

Office of the Sangguniang Panlungsod

Excerpt from the

MINUTES OF THE 18TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF BAYBAY CITY, LEYTE HELD ON JUNE 7, 2010/

PRESENT:

- HON. REX A. RETANA..... City Vice Mayor & Presiding Officer
- HON. ERNESTO M. BUTAWAN..... Sangguniang Panlungsod Member
- HON. CRISTELO S. LORETO..... -do-
- HON. EDUARDO S. GUINOCOR, JR..... -do-
- HON. LEONIDO A. BERAY..... -do-
- HON. LOLITO C. MUÑEZ..... -do-
- HON. ERLINDO P. LAPLANA..... -do-
- HON. TERESITA J. VELOSO..... -do-
- HON. CARLO S. ENRIQUEZ..... -do-
- HON. MARGARITA C. CARI..... ABC, Provincial Federation President

ABSENT:

- HON. CARL NICOLAS C. CARI.....SK Federation Pres., OB, Manila

CITY ORDINANCE N. 003 S. 2010

"A COMPREHENSIVE ORDINANCE IN THE OPERATION OF THE PEDICAB/TRISIKAD, LOCALLY KNOWN AS THE POTPOT, AND SETTING THE RULES AND REGULATIONS IN ITS MANUFACTURE/ASSEMBLY, SALE AND TRANSPORT OUTSIDE THE JURIDICAL TERRITORY OF THE CITY OF BAYBAY

INTRODUCED BY: HON. SPM LEONIDO A. BERAY AND HON. SPM EDUARDO S. GUINOCOR, JR.

BE IT ORDAINED, by the Sangguniang Panlungsod of Baybay City, Province of Leyte in session assembled that:

ARTICLE 1- TITLE This ordinance shall be called " A Comprehensive Ordinance in the operation of the pedicab/trisikad, locally known as the Potpot, and setting the rules and regulations in its manufacture/assembly, sale and transport outside the juridical territory of the City of Baybay".

ARTICLE II. COVERAGE

This Ordinance is applicable to person or persons who want to own or have already a pedicab/trisikad, locally known as POTPOT or have maintained or administered the operation of the said vehicle.

ARTICLE III. Definition of terms

PEDICAB/TRISIKAD/POTPOT – Three wheeled vehicle driven and navigated by human power;

OWNER – a registered person who owns the pedicab/trisikad/potpot;

LOLITO C. MUÑEZ
SP Member

LEONIDO A. BERAY
SP Member

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CRISTELO S. LORETO
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ERNESTO M. BUTAWAN
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ERLINDO P. LAPLANA
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TERESITA J. VELOSO
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MARGARITA C. CARI
SP Member

MANAGER/OPERATOR – Is the duly authorized person by the owner of pedicab/trisikad/potpot to manage and operate the transport business of pedicab/trisikad/potpot;

ASSEMBLY -This refers to the body of the pedicab/trisikad or locally known as the POTPOT including the bicycle attached to the carrier;

MANUFACTURER/ASSEMBLER – is the person who manufactured or assembled pedicab/trisikad/potpot;

SECTION I. QUALIFICATIONS OF OWNER.

- a. He must be a Filipino citizen or former filipino who married a foreign national but resides in Baybay;
- b. Persons of good moral character and integrity while living in the community.

SECTION II. MANAGER/OPERATOR

- a. He must show his/her Special Power of Attorney.
- b. He must have his/her new Community Tax Certificate.

ARTICLE IV. SPECIFICATIONS.

Section I. NEWLY ASSEMBLED.

- a. Must be spacious enough for two (2) regular passengers;
- b. The seat cover must be upholstered free from any hole that causes absorption of water especially during rainy days;
- c. Chassis number is required to identify the property for registration;
- d. Roofing should be made of "Trapal" or any of its equivalent.

ARTICLE V. ESSENTIAL PARTS.

- 1. Light
- 2. Rain curtain made of plastic material
- 3. Reflector stickers
- 4. Brake.
- 5. Horn

ARTICLE VII. LINE ROUTE.

