure of the SB members.

Hon. Salgado opines and said that he concurs to the opinion/observation of Hon. Que, that there is a need to complete the documents, and to correct the address of the LGU in the MOA, and also Hon. Salgado that in the attach MOA, the portion under the non-disclosure agreement, it is incomplete, hence it cannot fully review the contents in that particular portion.

Hon. Que, in addition, thereto, said that on his review of the pro-forma resolution, under par. 2, No.4, on his opinion the provisions are somewhat a blanket authority to the LCE to amend/add/delete/enrolled deposit accounts, adjust the original and succeeding enrollment, without the need of authority of the Sangguniang Bayan.

The Chair opines and then asks for the consensus of the Body, and the Body resolved to defer the approval of Item No. 1, under the business for the day, until the next SB Regular Session, and request the SB/LSS to talk with the LCE's Staff to complete all the necessary documents, specifically the copy of the MOA between the LGU and LBP.

**ITEM NO. 02: PROPONENT: HON. LEO ANGELO T. PORMIDA**  
Vice-Chairman Committee on Accreditation. Moved By: **HON. ALEXANDER N. SALGADO**-Committee Member

A PROPOSED RESOLUTION APPROVING THE ACCREDITATION OF DUNAMAI FARMERS ASSOCIATION OF SAN ROQUE ST. BARANGAY CANHANDUGAN JARO, LEYTE.

Hon. Salgado representing Hon. Elises and Hon. Pormida, took the floor and then move the above proposed resolution, seconded by Hon. Ernna and Hon. Altres.

The Chair opines and said if Hon. Salgado will agree that the final approval for the accreditation of Dunamai Farmers Association, would be deferred until the next SB Regular Session, after the plenary discussions of the above proposed resolution.

Hon. Salgado speaks out that he concurs to the suggestion of the Chair.

**ITEM NO. 03: PROPONENT: HON. LEO ANGELO T. PORMIDA**  
Vice-Chairman Committee on Accreditation. Moved By: **HON. ALEXANDER N. SALGADO**-Committee Member

A PROPOSED RESOLUTION APPROVING THE ACCREDITATION OF JARO LEYTE TRANSPORT COOPERATIVE (JLTC), ASSOCIATION OF SAN ROQUE ST. BARANGAY III POBLACION JARO, LEYTE.

For Item No. 03, under the business for the day the Body resolve to defer the approval until the next SB Regular Session, and after the plenary discussion is for adoption of the committee report.

The Chair opines, that Item No. 02 and Item No. 03, will be a priority agenda on the next SB Regular Session, for there is a need for plenary discussions before its final approval.

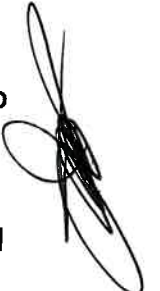
**ITEM NO. 04: PROPONENT: HON. LEO ANGELO T. PORMIDA**  
Chairman Committee on Finance, Budget and Appropriations  
**HON. JONELL MARTIN A. QUE**-Vice-Chairman of the Committee

A PROPOSED RESOLUTION APPROVING BARANGAY ORDINANCE NO. 01, SERIES OF 2024, DATED JANUARY 6, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE. AMENDING BARANGAY ORDINANCE NO. 03, SERIES OF 2018, "AN ORDINANCE IMPOSING FEES AND CHARGES ON INDIVIDUAL BARANGAY CLEARANCE, BARANGAY BUSINESS CLEARANCE, ISSUANCE OF CERTIFICATIONS AND OTHER SERVICES OFFERED OF THIS BARANGAY PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT CODE (RA 7160) AND PROVIDING PENALTY FOR VIOLATIONS THEREOF.

Hon. Que opines that Item No. 04 is still subject for plenary discussion, and to defer its final approval until the next SB Regular Session.

The Chair declared that as proposed by Hon. Que, Item No. 04, is deferred until the next SB Regular Session.


**ITEM NO. 05: APPROVAL ON THIRD AND FINAL READING OF ORDINANCE NO. 32, SERIES OF 2024. SPONSORED BY: HON. ALEXANDER N. SALGADO, Chairman Committee on Peace and Order, Public Safety and Transportation**




**ORDINANCE NO. 32  
SERIES OF 2024.**

AN ORDINANCE PROVIDING FOR THE RULES, REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF FRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO

Before its final motion, Hon. Salgado manifest that Ordinance No. 32, Series of 2024, is already compliant to the three reading principles, all the amendments/corrections to the Ordinance have already been incorporated to the final draft of subject ordinance, and is already for final approval on third-and-final reading.

The Chair opines that if there are no further minor inquiries to Ordinance No. 32, Series of 2024, Hon. Salgado may proceed to offer the final motion for its approval. 

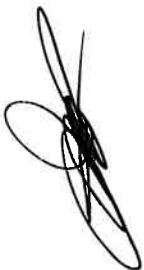

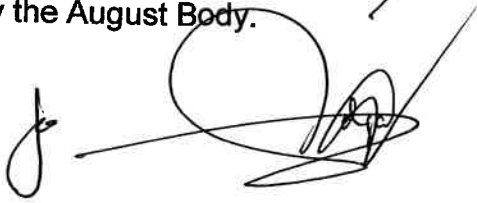
Hon. Salgado took the floor and then move for the approval of Ordinance No. 32, Series of 2024, under the third-and-final reading, at it was duly seconded en masse by the SB Members present.

