



Excerpt from the

MINUTES OF THE 29th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF BAYBAY CITY, LEYTE HELD IN THE SESSION HALL ON AUGUST 13 , 2012.

CITY ORDINANCE NO. 006

AN ORDINANCE REPEALING CITY ORDINANCE NO. 005 S. 2009 AND ENACTING A NEW ORDINANCE IMPLEMENTING THE COLOR CODING SYSTEM OF ALL PASSENGER TRICYCLE WITHIN THE CITY OF BAYBAY.

SPONSORED BY: **SPM LEONCIO P. ASILOM, JR. AND REX A. RETANA.**

WHEREAS, the City of Baybay, being a newly created city in the Province of Leyte has a number of passenger tricycle a plying in different routes from the poblacion area going to the barangays in the North South and East and within the downtown premises;

WHEREAS, it is our desire to streamline the travel of our passenger tricycles and set a proper system of control for purposes of giving smooth and orderly flow of traffic in our city;

NOW, THEREFORE, to enforce a solution addressed to the problems issue, an ordinance is hereby formulated, implementing the color coding system of passenger tricycles plying within the City of Baybay premises including the suburban areas,

SECTION- I. TITLE-

This ordinance shall be called **AN ORDINANCE REPEALING CITY ORDINANCE NO. 005 S. 2009 AND ENACTING A NEW ORDINANCE IMPLEMENTING THE COLOR CODING SYSTEM OF ALL PASSENGER TRICYCLE WITHIN THE CITY OF BAYBAY.**

SECTION II.- DEFINITION OF TERMS

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|----|-----------------------|---|
| a) | Passenger tricycles - | refer to all motorized tricycles carrying passengers plying in every route in the City of Baybay premises and including suburban areas. |
| b) | Passengers - | refer to the riding public availing the services of all motorized tricycles whether they pay their fare or not. |
| c) | Color Code - | is the assigning of specific color of passenger tricycles traveling their respective routes going to the North, South, East and within the downtown premises. |

- d) Line Route - refers to the route assigned given specifically to each passenger tricycles traveling in and out of the terminal.

SECTION III - COLOR CODES

- a. WHITE - is the color assigned specifically to the North and other suburban areas-bound passenger tricycles;
- b. RED - is the color assigned specifically to the South and other suburban areas-bound passenger tricycles;
- c. BLUE - is the color assigned specifically to the East and other suburban areas-bound passenger tricycles; and
- d. YELLOW - is the color assigned specifically to the DOWNTOWN passenger tricycles including Barangays Cogon and Sto. Rosario, Villa Trinidad Subdivision, and City Cemetery.

SECTION IV.- PROHIBITED ACTS-

1. Soliciting of passengers or cargoes by motorized tricycles without any color code.
2. The plying of tricycles outside from their color coded route except "pakyaw" private trip there must be special.

SECTION V.- PENALTY

Violation of any provision of this ordinance shall be penalized with:

- a. - a fine of not less than two Hundred Fifty (P250.00) Pesos for first offense.
 - b. - a fine in the amount of Five Hundred (P500.00) Pesos for the second offense
 - c. - a fine in the amount of One Thousand (P1,000.00) Pesos for the third offense.
- d - Cancellation of franchise for habitual violation.

The person liable for the penalty of a fine on specified above are as follows

- a. - The registered owner or operator of the passenger tricycle if the said vehicle is not painted with the color prescribed.
- b. - The driver if the said vehicle plies an area outside of his jurisdiction and without a special permit from the Traffic Management Officer.

SECTION VI - SEPARABILITY CLAUSE:

- If any portion or section of this ordinance shall be declared unconstitutional or invalid, it shall not invalidate the whole ordinance.

SECTION VII - EFFECTIVITY -

This ordinance shall take effect after its approval and adoption from the Sangguniang Panlalawigan.

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

ENACTED, August 13, 2012.

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session held on August 13, 2012.

Amelito V. Borneo
AMELITO V. BORNEO
SP Secretary

Michael L. Cari
ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

Michael L. Cari
MICHAEL L. CARI
City Vice Mayor &
Presiding Officer

Carmen L. Cari
APPROVED BY HER HONOR

Carmen L. Cari
CARMEN L. CARI
City Mayor