Section I. Poblacion:

- a. refers to places covered from Barangays Zones 1- 23, and including Barangay Sto. Rosario;
- b. refers to that portion of Barangay Hipusngo where the 5th LED Office and the City Public Cemetery are located;
- c. refers to that portion of barangay Gaas up to the crossing of Villa Trinidad or up to the rice mill should the passenger has a cargo of rice or corn to be milled;
- d. also refers to the direction bound North, up to the foot of the Dungcaan Bridge only.

ARTICLE VIII. DRIVER.

- a. A person who conducts to pilot the pedicab/trisikad carrying a passenger towards his/her point of destination.

Section I. QUALIFICATIONS:

A Pedicab/Trisikad Driver should possess the following:

- a. He must be of 18 years of age and above; age of new applicants is to be determined by a Live Birth Certificate. However, a person at 60 years old applying for a permit or license to drive a pedicab or trisikad (POTPOT) shall present a medical/health certificate from the Western Leyte Provincial Hospital or Rural Health Units I or II, this city, to determine that he is still physically fit to drive;

LOUIS C. MORALES
 MEMBER
 LOUIS C. MORALES
 MEMBER
 EPIFANIO S. SORIANO, JR.
 MEMBER
 CRISTOPHER S. LONCOT
 MEMBER
 ANTONIO M. ...
 MEMBER

ERLENDO F. LAYLANA
 MEMBER
 TERESITA D. VELOSO
 MEMBER
 CARLO S. ENRIQUETA
 MEMBER
 MARGARITA C. CANI
 MEMBER

- b. A Certification of Good Moral Character issued by the respective Barangay Captain to the applicant, and CLEARANCE from the City Philippine National Police Office and the City Court as well, that applicant is free from any commission of crime.
- c. Proof that he has attended seminar to drive conducted by the PNP.
- d. Duly authorized Pedicab/Trisikad Permit to drive issued by the Office of the Bus Terminal and Traffic Management Office (BTTMO), this city.

Section II. PROHIBITED ACTS OF A DRIVER

- a. Refusal to convey passengers to their point of destination, which is covered under this ordinance; or choosing a passenger over the other for certain considerations of convenience;
- b. Driving under the influence of liquor or drugs;
- c. Driving without a License or duly authorized Driver's Permit;
- d. Driving a pedicab/trisikad without the prescribed accessories stipulated under

Article IV, of this ordinance;

- e. Parking at places specifically specified below:
 - e-1. At an intersection point;
 - e-2. At crossroad points;
 - e-3. Within 6 meters driveway entrance of any Fire Station;
 - e-4. Within 6 meters of the intersection of a curved line;
 - e-5. Within 4 meters of a fire hydrant;
 - e-6. In front of a private driveway;
 - e-7. At any places where official signs prohibiting vehicles to park are posted or erected;
 - e-8. Disobeying one-way street direction;
 - e-9. Double parking
 - e-10. Plying at the National Highway carrying passengers, either for pay or not;
 - e-11. Having body smell or odor while on the course of driving.

ARTICLE IX. REGISTRATION.

Section. I.

- a. No pedicab/trisikad shall be allowed to operate unless it is duly Registered.
- b. Registration for any pedicab/trisikad use for public conveyance is only up to the last day of March of every year and beyond this date, a penalty for **late registration** shall be charged in the amount of P1.00 per month to be added to the regular registration fee.
- c. The registration fee shall be determined and issued at the office of the City Treasurer.
- d. Registration documents of any pedicab/trisikad not renewed on or before the date specified by this ordinance shall be considered null and void or invalid.
- e. A pedicab/trisikad for private use is not authorized to solicit, accept or cater passengers nor cargoes for transport with intent of profit or payment.

ARTICLE X. LIMITATIONS.

Section I.

- a. There should be a limitation set by the city government as to the number of pedicabs or trisikads plying in the poblacion area of Baybay City;
- b. No additional number of pedicab/trisikad shall be added to the present number that has been previously controlled and registered.
- c. The office in charge of the issuance of the number shall submit the listing of duly controlled and registered pedicabs/trisikads to the Office of the Traffic Management, this city.
- d. Only the newly assembled units in replacement to dilapidated ones are allowed to operate but not to exceed the actual number of the duly controlled and registered pedicabs operating in this city.