The Chair opines and declared that Ordinance No. 32, Series of 2024, has been moved, carried and approved en masse by the August Body, and then after the Chair congratulate Hon. Salgado for a job-well-done, and also the committee members. 

**OTHER MATTERS:**

1. Hon. Katangkatang took the floor, and then proposed a resolution, as follows:

***“A PROPOSED RESOLUTION CONGRATULATING DR. JESSAMAY COLANTA MERCADO FOR PASSING THE PHYSICIANS LINCESURE EXAMINATION ON OCTOBER 5, 2024”***

The above resolution has been duly seconded en masse, and then after the Chair declared that the proposed resolution sponsored by Hon. Katangkatang, is duly approved en masse by the August Body.   
  


2. The Chair request the SB/LSS in-charge for the formulation of the minutes of committee meetings, to provide the SB members a copy of the committee report for references purposes, during the plenary discussions for its adoption, and the SB Secretary for records purposes of the SBO.

The Chair further request Ms. Julie A. Caigoy-SB/LSS, in-charge on the formulation of the Calendar of Business to prioritize in the agenda the committee reports subject for plenary discussions.

And with no more business to be transacted, on motion of Hon. Francisco R. Altres, to adjourn the session duly seconded en masse, the Chair declared the 102<sup>nd</sup> SB Regular Session adjourned at 11.38 A.M.

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**EXCERPT RESOLUTION/ORDINANCE:**

ITEM NO. 01: READING AND ADOPTION OF COMMITTEE REPORT:  
PROPONENT: HON. LEO ANGELO T. PORMIDA, Vice-Chairman Committee on Accreditation. Moved By: HON. ALEXANDER N. SALGADO-Committee Member

**RESOLUTION NO. 2024- 512**

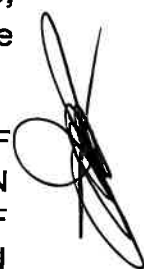
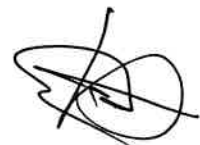
A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 27, 2024 OF THE COMMITTEE ON ACCREDITATION ON THE REVIEW OF THE REQUEST FOR ACCREDITATION OF DUNAMAI FARMERS ASSOCIATION OF SAN ROQUE ST. BARANGAY CANHANDUGAN JARO, LEYTE.

**NOW, THEREFORE**, on motion of **Honorable Alexander N. Salgado**, Member Committee on Accreditation, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED, AS IT IS HEREBY RESOLVED** TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 27, 2024 OF THE COMMITTEE ON ACCREDITATION ON THE REVIEW OF THE REQUEST FOR ACCREDITATION OF DUNAMAI FARMERS ASSOCIATION OF SAN ROQUE ST. BARANGAY CANHANDUGAN JARO, LEYTE;

**RESOLVED FINALLY**, a copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED ON OCTOBER 21, 2024**





ITEM NO. 02: READING AND ADOPTION OF COMMITTEE REPORT:  
PROPONENT: HON. LEO ANGELO T. PORMIDA, Vice-Chairman Committee  
on Accreditation. Moved By: HON. ALEXANDER N. SALGADO-Committee  
Member

**RESOLUTION NO. 2024- 519**

A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 27, 2024 OF THE COMMITTEE ON ACCREDITATION ON THE REVIEW OF THE REQUEST FOR ACCREDITATION OF JARO LEYTE TRANSPORT COOPERATIVE (JLTC), ASSOCIATION OF SAN ROQUE ST. BARANGAY III POBLACION JARO, LEYTE.

**NOW, THEREFORE**, on motion of **Honorable Alexander N. Salgado**, Member Committee on Accreditation, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED, AS IT IS HEREBY RESOLVED** TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 27, 2024 OF THE COMMITTEE ON ACCREDITATION ON THE REVIEW OF THE REQUEST FOR ACCREDITATION OF JARO LEYTE TRANSPORT COOPERATIVE (JLTC), ASSOCIATION OF SAN ROQUE ST. BARANGAY III POBLACION JARO, LEYTE;

**RESOLVED FINALLY**, a copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED ON OCTOBER 21, 2024**

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ITEM NO. 03: READING AND ADOPTION OF COMMITTEE REPORT:  
PROPONENT: HON. LEO ANGELO T. PORMIDA, Chairman Committee  
Finance, Budget and Appropriations Moved By: HON. Jonell Martin A. Que,  
Vice Committee Chairman

**RESOLUTION NO. 2024- 520**

A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS ON THE REVIEW OF BARANGAY ORDINANCE NO. 01, SERIES OF 2024, DATED FEBRUARY 3, 2024. "AN ORDINANCE IMPOSING FOR THE INCREASE OF FEES COLLECTION TO EVERY INDIVIDUAL APPLYING AND OR SEEKING FOR OFFICIAL CERTIFICATION, CLEARANCE/S AND OTHER RELATED SERVICES RENDERED BY THE BARANGAY GOVERNMENT OF BARANGAY VILLA PAZ JARO, LEYTE".

