



5th SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 07, SERIES 2020

“AN ORDINANCE GIVING SPECIAL MEDICAL AND FINANCIAL ASSISTANCE TO DRIVERS OF PUBLIC UTILITY VEHICLES OPERATING WITHIN THE CITY OF BAYBAY”

Authored by: Hon. Jose Rommel A. Peñaranda

WHEREAS, Section 458(a)(5)(xiv) of Republic Act No. 7160, otherwise known as the Local Government Code, stipulates that the Sangguniang Panlungsod, in the exercise of its power to ensure the efficient and effective delivery of the basic services, **may provide for the care** of disabled persons, paupers, the aged, **the sick**, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and **other needy and disadvantaged persons**, particularly children and youth below eighteen (18) years of age; and subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons;

WHEREAS, the City understands the plight of drivers of public utility vehicles that they would lose their income or earning capacity whenever they are sick or would leave behind their families with nothing if they die while in the performance of their work;

WHEREAS, there is a need to provide care and assistance to the sick and the needy during their difficult times;

NOW THEREFORE, on motion of Honorable Atty. Jose Rommel A. Peñaranda and duly seconded by the majority of the council members present;

BE IT ORDAINED, as it is hereby ordained by the Sangguniang Panlungsod of the City of Baybay, Province of Leyte, in its Regular Session duly assembled that:

Section 1. Title. – This Ordinance shall be known as the Baybay City Drivers' Assistance Ordinance of 2020.

Section 2. Definition of Terms. – For purposes of this Ordinance, the following terms shall refer to and/or mean as hereunder defined;

- a. Public Utility Vehicle (PUV) – refers to all modes of public transport registered and operating in the City of Baybay consisting of trisikads or “potpot”, tricycles, “habal-habal” and multicabs.
- b. Covered driver – refers to the driver of trisikad or “potpot”, tricycle, “habal-habal” and multicab duly registered as such with the City and with their respective driver's association.

- c. Special Medical Assistance – refers to monetary assistance for hospital expenses, medicines and other injury related expenses.
- d. Special Financial Assistance – refers to monetary assistance for loss of life.

Section 3. Coverage – This Ordinance shall cover only drivers of trisikads or “potpot”, tricycles, “habal-habal” and multicabs duly registered with the City as driver of such public transport. The covered driver shall also be member of the drivers’ association or organization to which his PUV belongs.

Section 4. A special medical assistance, in addition to any medical assistance provided by any private or public entities, shall be given to covered drivers who is sick requiring medical intervention, or who sustain injuries while performing his work.

Section 5. A special financial assistance, in addition to any financial assistance provided by any private or public entities, shall also be given to covered drivers who perish while performing his work.

Section 6. A “Special Drivers’ Fund” shall be created in the City Mayor’s Office (CMO) to be funded, wholly or partially, by the savings from the CMO and by the donations of charitable institutions to the local government unit. Provided that, within one (1) year from the approval of this ordinance, this fund shall constitute the initial reserve fund for its purpose.

Section 7. In the event that the covered driver is sick or injured as certified by the City Health Office thereby preventing such covered driver from performing his work, the City, through the Special Drivers’ Fund, shall provide special medical assistance to the covered driver, the extent of assistance shall be determined by the Implementing Rules and Regulations of this Ordinance. Provided, however, that the special medical assistance to be given shall not be less than Php 200.00 per day but shall not exceed ten (10) days at any instance.

Section 8. In case of death to the covered driver while in the performance of his work, his compulsory heirs, as provided under Article 887 of the New Civil Code, shall receive special financial assistance in such amount as determined by the Implementing Rules and Regulations of this Ordinance.

Section 9. The CMO is responsible for the delivery of the amount to the heirs of the deceased covered driver.

Section 10. The CMO shall promulgate the necessary Implementing Rules and Regulations of this Ordinance within sixty (60) days from its effectivity.

