

Excerpt from the  
MINUTES OF THE 32ND REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAYBAY,  
LEYTE HELD IN THE SESSION HALL ON SEPTEMBER 28, 2004.

PRESENT:

HON. FLORANTE M. CAYUNDA	Municipal Vice Mayor & Presiding Officer
HON. ERNESTO M. BUTAWAN	Sangguniang Bayan Member
HON. VICENTE G. VELOSO	-do-
HON. JOSE C. GO	-do-
HON. EDGARDO R. OMPOY	-do-
HON. REX A. RETANA	-do-
HON. MICHAEL L. CARI	-do-
HON. GUALBERTO B. PICAL, JR.	-do-

ABSENT:

HON. DEOGRACIAS E. PERNITEZ	SB Member, OB Tacloban
HON. JUANITO B. MODINA	SB Member, Sick Leave
HON. EDUARDO S. GUINOCOR, JR.	SB Member, OB Cebu

#### MUNICIPAL ORDINANCE NO. 005 S. 2004

AN ORDINANCE AMENDING FURTHER MUNICIPAL ORDINANCE NO. 27, SERIES OF 1983, AND ORDINANCE NO. 19, SERIES OF 1992, OTHERWISE KNOWN AS "AN ORDINANCE SETTING RULES AND REGULATIONS FOR THE OPERATION OF PEDICABS IN THE MUNICIPALITY OF BAYBAY, LEYTE AND PRESCRIBING PENALTIES THEREOF AND FOR OTHER PURPOSE SUCH AS FIXING THE TARIFF FOR ITS MINIMUM FARE".

(SPONSORED & INTRO. BY: SBM ERNESTO M. BUTAWAN & SBM JOSE C. GO

WHEREAS, the pedicab are considered partners in the day to day economic activities of the people of Baybay being the most sought after public transport that would even convey the public to the doorsteps of their respective houses and offices;

WHEREAS, the numbers of Pedicabs locally known as "potpot" plying within the town proper of Baybay, Leyte are increasing rapidly every year that it is now the dominant public transport in the town proper;

WHEREAS, the increase in numbers of the pedicabs plying within the town proper at any time of the day often times the source of many complaints from the riding public against some of its drivers;

NOW, THEREFORE, be it RESOLVED, as it is hereby RESOLVED, that the following Sections be considered as amendment by introduction to Municipal Ordinance No. 27, series of 1983 in relation to Municipal Ordinance No. 19, series of 1992, to wit:

SECTION 2. - Prohibited acts or omissions - The following are the prohibited acts or omissions:

1. Refusal to convey passengers or choosing a passenger over the other for more consideration or convenience;
2. Driving under the influence of any intoxicating liquor or drugs;
3. Driving without license or permit or wearing the prescribed identification card, and

- more over -

REX A. RETANA  
SB Member

MICHAEL L. CARI  
SB Member

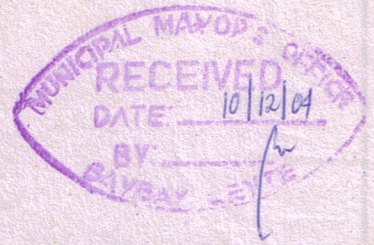
GUALBERTO B. PICAL, JR.  
SB Member

EDGARDO R. OMPOY  
SB Member

JOSE C. GO  
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VICENTE G. VELOSO  
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MUNICIPAL ORDINANCE NO. 005 S. 2004

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WHEREAS, the pedicab are considered partners in the day to day economic activities of the people of Baybay being the most sought after public transport that would even convey the public to the doorsteps of their respective houses and offices;

WHEREAS, the numbers of Pedicabs locally known as "potpot" plying within the town proper of Baybay, Leyte are increasing rapidly every year that it is now the dominant public transport in the town proper;

WHEREAS, the increase in numbers of the pedicabs plying within the town proper at any time of the day often times the source of many complaints from the riding public against some of its drivers;

NOW, THEREFORE, be it RESOLVED, as it is hereby RESOLVED, that the following Sections be considered as amendment by introduction to Municipal Ordinance No. 27, series of 1983 in relation to Municipal Ordinance No. 19, series of 1992, to wit:

SECTION 2. - Prohibited acts or omissions - The following are the prohibited acts or omissions:

1. Refusal to convey passengers or choosing a passenger over the other for more consideration or convenience;
2. Driving under the influence of any intoxicating liquor or drugs;
3. Driving without license or permit or wearing the prescribed identification card, and

- more over -

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SB Member

without the prescribed beaming light as provided under Section 1 of Municipal Ordinance No. 19, series of 1992 from 6:00 PM to 5:00 AM;

4. Pedicabs without the assigned body number or plate number.

SECTION 3- Minimum Fare.- The minimum fare shall be P4.00 within poblacion. For purpose of this ordinance Poblacion should mean barangays from 1-23 and Sto. Rosario including a portion of Brgy. Hipusngo where the 5th LED and public cemetery is located.

SECTION 4- The age Limitation - Age limitation for pedicab driver should not exceed 60 years old or below 18 years old.

SECTION 5 - Penalty - A penalty of fine in the amount of P100.00 plus suspension from driving for five (5) consecutive days shall be imposed to any violators of any provisions of Section 2 and 3 & 4 hereof. However, those operators who allow their pedicabs to ply at anytime of the day without plate number, body number, or permit or at anytime from 6:00 pm to 5:00 am without the prescribed beaming light shall in addition to the foregoing penalties subject their pedicab for impoundment until such time the operators can comply the deficiency.

SECTION 6. - Effectivity. - This ordinance shall take effect ten (10) days from its approval from the Sangguniang Panlalawigan.

Enacted, September 28, 2004.

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on September 28, 2004.

AMELITO V. BORNEO  
Secretary to the SB

ATTESTED AND CERTIFIED TO BE  
DULY ADOPTED:

FLORANTE M. CAYUNDA  
Municipal Vice Mayor &  
Presiding Officer

APPROVED BY HIS HONOR:

JOSE CARLOS L. CARI  
Municipal Mayor

EDGARD R. OMPOY  
SB Member

JOSE C. GO  
SB Member

VICENTE A. VELOSO  
SB Member

ERNESTO M. BUTAWAN  
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GUABERIO AICAL, JR.  
SB Member