



TERESITA J. VELOSO
SP MEMBER

Excerpt from the
MINUTES OF THE 7th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD
OF BAYBAY CITY, LEYTE HELD ON FEBRUARY 16, 2009.

PRESENT:

HON. ERNESTO M. BUTAWAN.....	Sanmgguniang Panlungsod Member
HON. CRISTELO S. LORETO.....	Actg. Presiding Officer
HON. EDUARDO S. GUINOCOR, JR....	Sangguniang Panlungsod Member
HON. LEONIDO A. BERAY.....	-do-
HON. ERLINDO P. LAPLANA.....	-do-
HON. TERESITA J. VELOSO.....	-do-
HON. CARLO S. ENRIQUEZ.....	-do-
HON. MARGARITA C. CARI.....	-do-
HON. CARL NICOLAS C. CARI.....	-do-



CARLO S. ENRIQUEZ
SP MEMBER

ABSENT:

HON. REX A. RETANA.....	OIC, City Mayor
HON. LOLITO C. MUÑEZ.....	SP Member, OB, Tacloban City

CITY ORDINANCE NO. 001 S. 2009

AN ORDINANCE AMENDING CITY ORDINANCE NO. 004 S. 2007 ESTABLISHING AND/OR OPERATING THE BUS TERMINAL SERVICES OF BAYBAY CITY SECTIONS 2, 3, 5, 6, 7, 8, 10, 12, 13 and 14 PRESCRIBING FEES AND RENTALS THEREOF, AND FOR ITS PROPER AND EFFECTIVE ADMINISTRATION.

SPONSORED and INTRO BY: HON. SP MEMBER LEONIDO A. BERAY &
HON. SP MEMBER CRISTELO S. LORETO

PREFATORY STATEMENT

This ordinance has its basis Article X, Section 5, of the 1987 Constitution which grants to each Local Government Unit the power to create its own sources of revenues, levy taxes, fees and charges, subject to such guidelines and limitations as Congress may provide consistent with the basic policy of Local Autonomy, which taxes, fees and charges shall accrue exclusively to the Local Government Unit, as implemented by Section 186 of Republic Act 7160, otherwise known as the Local Government Code of 1991 as well as Article 274 of the Rules and Regulations implementing said Code, thus, the Baybay Bus Terminal Services Ordinance is hereby enacted.

RESOLVED, as it is hereby RESOLVED, to pass and enact:

AN ORDINANCE

AN ORDINANCE AMENDING CITY ORDINANCE NO. 004 S. 2007 ESTABLISHING AND/OR OPERATING THE BUS TERMINAL SERVICES OF BAYBAY CITY SECTIONS 2, 3, 5, 6, 7, 8, 10, 12, 13 and 14 PRESCRIBING FEES AND RENTALS THEREOF, AND FOR ITS PROPER AND EFFECTIVE ADMINISTRATION.

- more over -

MARGARITA C. CARI
SP MEMBER

CARL NICOLAS C. CARI
SP MEMBER

ERLINDO P. LAPLANA
SP MEMBER

LEONIDO A. BERAY
SP MEMBER

EDUARDO S. GUINOCOR, JR.
SP MEMBER

CRISTELO S. LORETO
SP MEMBER

Baybay	-	Manila	-	150.00 per trip
Baybay	-	Surigao	-	80.00 per trip
Baybay	-	Matalom	-	30.00 per trip
Baybay	-	Bato	-	20.00 per trip
Baybay	-	Hilongos	-	15.00 per trip
Baybay	-	Hindang	-	12.00 per trip
Baybay	-	Inopacan	-	10.00 per trip
Baybay	-	Plaridel	-	8.00 per trip

For Jeeps - Minibus

Baybay	-	Plaridel-Jeeps-	8.00 per trip
Baybay	-	Plaridel-Minibus	10.00 per trip
Baybay	-	Inopacan-Jeeps	10.00 per trip
Baybay	-	Inopacan-Minibus	12.00 per trip
Baybay	-	Abuyog/Minibus-jeeps	20.00 per trip
Baybay	-	Mahalag-Jeeps	15.00 per trip
Baybay	-	Ormoc-Jeeps	10.00 per trip
Baybay	-	Ormoc-Minibus	15.00 per trip
Baybay	-	Ciabu-Jeeps	10.00 per trip
Baybay	-	Ciabu-Multicabs	5.00 per trip
Baybay	-	Amguhan-Ampihanon	20.00 per trip
Baybay	-	Igang-Jeeps	5.00 per trip
Baybay	-	Gakat-Jeeps	5.00 per trip
Baybay	-	Pomponan-Jeeps/ Multicabs	8.00 per trip
		(20 or more seating capacity)	
		(during 13 th of the month)	10.00 per trip
Baybay	-	Caridad-Jeeps	10.00 per trip
Baybay	-	Cienda-San Vicente	5.00 per trip
Multicabs	-		10.00 per trip
Motorcabs	-		5.00 per trip
Single-motor (habal-habal)			3.00 per trip

