

Excerpt from the

MINUTES OF THE 14th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE HELD IN THE SESSION HALL ON APRIL 19, 2005.

PRESENT:

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

ABSENT:

NONE

MUNICIPAL ORDINANCE NO.006 S. 2005-

AN ORDINANCE AMENDING SECTION 4 MUNICIPAL ORDINANCE NO. 005 S. 2004, OTHERWISE KNOWN AS AN ORDINANCE SETTING RULES AND REGULATIONS FOR THE OPERATION OF PEDICABS IN THE MUNICIPALITY OF BAYBAY, LEYTE.

INTRO. & SPONSORED BY: SBMs E. M. BUTAWAN, D.E. PERNITEZ & E. R. OMPOY

WHEREAS, the pedicab are considered partners in th 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 knows at "potpot" plying within the town proper of Baybay, Leyte are increasing rapidly ever year that it is now the dominant public transport in the town proper;

WHEREAS, the increase in umbers 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 as 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. 005. series of 2004.

SECTION 2.- Prohibited act 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 Without the prescribed 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.

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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 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. However, a driver who is above 60 years old maybe allowed to driver only after a medical certificate or clearance will be issued in his favor stating among others that he is physically fit and he is not suffering from any illness which need a complete rest or prevent him from indulging strenuous activities.

For purposes of this section, the Western Leyte Provincial Hospital and Rural Health Units 1 and 11 of Baybay, Leyte are the lead agencies to issue the medical certificate and clearance.

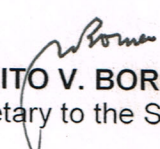
SECTION 5. - Penalty- A penalty of the fine in the amount of P100.00 plus suspension from driving for five (5) consecutive days shall be imposed to any violation of any provisions of Section 2 and 3 & 4 hereof. However, those operators who allow their pedicabs to ply at anytime of the day without plate 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.- Repealing Clause- All ordinance inconsistent or contrary to any provision herein are considered repealed or modified.

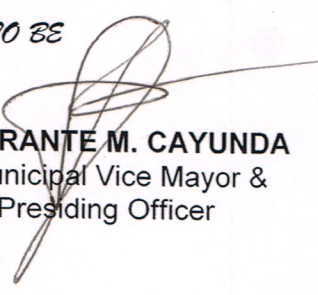
SECTION 7.- Effectivity - This ordinance shall take effect ten (10) days from its approval from the Sangguniang Panlalawigan.

Enacted, April 19, 2005.

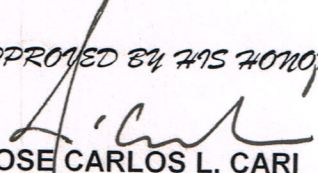
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on April 19, 2005


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