**NOW, THEREFORE**, on motion of **Honorable Jonell Martin A. Que**, Vice-Chairman Committee on Finance, Budget and Appropriations, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED, AS IT IS HEREBY RESOLVED** TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS ON THE REVIEW OF BARANGAY ORDINANCE NO. 01, SERIES OF 2024, DATED FEBRUARY 3, 2024. "AN ORDINANCE IMPOSING FOR THE INCREASE OF FEES COLLECTION TO EVERY INDIVIDUAL APPLYING AND OR SEEKING FOR OFFICIAL CERTIFICATION, CLEARANCE/S AND OTHER RELATED SERVICES RENDERED BY THE BARANGAY GOVERNMENT OF BARANGAY VILLA PAZ JARO, LEYTE";

**RESOLVED FINALLY**, a copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED ON OCTOBER 21, 2024.**

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ITEM NO. 04: READING AND ADOPTION OF COMMITTEE REPORT:  
PROPONENT: HON. LEO ANGELO T. PORMIDA, Chairman Committee Finance, Budget and Appropriations Moved By: HON. Jonell Martin A. Que, Vice Committee Chairman

**RESOLUTION NO. 2024- 521**

A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS ON THE REVIEW OF BARANGAY ORDINANCE NO. 01, SERIES OF 2024, DATED JANUARY 6, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE, AMENDING BARANGAY ORDINANCE NO. 03, SERIES OF 2018. "AN ORDINANCE IMPOSING FEES AND CHARGES ON INDIVIDUAL BARANGAY CLEARANCE, BARANGAY BUSINESS CLEARANCE, ISSUANCE OF CERTIFICATIONS AND OTHER SERVICES OFFERED OF THIS BARANGAY PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT CODE (RA 7160) AND PROVIDING PENALTY FOR VIOLATIONS THEREOF".

**NOW, THEREFORE**, on motion of **Honorable Jonell Martin A. Que**, Vice-Chairman Committee on Finance, Budget and Appropriations, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED, AS IT IS HEREBY RESOLVED TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS ON THE REVIEW OF BARANGAY ORDINANCE NO. 01, SERIES OF 2024, DATED JANUARY 6, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE, AMENDING BARANGAY ORDINANCE NO. 03, SERIES OF 2018. "AN ORDINANCE IMPOSING FEES AND CHARGES ON INDIVIDUAL BARANGAY CLEARANCE, BARANGAY BUSINESS CLEARANCE, ISSUANCE OF CERTIFICATIONS AND OTHER SERVICES OFFERED OF THIS BARANGAY PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT CODE (RA 7160) AND PROVIDING PENALTY FOR VIOLATIONS THEREOF";**

**RESOLVED FINALLY,** a copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED ON OCTOBER 21, 2024**

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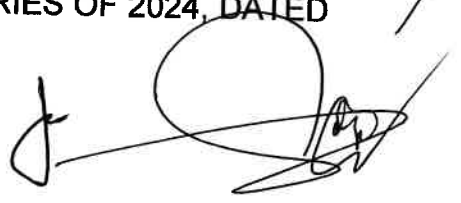
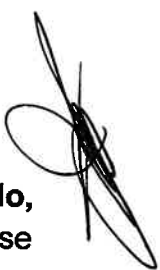
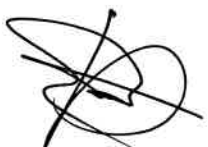
ITEM NO. 05: READING AND ADOPTION OF COMMITTEE REPORT:  
PROPONENT: HON. ALEXANDER N. SALGADO-Chairman Committee on Peace and Order, Public Safety.

**RESOLUTION NO. 2024- 522**

A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON PEACE AND ORDER, PUBLIC SAFETY AND TRANSPORTATION ON THE REVIEW OF BARANGAY ORDINANCE NO. 02, SERIES OF 2024, DATED FEBRUARY 3, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE. "AN ORDINANCE SETTING "CURFEW HOURS" PROHIBITING ALL MINORS ROAM AROUND, WANDER, STAY OR PLAY ON STREETS, ROADS, PLAZA OR OTHER PUBLIC PLACES OR ESTABLISHMENTS IN THE BARANGAY DURING CURFEW HOURS AS DEFINED IN THIS ACT (BETWEEN 9:00 P.M. TO 5:00 A.M.) SINGLY OR IN GROUPS WITHOUT LAWFUL PURPOSE OR JUSTIFIABLE REASONS".

**NOW, THEREFORE,** on motion of **Honorable Alexander N. Salgado,** Chairman Committee on Peace and Order and Public Safety, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED, AS IT IS HEREBY RESOLVED TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON PEACE AND ORDER, PUBLIC SAFETY AND TRANSPORTATION ON THE REVIEW OF BARANGAY ORDINANCE NO. 02, SERIES OF 2024, DATED**



FEBRUARY 3, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE. "AN ORDINANCE SETTING "CURFEW HOURS" PROHIBITING ALL MINORS ROAM AROUND, WANDER, STAY OR PLAY ON STREETS, ROADS, PLAZA OR OTHER PUBLIC PLACES OR ESTABLISHMENTS IN THE BARANGAY DURING CURFEW HOURS AS DEFINED IN THIS ACT (BETWEEN 9:00 P.M. TO 5:00 A.M.) SINGLY OR IN GROUPS WITHOUT LAWFUL PURPOSE OR JUSTIFIABLE REASONS";

**RESOLVED FINALLY**, a copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED ON OCTOBER 21, 2024**

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ITEM NO. 06: READING AND ADOPTION OF COMMITTEE REPORT:  
PROPONENT: HON. ALEXANDER N. SALGADO-Chairman Committee on Peace and Order, Public Safety.

**RESOLUTION NO. 2024- 523**

A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON PEACE AND ORDER, PUBLIC SAFETY AND TRANSPORTATION ON THE REVIEW OF BARANGAY ORDINANCE NO. 03, SERIES OF 2024, DATED MARCH 2, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE. "AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE, KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND SERVICES WITHIN THE RESIDENTIAL AREAS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES".

