

Excerpt from the
MINUTES OF THE 21st REGULAR SESSION OF THE SECOND SANGGUNIANG
PANLUNGSOD OF BAYBAY, LEYTE HELD IN THE SESSION HALL ON DECEMBER 17,
2007.

PRESENT:

HON. REX A. RETANA.....	City Vice Mayor & Presiding Officer
HON. ERNESTO M. BUTAWAN.....	Sangguniang Panlungsod
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. CARLO S. ENRIQUEZ.....	-do-
HON. MARGARITA C. CARI.....	ABC President, Ex-Officio

ABSENT:

HON. TERESITA J. VELOSO.....	SP Member, OB, Cebu
HON. CARL NICOLAS C. CARI.....	SK President, OB, Tacloban

CITY ORDINANCE NO.004
S. 2007

AN ORDINANCE AMENDING MUN. ORDINANCE NO. 001 S. 2001 ESTABLISHING
AND/OR OPERATING THE BUS TERMINAL SERVICES OF BAYBAY, LEYTE
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 for 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 and 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, and as implemented by Section 186 of Republic Act 7160, otherwise known as the Local Government Code p. 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

AMENDING MUN. ORDINANCE NO. 001 S. 2001 ESTABLISHING AND/OR OPERATING
THE BUS TERMINAL SERVICES OF BAYBAY, LEYTE PRESCRIBING FEES AND
RENTALS THEREOF, AND FOR ITS PROPER AND EFFECTIVE ADMINISTRATION.

- more over -

LEONIDO A. BERAY
SP Member

EDUARDO S. GUINOCOR, JR.
SP Member

CRISTELO S. LORETO
SP Member

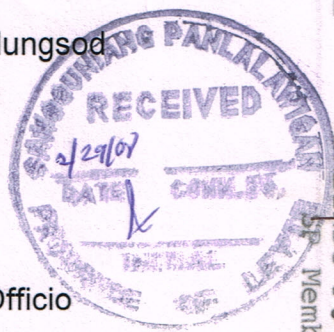
ERNESTO M. BUTAWAN
SP Member

LOLITO C. MUÑEZ
SP Member

ERLINDO P. LAPLANA
SP Member

CARLO S. ENRIQUEZ
SP Member

MARGARITA C. CARI
SP Member



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

SECTION 1. Title - This ordinance shall be known as the "Baybay Bus 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 terminal building built for the purpose in the reclamation area or the left side of the Baybay wharf and within its immediate vicinity as may be defined;

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

- a. Service - shall mean to include all the facilities in the terminal that could be afforded and would insure to the benefit of the riding public;
- b. Terminal - means 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 - means 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 - means any person employed by the city to solicit passengers for a given public conveyance.
- e. Major repairs - means those repairs which require a period of three (3) hours time for their accomplishments;
- f. Garage - means a building or compartment of a building used for housing an automotive vehicle, a repair shop for automotive vehicles;
- g. Overnight parking - shall mean to be the parking of a vehicle in the premises of the terminal from the 8:00 p.m. until and up to anytime past twelve o'clock (12:00) midnight.
- h. Bus Terminal - shall mean a terminal not only for buses but to include multi-cabs, jitneys, motorized-tricycle for hire, and other vehicle for hire.

SECTION 4. Terminal Fees - There shall be levied upon and imposed on every passenger bus or jitney, multi-cab, 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	- 30.00 per trip
Baybay	- Tacloban	- 60.00 per trip
Baybay	- Maasin	- 50.00 per trip
Baybay	- Davao	- 100.00 per trip

- mor over -

LOLITO C. MUEZ
SP. Member

ERLINDA P. LAPLANA
SP. Member

CARLO S. ENRIQUEZ
SP. Member

MARGARITA C. CARI
SP. Member

LEONIDO A. LARAY
SP. Member

EDUARDO S. GINOCOR, JR.
SP. Member

CRISTINO S. LORETO
SP. Member

ERNESTO M. BUTAWAN
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	-Mahaplag-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-Ampihano	-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
Baybay	- Ormoc	- 20.00
Baybay	- Maasin	-30.00

TAXI

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

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 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 fee parking is allowed. 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.

LEONIDO A. BAYAY
SP Member

EDUARDO S. GUINOCOR, JR.
SP Member

CRISTINO S. LORETO
SP Member

ERNESTO M. BUTAWAN
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LOLITO C. MUÑEZ
SP Member

ERNESTO P. LAPLANA
SP Member

CARLO S. ENRIQUEZ
SP Member

MARGARITA C. CARI
SP Member

SECTION 6. Use of Premises - That in no case shall the terminal premises be converted into a garage for vehicle and neither shall major repairs be undertaken thereat.

SECTION 7. Lease for Office Space at the Bus Terminal

There shall be a Booking Office for every Bus Terminal Company plying the route of Manila and Mindanao and Bohol to be established by the city government of Baybay with an area of 2 x 3 square meters, with the lease of P2,000.00 per month and P75.00 per square meter lease for a qualified store owner who puts up a store inside the bus terminal. The said 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. Employment of Dispatchers, Dispatchers in the Bus Terminal shall be appointed by the city Mayor. All dispatchers as employed shall have to 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 identification cards duly placed in their polo 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 have to be secured before his or her employment as dispatcher.

SECTION 9. 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 in 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 the passengers
- c) To make a day to day report of whatever irregularities committed by the dispatchers, drivers and conductors.

SECTION 10. 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.

SECTION 11. 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 determined by a sign board for unloading of passengers and cargoes before arriving at the bus terminal.

LEONIDO A. DERAY
SP Member

EDUARDO S. GUINOZOR, JR.
SP Member

CRISTINO S. LORETO
SP Member

ERNESTO M. BUTAWAN
SP Member

SP Member

SP Member

SP Member

SP Member

LOUIS C. MUNEZ

ENRIQUE L. LAPLANA

CARLO S. ENRIQUEZ

MARGARITA C. CARI

SECTION 12. Prohibition to solicit or accept passengers and cargoes outside the terminal premises.

It shall be prohibited and considered as a violation of this ordinance for a passenger, vehicle driver, conductor and dispatchers or any other person authorized by any 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. 11.

SECTION 13. Penalty - Any violation of Section 12 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 Multi-cabs and P100.00 for motorized tricycles and public utility single motorcycles (Habal-habal).

SECTION 14. 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 Sangguninag Panlungsod for review and approved within fifteen (15) days from the approval of this Ordinance.

SECTION 15. 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 16. Effectivity. This ordinance shall take effect fifteen (15) days upon its approval.

ENACTED, December 17, 2007

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 held on December 17, 2007.

AMELITO V. BORNEO
Secretary to the SP

**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED**

REX A. RETANA
City Vice Mayor &
Presiding Officer

APPROVED BY HIS HONOR:

MICHAEL L. CARI
City Mayor

LEONIDO A. BERRAY
SP Member

EDUARDO S. GUINOCOR, JR.
SP Member

CRISTIANO S. LORETO
SP Member

ERNESTO M. BUTAWAN
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LOLITO C. MINEZ
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