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, \$\frac{14}{2007}\$.

## PRESENT:

HON. REX A. RETANA	City Vice Mayor &	
	Presiding Officer	
HON. ERNESTO M. BUTAWAN	Sangguniang Panlungsod	AG PARIS
HON. CRISTELO S. LORETO	-do-	COMPANIES OF THE PARTY OF THE P
HON. EDUARDO S. GUINOCOR, JR	-do-	CEIVED
HON. LEONIDO A. BERAY	-do-	<b>Y</b>
HON. LOLITO C. MUÑEZ	-do-	CONN.
HON. ERLINDO P. LAPLANA	-do-	K
HON. CARLO S. ENRIQUEZ	-do-	THE PLANT
HON. MARGARITA C. CARI A	ABC President, Ex-Officio	
		THE OWNER OF THE PARTY OF THE P

#### 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 I987 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 7l60, otherwise known as the Local Government Code p. I99I 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.

CARLO SLENRA

WARGARITA SP Memb

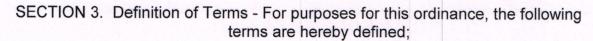
SP Membe

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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 hae its place of business in the newly constructed terminal building built for the purpose in the reclamation area or the left side of the Bayay wharf and within its immediate vicinity as may be defined;



- 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;
- 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.
- 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.
- 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 Baybay - Tacloban Baybay - Maasin Baybay - Davao

- 30.00 per trip

- 60.00 per trip

- 50.00 per trip -100.00 per trip

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Baybay						
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Davao shall be allowed to park in the terminal not to exceed five (5)	0 3-3.					

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.

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.

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 property 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 e grateful, respectful and accommodating to the passengers
- 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.

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BUTAWAN

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

> It shall be prohibited and considered as a violation dhis 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.oo) 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

70 BE DULY ADOPTED

REX A. RETANA City Vice Mayor & Presiding Officer

L L. CARI City Mayor