AIR CONDITIONED

Vans 12 seats			
Baybay	-	Tacloban	40.00 per trip
Baybay	-	Ormoc	20.00 per trip
Baybay	-	Maasin	30.00 per trip

TAXI

Baybay	-	Tacloban	40.00 per trip
Baybay	-	Ormoc	20.00 per trip
Baybay	-	Maasin	30.00 per trip

SECTION 5. Parking Fee - vehicles plying the route Baybay-Manila and Baybay-Davao shall be allowed to park in the terminal not to exceed five (5) hours from the time of its arrival and, in excess thereof, a fee of Thirty Pesos (P30.00) shall be collected. For all other routes, one (1) hour for parking is allowed and in excess thereof, a fee of P20.00 per hour is collected. Overnight parking shall be allowed inside the terminal for a fee of P50.00.

SECTION 6. Use of Premises

TERESITA J. VELOSO
SP MEMBER

CARLO S. ENRIQUEZ
SP MEMBER

MARGARITA C. CARI
SP MEMBER

CARL NICOLAS C. CARI
SP MEMBER

ERLINDO P. LAPLANA
SP MEMBER

LLENIDA A. BERRY
SP MEMBER

EDUARDO S. GUINOCOR, JR.
SP MEMBER

CRISTIAN S. LORETO
SP MEMBER

Be it ordained by the Sangguniang Panlungsod of Baybay, that;

SECTION 1. Title - This ordinance shall be known as the "Baybay Terminal Services Ordinance."

SECTION 2. Venue - The Bus Terminal Services as provided for in the preceding section shall have its place of business in the newly constructed bus terminal building and its immediate vicinity in the reclamation area.

SECTION 3. Definition of Terms - For purposes of this ordinance, the following terms are hereby defined;

- a. Service - all the facilities in the terminal that could be offered to serve and inure to the benefit of the riding public;
- b. Terminal - the area or place where in-coming public utility conveyances could discharge or disembark their passengers and could solicit passengers for their respective destinations;
- c. Operator - any person who is a holder of a certificate of public conveyance to conduct the business of transporting passengers within a given line or route.
- d. Dispatcher - any person employed by the city to solicit passengers for a given public conveyance.
- e. Major repairs - those repairs which require a period of three (3) hours time for their accomplishment;
- f. Garage - a building or compartment of a building used for housing an automotive vehicle, a repair shop for automotive vehicles;
- g. Overnight parking - the parking of a vehicle in the premises of the terminal from the 8:00 pm until and up to anytime past twelve o'clock (12:00) midnight.
- h. Bus Terminal - a terminal not only for buses but to include multicabs, jitneys, motorized-tricycle for hire, and other vehicle for hire.
- i. Booking Office - a leased 2 x 3 space provided by the city government at the Baybay Bus Terminal for the purpose of issuing tickets and soliciting passengers for buses, vans-for-hire and other public conveyances.

SECTION 4. Terminal Fees - There shall be levied upon and imposed on every passenger bus or jeepney, multicab, motorized-tricycle for hire, and other vehicles for hire, a terminal fee for services rendered and facilities offered for parking and/or loading purposes categorized as follows:

For Buses:

Baybay	-	Ormoc	-	P 30.00 per trip
Baybay	-	Tacloban	-	60.00 per trip
Baybay	-	Maasin	-	50.00 per trip
Baybay	-	Davao	-	100.00 per trip

TERESITA
SP MEMBER

VELOSO

CARLOS
SP MEMBER

MARGARITA C. CARI

CARL MICHAEL C. CARI
SP MEMBER

ERLINDO P. LAPLANA
SP MEMBER

LEONILDA A. BENAY
SP MEMBER

EDUARDO S. GUINOCOR, JR.
SP MEMBER

CRIANTELLO S. LORETO
SP MEMBER

6.1 In no case shall the terminal premises be converted into a garage for vehicle and neither shall major repairs be undertaken thereat.

6.2 A qualified store owner who puts up a store inside the Bus Terminal shall be required to comply with a lease contract at a rate of SEVENTY-FIVE PESOS (P75.00) per square meter, for a 2x3 square meter area only, the contract of which shall be signed by the City Mayor or his duly authorized representative, representing the part of the City Government of Baybay, Province of Leyte. This space when leased as a store cannot be used as a booking office.