**NOW, THEREFORE**, on motion of **Honorable Alexander N. Salgado**, Chairman Committee on Peace and Order and Public Safety, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED, AS IT IS HEREBY RESOLVED** TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON OCTOBER 11, 2024 OF THE COMMITTEE ON PEACE AND ORDER, PUBLIC SAFETY AND TRANSPORTATION ON THE REVIEW OF BARANGAY ORDINANCE NO. 03, SERIES OF 2024, DATED MARCH 2, 2024, OF BARANGAY SAN ROQUE JARO, LEYTE. "AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE, KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND SERVICES WITHIN THE RESIDENTIAL AREAS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES";

**RESOLVED FINALLY**, a copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED ON OCTOBER 21, 2024**

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*Samuel*

*Salgado*

*[Handwritten signatures]*

ITEM NO. 07: PROPONENT: HON. LANDILINO T. KATANGKATANG,

**RESOLUTION NO. 2024- 523A**

A RESOLUTION CONGRATULATING DR. JESSAMAY COLANTA MERCADO FOR PASSING THE PHYSICIANS LINCESURE EXAMINATION ON OCTOBER 5, 2024

**WHEREAS**, the Professional Regulations Commission (PRC) announced the board passers of the Physicians Licensure Examination conducted on October 5, 2024;

**WHEREAS**, Dr. Jessamay Colanta Mercado who is a resident of Jaro, Leyte is one of the successful examinees of the 2024 Physicians Licensure Examination;

**WHEREAS**, Dr. Jessamay Colanta Mercado in passing the Physicians Licensure Examination, proved for her hard work and dedication to study medicine, which would serve as an inspiration to the young constituents of Jaro, Leyte;

**WHEREAS**, this Sangguniang Bayan recognizes her strong determination to succeed on her chosen field of endeavor as evidenced by her remarkable achievement, and hope that this will encourage her fellow Jaronians to follow her example;

**NOW, THEREFORE**, on motion of **Honorable Landilino T. Katangkatang**, duly seconded en masse by the Sangguniang Bayan Members present, be it-

**RESOLVED, AS IT IS HEREBY RESOLVED TO CONGRATULATE DR. JESSAMAY COLANTA MERCADO FOR PASSING THE PHYSICIANS LINCESURE EXAMINATION ON OCTOBER 5, 2024;**

**RESOLVED FINALLY**, let copy of this resolution be furnished to the Municipal Mayor, and Dr. Jessamay Colanta Mercado for their information

**APPROVED: OCTOBER 21, 2024.**

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ITEM NO. 08: APPROVAL ON THIRD-AND-FINAL-READING OF ORDINANCE NO. 32, SERIES OF 2024. SPONSORED BY: HON. ALEXANDER N. SALGADO, Chairman Committee on Peace and Order, Public Safety and Transportation


**EXPLANATORY NOTE**

Section 447, (3) (vi) of the RA 7160 or the Local Government Code of 1991 authorizes the Sangguniang Bayan, subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of Motorized Tricycle for Hire and grant franchises for the operation thereof within the territorial jurisdiction of the municipality.

In order to promote public welfare, the Sangguniang Bayan deem it imperative to establish a tricycle operation policy that will guide and enhance its transport and traffic concerns; thus, the need to enact an ordinance that will provide for the rules, regulations and operating conditions of Motorized Tricycles for Hire (MTH), plying within the territorial jurisdiction of the Municipality of Jaro, Leyte.

The provisions of the hereunder ordinance is suppletory to Ordinance N0. 19, Series of 2023, entitled: The Revised Traffic Code for the Municipality of Jaro, Leyte, duly enacted and approved by the Sangguniang Bayan on November 20, 2023.

**HONORABLE ALEXANDER N. SALGADO**  
Chairman Committee on Peace and Order, Public  
Safety and Transportation



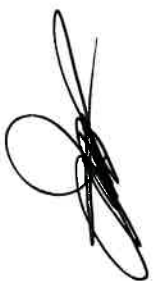
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**INTRODUCED BY: HONORABLE ALEXANDER N. SALGADO**  
Chairman Committee on Peace and Order, Public Safety and Transportation

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**ORDINANCE NO. 32**  
**SERIES OF 2024**

AN ORDINANCE PROVIDING FOR THE RULES, REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF FRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO



**Be it ordained** by the Sangguniang Bayan of Jaro, Leyte in a regular session duly assembled:



**SECTION 1. TITLE** - This Ordinance shall be referred to: AN ORDINANCE PROVIDING FOR THE RULES, REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF FRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF.

**SECTION 2. SCOPE** - This Ordinance shall apply to all motorized tricycles for hire operating or plying within the territorial jurisdiction of the Municipality of Jaro, Leyte.

**SECTION 3. DEFINITION OF TERMS** - For purposes of this Ordinance, the following words and/or phrases shall be construed and defined as follows:

**A. Franchise** - is a privilege or power of a public concern which ought not to be exercised by a private individual at his will and pleasure but should be presumed for the public control or administration by the government directly or by public agents under such condition and regulations as the government may impose in the public interest and for public security.

It is a privilege which the individual cannot exercise as a right and which depends for its lawful existence upon a grant from the government.

**B. Motorized Tricycle for Hire (MTH)** - shall mean any motorcycle fitted or attached with a single wheeled side-car or any three-wheeled motorized vehicle used to convey or transport passengers at a fixed rate or fare to their places of destination.