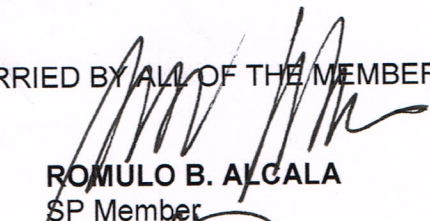
Section 11. Separability Clause. – If any provision of this Ordinance is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

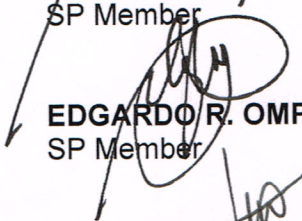
Section 12. Repealing Clause. – Pertinent provisions of all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 13. Effectivity Clause. – This Ordinance shall take effect 15 days upon its publication or after due compliance with all the requirements provided under R.A. 7160, otherwise known as the Local Government Code of 1991.

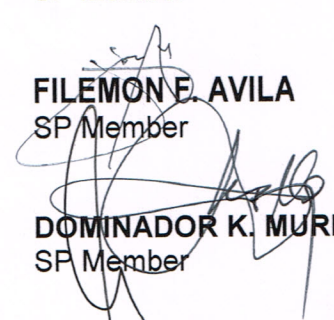
Enacted: January 30, 2020.
Baybay City, Leyte, Philippines.

CARRIED BY ALL OF THE MEMBERS PRESENT:

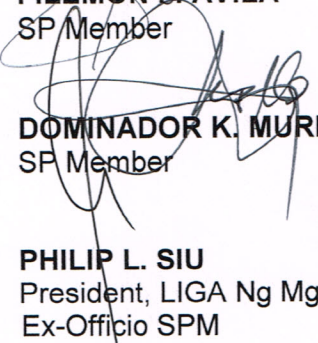

ROMULO B. ALCALA
SP Member

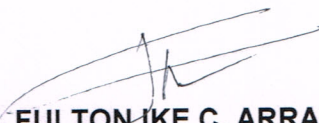

EDGARDO R. OMPOY
SP Member

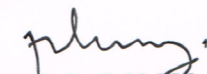

VICENTE VICTOR G. VELOSO
SP Member


FILEMON E. AVILA
SP Member


DOMINADOR K. MURILLO, D.M.
SP Member

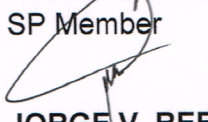

PHILIP L. SIU
President, LIGA Ng Mga Barangay
Ex-Officio SPM

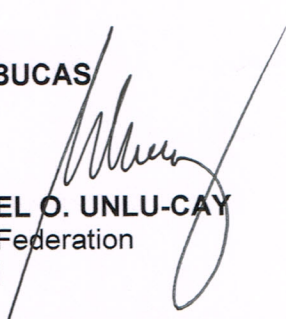

DR. FULTON IKE C. ARRADAZA
SP Member


RODULFO S. PALMA, JR.
SP Member


ARTURO ELISA O. ASTORGA
SP Member

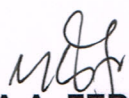

ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member


JORGE V. REBUCAS
SP Member

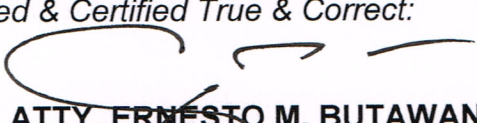

MARK MICHAEL O. UNLU-CAY
SK Chair, City Federation
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Deogracias E. Pernitez; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Evelinda A. Oppus; City Treasurer's office, CLGOO Estela I. Creer, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

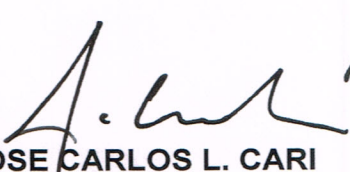
I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


VERULINA A. FERNANDEZ
Records Officer II, Acting SP Secretary

Attested & Certified True & Correct:


ATTY. ERNESTO M. BUTAWAN
City Vice Mayor, Presiding Officer

Approved by His Honor:


HON. JOSE CARLOS L. CARI
City Mayor

Date Approved: 2/26/20