SECTION 7. Lease for Office Space at the Bus Terminal

There shall be a Booking Office for every Bus Company plying the route of Manila, Mindanao and Bohol to be established at the Baybay Bus Terminal by the city government upon the application by the Bus company with a specified area of 2x3 square meters only, and with a lease of contract of TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) per month. This contract shall be signed by the City Mayor or his duly authorized representative, representing the part of the City Government of Baybay, Province of Leyte.

SECTION 8. The operators of Vans for Hire may or may not establish or put up a booking office inside the bus terminal area, however, they are still mandated to load or accept passengers only in the bus terminal at the area specified for said purpose.

SECTION 9. Employment of Dispatchers, Dispatchers in the Bus Terminal shall be appointed by the City Mayor. All dispatchers when employed shall be bonded in the amount of not less than One Thousand Pesos (P1,000.00) cash or property bond, the same being answerable to whatever loss or losses that any passenger may suffer. Dispatchers shall be properly identified by wearing their respective uniforms and identifications cards duly placed in their polo shirts/T-shirts for visibility to the public, and in no case shall any person be employed as such if he or she has been convicted of a crime involving moral turpitude and, for this purpose, barangay, police and court clearances shall be secured before his or her employment as dispatcher.

SECTION 10. Creation of the position of Public Service Officer II

There shall be created a position of Public Service Officer II in the city of Baybay to be appointed and or designated by the City Mayor with a salary provided for by the city and shall be directly under the control of the City Mayor or his duly authorized representative and whose functions will be:

- a) To control the flow of all public utility vehicles and ensure an orderly, peaceful and clean Bus Terminal that is presentable for the incoming and outgoing passenger of Baybay City;
- b) To supervise, discipline and manage the city dispatchers, drivers and conductors to be grateful, respectful and accommodating to passengers.
- c) To make a day-to-day report of whatever irregularities committed by the dispatchers, drivers and conductors.

SECTION 11. Conduct and Behavior of Dispatchers – utmost courtesy and honesty shall be accorded to all and every passenger by the dispatchers and in no case shall roughness and discourteous conduct be made.

ERLINDO P. LAPLANA
SP MEMBER

LEONIDA A. BERRY
SP MEMBER

EDUARDO S. GUINOCOR, JR.
SP MEMBER

CRISTINA S. LORETO
SP MEMBER

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SP MEMBER

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CARL NICHOLAS C. CARI
SP MEMBER

SECTION 12. All public utility vehicles coming to and going out of Baybay City are required to get inside the bus terminal for loading and unloading of passengers and cargoes except for those identified areas identified by a sign board for unloading of passengers and cargoes before arriving at the bus terminal.

SECTION 13. Prohibition to solicit or accept passengers and cargoes outside the Bus Terminal premises.

13.1 It shall be prohibited and considered as a violation of this ordinance for public utility drivers, conductors and dispatchers or any other person authorized by an operator or his/her representative to solicit or accept passengers and allow them to board their vehicle in any place of the poblacion of Baybay (Zone 1-23) other than the bus terminal except those areas referred to in Sec. 12.

13.2 It shall be prohibited for bus companies/operators and vans for hire to put up or establish a booking office outside the bus terminal premises.

SECTION 14. Penalty

Any violation of the provisions of this ordinance by the driver, conductor, dispatcher and or representative of any operator of a public conveyance or by the operator himself/herself shall be subject to a fine of not less than Seven Hundred Pesos (P700.00) for Buses, Five Hundred Pesos (P500.00) for jeepneys and vans, Three Hundred Pesos (P300.00) for Multicabs and P100.00 for motorized tricycles and public utility single motorcycles (Habal-habal). Continued violation of any provision of this ordinance would be penalized with an increase of P250.00 per violation from the original penalty.

SECTION 15. The City Planning and Development Officer, is hereby authorized to formulate the necessary rules and regulations for the proper implementation of this ordinance, which rules and regulations shall be submitted to the Sangguniang Panlungsod for review and approval within fifteen (15) days from the approval of this Ordinance.

SECTION 16. Separability.

If any section or portion of this ordinance shall be declared unconstitutional or ultra vires, such declaration shall not invalidate the whole ordinance.

SECTION 17. Effectivity.

This ordinance shall take effect fifteen (15) days upon its approval.

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Sangguniang Panlalawigan of Leyte, Tacloban City, Municipal Treasurer, Philippine National Police, all passenger bus and jitney operators utilizing the services of the Baybay Bus Terminal, this city.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session on February 16, 2009.

AMELITO V. BORNEO
Secretary to the SP

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

ERNESTO M. BUTAWAN
SP Member &
Actg. Presiding Officer

APPROVED BY HIS HONOR

REX A. RETANA
Actg. City Vice Mayor

ERLINDO P. LAPLANA
SP MEMBER

LEONIDO A. BERAY
SP MEMBER

EDUARDO S. QUINOCOR, JR.
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