**C. Tricycle Driver** - shall refer to any person duly licensed by the Land Transportation Office (LTO) to drive and operate a motorcycle or a tricycle and who actually drive and control a motorized tricycle while in operation in public streets and highways.

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- D. Tricycle Operator** - shall refer to the registered owner of a motorized tricycle as appearing in the Certificate of Registration issued by the LTO.
- E. Tricycle Driver/Operator** shall refer to the driver who takes charge of driving and operating the motorized tricycle and at the same time the registered owner of the same duly franchised by LGU Jaro, Leyte.
- F. Motorized Tricycle Operators Franchise (MTOF)** - is the franchise document or license to operate issued by the Sangguniang Bayan in accordance with Section 447 (3) (vi) of the Local Government Code allowing and/or permitting a qualified person, either natural or juridical, to operate a tricycle transport service within the territorial limits of the Municipality of Jaro, Leyte.
- G. Tricycle Body Number** - is that number assigned to a motorized tricycle for hire and indicated in the franchise issued by the Sangguniang Bayan, which number is painted on the front and rear portions of the side car.
- H. Uniform Body Color** – refers to designated color of motor vehicle plying within the territorial jurisdiction of Jaro, Leyte.
- I. Juridical Entity** – an entity, a firm, that is not a single natural person, as a human being, authorized by law with duties and rights, recognized as a legal authority having a distinct identity, and legal personality.
- J. Natural person** – a real/living human being, whether an adult or child, as distinguished from a corporation which is often treated at law as a fictitious person.
- K. Citation ticket** – tickets issued by the apprehending officer to violators of this ordinance.



- L. **JATEMO**— refers to the Jaro Traffic Enforcement and Management Office
- M. **JMFRB**— refers to the Jaro Motorcycle Franchising and Regulatory Board
- N. **MTO** – Municipal Treasurer's Office.
- O. **MTHF**- Motorized Tricycle for Hire Franchise
- P. **JPNP**- The Jaro Philippine National Police

**SECTION 4. ISSUANCE/GRANT OF TRICYCLE FRANCHISE/MTHF** - The Sangguniang Bayan shall issue/grant franchise to operate a Motorized Tricycle for Hire and authorize the business operation thereof. The franchise is a privilege granted to qualified persons who desires to provide transport service to the general public by means of motorized tricycle for monetary consideration. Being a privilege, it can be revoked, cancelled or withdrawn unilaterally at any time upon reasonable ground.

**SECTION 5. REQUIREMENTS FOR ISSUANCE OF MOTORIZED TRICYCLE OPERATORS FRANCHISE/MTOF.**

**A. General requirements to operate a Motorized Tricycle for Hire:**

1. Must be bonafide resident of Jaro, Leyte evidenced by any issued government ID.
2. Must be in possession of a motorized tricycle unit with valid registration papers evidencing ownership issued by the Land Transportation Office (LTO) and supported by a Common Carrier Insurance Policy for the protection of passengers and third parties in case of accident.
3. The driver must be a duly licensed or in possession of a driver's license to drive a motorized tricycle issued by the LTO.
4. Must have a garage/space for parking area when the unit is not in actual operation.

*Kanalo*

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**B. All applicants who desire to operate a Motorized Tricycle for Hire shall also accomplish the following:**

1. File an application and/or petition for a franchise in a form prescribed for the purpose before the Office of the Sangguniang Bayan together with all the supporting documents, such as, but not limited to the following:
  - a. Driver's License duly issued by the LTO
  - b. Proof of Ownership of the MTH Unit
  - c. Original and photocopy of Certificate of Registration (CR) and current/updated Official Receipt issued by the Land Transportation Office (LTO).
  - d. Common Carrier Insurance Policy
  - e. Barangay Certification issued by the Punong Barangay where operator/driver actually resides.
  - f. Community Tax Certificate
  - g. 2 latest passport pictures of the applicant.  
(Note: Picture taken in the last six (6) months, not computer generated)
  - h. Picture of the MTH (front, back, right and left sides)
  - i. Certification issued by the transport association President, where the MTH operator/driver is a bonafide member.
2. Pay the Franchise Fee and Body Number/ Mayor's Permit, and other applicable fees.

**SECTION 6. NON – TRANSFERABILITY OF TRICYCLE FRANCHISE** - The franchise is issued on the basis of the personal character and qualification of the applicant. Hence, the franchise is non-transferable and non-negotiable.

**SECTION 7. VALIDITY AND LIMIT OF TRICYCLE FRANCHISE/MTHF** - The term of the MTH Franchise is three (3) years from the date of its issuance, subject to renewal. If the operator fails to renew his MTH franchise on the period given, he or she shall be treated as a new applicant.

The MTH Franchise may be suspended or cancelled upon due hearing by the Sangguniang Bayan.

The transfer of ownership shall be construed as an amendment to the MTHF and shall require appropriate approval of the Sangguniang Bayan.

In case of death of the MTHF HOLDER, the franchise shall automatically be cancelled. The successors of the late Franchisee may apply within 15 days if he/she is qualified and upon complying the following additional requirements, to wit:

- A. Death Certificate of MTHF holder
- B. Original MTHF issued by Sangguniang Bayan
- C. Marriage Contract/Birth Certification of the Applicant
- D. Other necessary support documents to prove relationship

Provided, that upon expiration of the franchise, the successor of the deceased franchisee shall be required to apply for a new franchise if he/she intends to continue with the operation of the tricycle for hire.