[Signature]
LALITO C. PUNAL
Sr. Member

[Signature]
LEONILDA A. DELA
Sr. Member

[Signature]
EDUARDO S. QUINCO, JR.
Sr. Member

[Signature]
CRISTINO S. LORETO
Sr. Member

[Signature]
ERNESTO M. BUSTAMANTE
Sr. Member

[Signature]
ERLINDO P. LAPLANA
Sr. Member

[Signature]
TERESITA J. VELOSO
Sr. Member

[Signature]
CARLO S. ENRIQUETA
Sr. Member

[Signature]
MARGARITA C. CARI
Sr. Member

ARTICLE XI.

SELLING AND TRANSPORTING OF PEDICAB/TRISKAD OUTSIDE AT THE CITY OF BAYBAY.

Section I. Requirements.

- a. Document of Sale executed by a Notary Public or a private document subscribed before the Barangay Captain in lieu of a Notary Public;
- b. Certificate of Ownership duly supported by the Certificate of Registration issued at the Office of the City Treasurer;
- c. Transport Permit issued and duly signed by the City Mayor or his duly authorized representatives.

Section II. Purpose.

- a. To determine the real ownership of the property being sold;
- b. To determine numbers of pedicab/trisikad transported out of the City of Baybay;

ARTICLE XII. PENALTIES.

Section I. Any operator who allows there pedicab/trisikad to be operated anytime of the day or night without the prescribed requirements under Art. IV and Art. VIII of this Comprehensive Ordinance, the vehicle shall be impounded for 3 consecutive days and a penalty of P300.00 for the first offense times 2 for the second offense and times 3 for the third offense and thereby considers it habitual offense.

Section II. Any driver caught violating any of the provisions stipulated under Art. VII of this Comprehensive Ordinance shall be penalizing with a fine of ONE HUNDRED PESOS (P100.00) and a suspension to drive for 2 consecutive days.

ARTICLE XIII. REPEALING CLAUSE.

All ordinances formulated inconsistent or contrary to any provision of this Comprehensive Ordinance are considered repealed or modified.

ARTICLE XIV. EFFECTIVITY.

This Ordinance shall take effect immediately after its approval from the Sangguniang Panlalawigan, Province of Leyte.

ENACTED: June 7, 2010.

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Honorable Sangguniang Panlalawigan of Leyte and other offices concerned for their information and appropriate action.

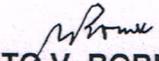
CARRIED UNANIMOUSLY

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was adopted by the Sangguniang Panlungsod during its regular session held on June 7, 2010.

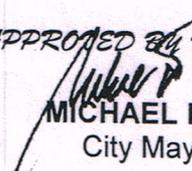
ATTESTED AND CERTIFIED TO
BE DULY ADOPTED



REX A. RETANA
City vice Mayor &
Presiding Officer

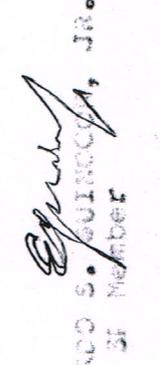

AMELITO V. BORNEO
Secretary to the SP

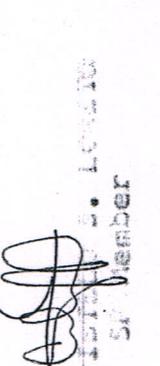
APPROVED BY HIS HONOR:

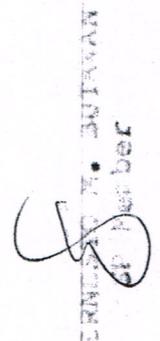

MICHAEL L. CARI
City Mayor

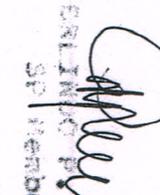

LOLITO C. MULA
SP Member

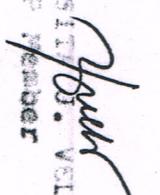

LETICIA A. BELAY
SP Member

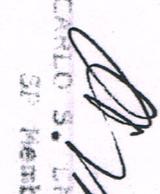

S. SULINDOG, JR.
SP Member

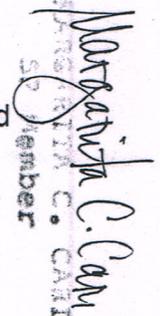

S. L. L. L.
SP Member


S. S. S.
SP Member


ERLINDA P. LAPLANA
SP Member


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SP Member


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