**SECTION 8. RENEWAL OF MTH FRANCHISE** - The MTHF shall be renewed within thirty (30) days after its expiration, otherwise it shall be ground for automatic cancellation.

Failure to renew the yearly Mayor's Permit within thirty (30) days after its due date shall also be ground for automatic cancellation. The MTHF may be reconsidered for renewal upon payment of penalty in the amount of Php 300.00. The Sangguniang Bayan Technical Secretariat shall process/verify compliance for renewals.

Applications for new franchise and transfer of franchise ownership shall require the approval of the Sangguniang Bayan thru the Committee on Transportation and Public Utilities.

**SECTION 9. CHANGE OF MOTORCYCLE UNIT** - Any change of unit shall be construed as amendment to the MTHF and shall require authorization from the Sangguniang Bayan.

Provided, that conversion on the use of the MTH from public to private use, shall be approved by the Sangguniang Bayan, for the issuance of the "Dropping Certificate, as required by the LTO."

Provided, further that "dropping certificate" shall be issued upon payment the amount of Php 200.00 certification fee at the MTO.

**SECTION 10. CANCELLATION OF MTH FRANCHISE** - Any MTHF holder or franchisee may terminate his/her franchise at any time by surrendering the MTHF to the Sangguniang Bayan. The MTHF may be cancelled under the following conditions:

- A. Non-renewal of the MTOP/Mayor's Permit after 30-day grace period mentioned in Section 8 of this Ordinance;
- B. Death or demise of the MTHF holder;
- C. MTHF holder voluntarily surrenders his/her franchise;
- D. By order of the Office of the Sangguniang Bayan on reasonable/justifiable grounds;
- E. Unauthorized transfer of MTHF, or who shall allow another to use his/her franchise without authority from the Sangguniang Bayan. In such case, the violator shall be precluded from getting a new franchise.
- F. The tricycle unit is used in the commission of a crime wherein the franchise holder and/or driver is/are involved.

**SECTION 11. PASSENGER FARES** - Tricycle fares for passengers shall be imposed at a level that will provide the operator a reasonable economic gain and still be within the affordable limit of the riding public. All tricycle drivers and operators shall post in a conspicuous place inside the tricycle the prescribed regular fare matrix for the information and guidance of the riding public.

The Sangguniang Bayan thru the Committee on Peace and Order, Public Safety and Transportation, shall through an ordinance, fix the fare for motorized tricycle for hire which shall be established at a level that will provide the operator a reasonable return of profit and still be affordable to the general public. Any increase or amendment to the fare rates shall likewise be made through an ordinance.

Provided, that the establishment of the fix rate of fares for motorized tricycle for hire plying within the jurisdiction of Jaro, shall be with the consultations from the driver/owner of the MTH, duly holders of an approved MTHF.

**SECTION 12. OPERATING CONDITIONS** - The following rules and regulations are hereby prescribed for the operation of tricycles for hire:

- A. The driver and the operator of motorized tricycles shall at all times operate and maintain a roadworthy, dependable and highly reliable tricycle unit in such a way as to insure the passengers' safe arrival to their destination. It shall as well ensure the comfort of the passengers such that the floor to roof height shall suffice.
- B. In order to establish a uniform identity for all motorized tricycles for hire in Jaro, Leyte and for security reasons, **ORANGE** shall be adopted as a common body color.
- C. The diver/operator shall secure Mayor's Permit and Body Number from the Business Permit and License Division. The following are the requirements:
  - 1. Approved Franchise by the Sangguniang Bayan, including all documents appended therein;
  - 2. Payment of the fees as provided in this ordinance.
- D. No tricycle unit shall also be issued MTHF unless it is of business type model that are steady and safe to carry passengers. It shall not be allowed to carry more than five (5) passengers. The maximum passenger capacity shall be indicated inside the unit. Children 7 years old and above are required to pay the fare rate.

- E. Back riding for tricycles shall only be allowed under the following conditions:
  - 1. There should only be one (1) back rider;
  - 2. Back riding passenger must not be a minor, a senior citizen or a person with disability; and
  - 3. Back rider must not be under the influence of liquor.
  
- F. Carriers for baggage's and other cargoes shall be placed on top of the side-car.
  
- G. Durable transparent plastic or any similar contrivance must be used as a sidecar windshield and must be free from unauthorized stickers and paintings that will obstruct the outside view of the passenger.
  
- H. Stickers or paintings of any kind on the windshield that obstruct vision shall not be allowed.
  
- I. The body number at the front portion of the side car shall be properly illuminated or lighted by two small lights for easy identification.
  
- J. Any tricycle driver/operator who does not wish to convey passengers at any given period during the day must place on the front windshield of his sidecar the sign: "ON SERVICE" or "ON CALL", for the information of the general public.
  
- K. In consonance to the Waste Management Program of the LGU, every tricycle unit shall have a trash can.

**SECTION 13. CONDITIONS FOR DRIVERS** - Only drivers with duly issued Professional Driver's License by the LTO shall be allowed to drive motorized tricycle for hire.

Tricycle drivers must likewise be tidy and neat in appearance when conveying passengers to impress the dignity and importance of their chosen occupation, as well as promote tourism industry. Wearing of slippers or driving barefoot, wearing sleeveless shirts shall not be allowed.

Tricycle drivers shall at all times be courteous, respectful and law abiding and observant of existing traffic rules and regulations. No driver shall be allowed to operate and drive a motorized tricycle while under the influence of liquor or prohibited drugs.

Provided, the Sanggunian may at its sound judgment, conduct seminars for information dissemination on the provisions of this ordinance in coordination with LTO, PNP-Traffic Enforcers, and the Jaro Traffic Enforcement and Management Office to drivers/operators, and for the grant of driving accreditation/s as transport service sector in the municipality, after complying with all the rules and procedures set forth by the JMFRB and/or the Sangguniang Bayan thru the Committee on Franchising and Accreditation.

**SECTION 14. PAYMENT OF FEES** - The fees herein prescribed shall be collected by the Municipal Treasurer's Office. A franchise fee shall be imposed by the Sangguniang Bayan for every unit authorized to operate. The following fees shall be paid upon filing of application for a term of Three (3) years, to wit:

- |  |                       |
|--|-----------------------|
| a. Franchise Fee:                        |                       |
| 1. New Application                       | Php 2,000.00/per unit |
| 2. Renewal of Application                | 1,000.00/per unit     |
| b. Mayor's Permit Fee per unit/annually  | 250.00                |
| c. Medical Certificate                   | 100.00                |
| d. MTOP Plate Number Fee                 | 150.00                |
| e. Driver's Identification (ID) Card Fee | 150.00                |
| f. Sticker Fee (color coded)             | 150.00                |
| g. Police Clearance Fee                  | 100.00                |
| h. Fee for change of MTH Unit            | 250.00                |

- |  |        |
|--|--------|
| i. Change of ownership of MTH  | 250.00 |
| j. Filing Fee for amendment of MTH Franchise                           | 250.00 |
| k. Transfer Fee in case of death or permanent disability of franchisee | 250.00 |

Provided, that franchise holders who apply for the annual Mayor's Permit after the regular deadline as provided for under the "Revised Tax Code of the Municipality of Jaro", shall pay a surcharge of (50%) of the validation fee/mayor's permit fee. Any surcharges collected shall accrue to the general fund of the municipality.

**SECTION 15. PROCEDURE ON THE ENFORCEMENT OF THE UNIFORM BODY COLOR** – A uniform color shall be designated to all motorcycle-for-hire (MCH) plying their routes within the jurisdiction of Jaro, Leyte.

- A. Designated color of each tricycle for hire in the municipality shall be distinguished by its uniform body color "**ORANGE**" which shall be painted by the owner/operator of the vehicle.
- B. Franchise Case Number should be legibly printed in bold black letters (3/4-inch x 5 inches) in the body of the tricycle including the name and address of the operator and the capacity of passengers.

**SECTION 16. PROHIBITIONS** - The following constitute prohibitions in the operation of the motorcycle-for-hire:

- A. Stickers, paintings and other adornments that hamper the proper viewing of the distinctions of the motor vehicles particularly the name and address of the operator and passenger's capacity.

**SECTION 17. SPECIFIC IMPOSITIONS AND THEIR PENALTIES** - The following penalties are hereby imposed on erring motorized tricycle operators and drivers.

- A. **Operating Without Franchise/Fake Franchise** - No tricycle for hire shall operate within the territorial jurisdiction of the municipality unless it has secured an approved franchise. Any



driver/operator found driving/operating a motorized tricycle without Franchise or fake franchise shall suffer the penalty of fine in the amount of Two Thousand Five Hundred (Php 2,500. 00) Pesos.

- B. Unauthorized Transfer of Franchise** - Any franchise holder who shall cause the transfer of ownership of franchise or who shall allow another to use his/her franchise without first securing authority from the Sangguniang Bayan as provided in Section 10 hereof shall suffer the penalty of fine in the amount of Two Thousand (Php 2,000.00) Pesos. In addition, the franchise shall be immediately cancelled/revoked.
- C. Use of Franchise Belonging to Another Person** - Any person who shall use the franchise belonging to or registered in the name of another person shall suffer the penalty of fine in the amount of Two Thousand (Php 2,000.00) Pesos.
- D. Use of MTH in the commission of crimes** - Any tricycle for hire with approved franchise who is found to have been used in the commission of a crime shall cause the immediate revocation/cancellation of franchise, without prejudice to the filing of appropriate cases in court, in accordance to any existing national or local laws.

In addition to the fines imposed for any of the violations committed in this section, the unit/s shall be impounded and released upon payments of the impounding fee in the amount of Php 75.00 per/day to cover for its safekeeping.

Any MTH driver or operator found violating any of the provisions of this Ordinance for which penalties are not specified in this section shall be penalized by a fine of Five Hundred Pesos (Php 500.00) for every violation.

## SECTION 18. TRAFFIC CITATION TICKETS

- A. Any person apprehended for violation any provision(s) of this Ordinance shall be issued a Traffic Citation Ticket in the form prescribed for the purpose and to be issued by the apprehending officer of the deputized Philippine National Police Traffic Enforcers and/or the Jaro Traffic Enforcers.
- B. The provisions of the Traffic Citation Ticket shall be complied by the offender within the number of days prescribed therein.

**SECTION 19. PROCEDURE FOR ISSUANCE AND PROCESSING OF CITATION TICKETS** – The municipality establishes protocol for issuance of citation tickets to offender is hereby adopted. Any valid Identification Card may be retained, if necessary, to confirm the identity of the offender and/or to secure payment of penalty.

- A. **FOR RESIDENT OFFENDERS** – Fines shall be paid at the Municipal Treasure’s Office. Copies of issued citation tickets must be turned over to the Office of the Municipal Treasurer daily.
- B. **FOR NON-RESIDENT OFFENDERS**– Issued citations ticket to non-resident offenders must be submitted to the Office of the Municipal Treasurer within TWENTY-FOUR (24) HOURS or the following work day, if it falls on a weekend or holiday upon issuance.

**SECTION 20. SEPARABILITY CLAUSE** - If for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid by a competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

**SECTION 21. APPLICABILITY CLAUSE** - All other matters relating to the impositions in this Ordinance shall be governed by pertinent provisions of existing laws and other municipal ordinances.

**SECTION 22. REPEALING CLAUSE** - All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

*Ganuelari*

*Janab*

*Jc*

*[Signature]*

*[Signature]*

*[Signature]*


*[Signature]*

**SECTION 23. EFFECTIVITY** - This ordinance shall take effect Fifteen (15) days after a copy hereof is posted in at least three (3) conspicuous places in the municipality in accordance with the provision of R.A. 7160.

**ENACTED ON OCTOBER 21, 2024.**

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I HEREBY CERTIFY, to the correctness of the foregoing records of the proceedings.

  
**NICOMEDES R. BORJA**  
Secretary to the Sanggunian  
(Board Secretary V)

**CONCURRED:**

  
**HON. JONELLE MARTIN A. QUE**  
SB Member

  
**HON. LANDILINO J. KATANGKATANG**  
SB Member

  
**HON. JULIAN L. EMNAS**  
SB Member

  
**HON. FRANCISCO R. ALTRES**  
SB Member/Majority Floor Leader

**HON. LEO ANGELO T. PORMIDA**  
SB Member  
Absent-Excused

**HON. GUALBERTO V. ELISES**  
SB Member/Presiding Officer Pro-Tempore  
Absent-Excused

  
**HON. ALEXANDER N. SALGADO**  
SB Member

  
**HON. REY P. AURE**  
SB Member



**HON. PEDRO B. TAÑALA, JR.**  
SB Member/LIGA FED.-President



**HON. VIANCA MAE N. FAMILAR**  
SB Member/SK FED.-President

**ATTESTED:**



**HON. RODRIGO C. ARBAS**  
Municipal Vice-Mayor  
SB Presiding Officer

**APPROVED:**



**HON. JASSIE LOU TAÑALA**  
Municipal Mayor



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
Office of the Sangguniang Bayan  
**Legislative Building**  
Corner Del Carmen and Real Streets

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December 11, 2024


## **CERTIFICATION**

### **TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 32**, series of 2024, otherwise known as, "AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF PRANCHISE FOR **MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO ."** have been posted last November 26, 2024 to date in conspicuous place in the Municipality of Jaro, Leyte.

**ISSUED** this 11<sup>th</sup> day of December 2024 at Jaro, Leyte.

### **CERTIFIED CORRECT:**

  
**NICOMEDES R. BORJA**  
Secretary to the Sanggunian  
(Board secretary V)

### **NOTED:**

  
**HON. RODRIGO C. ARBAS**  
Municipal Vice-Mayor

Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
**Barangay I**

December 11, 2024

**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 32**, series of 2024, otherwise known as, "AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF PRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO." have been posted last November 26, 2024 to date in conspicuous place in our Barangay.

**ISSUED** this 11<sup>th</sup> day of December5 2024 at Barangay District I, Jaro, Leyte.

**CERTIFIED CORRECT:**

**IVY M. SOLAR**  
Barangay Secretary

**APPROVED:**

**HON. PEDRO B. TAÑALA, JR.**  
Barangay Chairman

for:

Hon. Alwin A. CAJONES  
PRG7. KAG.

Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
Barangay II

December 11, 2024

**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 32**, series of 2024, otherwise known as, "AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF PRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO." have been posted last November 26, 2024 to date in conspicuous place in our Barangay.

**ISSUED** this 11<sup>th</sup> day of December5 2024 at Barangay District II, Jaro, Leyte.

**CERTIFIED CORRECT:**

  
**JENNIFER D. BACALANDO**  
Barangay Secretary

**APPROVED:**

  
**HON. RONALD C. SUPERABLE**  
Barangay Chairman

Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
Barangay III

December 11, 2024


**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 32**, series of 2024, otherwise known as, "AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF PRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO." have been posted last November 26, 2024 to date in conspicuous place in our Barangay.

**ISSUED** this 11<sup>th</sup> day of December5 2024 at Barangay District III, Jaro, Leyte.

**CERTIFIED CORRECT:**

  
**JAINA O. BATUCAN**  
Barangay Secretary

**APPROVED:**

  
**HON. ADRIANO DIOLA**  
Barangay Chairman



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
**Barangay IV**

December 11, 2024


**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 32**, series of 2024, otherwise known as, "AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS AND OPERATING CONDITIONS FOR THE GRANT OF PRANCHISE FOR MOTORIZED TRICYCLE FOR HIRE IN THE MUNICIPALITY OF JARO, LEYTE, AND AUTHORIZING THE BUSINESS OPERATION THEREOF, REPEALING OR AMENDING ANY EXISTING ORDINANCES INCONSISTENT THERETO." have been posted last November 26, 2024 to date in conspicuous place in our Barangay.

**ISSUED** this 11<sup>th</sup> day of December5 2024 at Barangay District IV, Jaro, Leyte.

**CERTIFIED CORRECT:**

  
**EDILYN P. CARDANTE**  
Barangay Secretary

**APPROVED:**

  
**HON. JEFFREY CAESAR A. EMNAS**  
Barangay Chairman