



OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF
SIAYAN, ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE
1ST DAY OF MARCH 2021**

PRESENT:

Hon. Primitivo D. Castillo, Presiding Officer,
Hon. Emelyn P. Tulawe, Presiding Officer Pro- Tempore
Hon. Estrella S. Zapatos,
Hon. Vanessa Lyn B. Atuy,
Hon. Oliver A. Romero, Floor Leader
Hon. Ma. Rosely G. Secretario,
Hon. Rico V. Jamisola,
Hon. Rey L. Anugon, Assistant Floor Leader
Hon. Alfredo R. Labastida
Hon. Phil A. Saraga, SK Fed. President,
Hon. Maribel C. Okay, ABC President,
Hon. Johnny C. Anugon, Sr., IPMR,

Municipal Vice Mayor
Sangguniang Bayan Member

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ABSENT:

None

PREFATORY STATEMENT

Section 447, paragraph 3 (vi) and Section 458, paragraph 3 (vi) of RA 7160 known as the Local Government Code of 1991 conferred unto the Municipal Governments through the Sanggunian the power to regulate the operation of tricycles and the grant of franchise for the operation thereof within the respective territorial jurisdiction, subject to the guidelines prescribed by the Department of Transportation and Communication (DOTC).

The municipality of Siayan, Zamboanga del Norte despite of its topographical status of being hilly and mountainous but still there are operators of motorcycle-for-hire engage but mostly are Three-Wheeled motorcycle known as Bao-bao or Badja started sometimes on the year 2019.

In a related parameter, the DILG Memorandum Circular No. 2020-036, dated February 17, 2020 subject of which is strictly prohibiting tricycles, pedicabs and motorized pedicabas plying/cruising on national highway.

This Ordinance is hereby formulated to regulate its operation and giving franchise, therefore authorizing therein to ply and/or cruise over the national highway in pursuant to the provision of DILG Memorandum Circular No. 2020-036, dated February 17, 2020 that if there is no alternate route, it may be excepted through an ordinance, likewise, motorized tricycle and three-wheeled motorcycle for hire operating in Siayan is allowed to enter in the municipality of Sindangan, ZN in conformance with Municipal Ordinance No. 2020-184, Series of 2020 known as the traffic code of Sindangan as stated "Non-Sindangan resident motorcabs or bao-bao are restricted to enter the municipality of Sindangan, Zamboanga del Norte to convey or ferry passengers without a "Travel Permit" issued by their respective municipality".

BE IT ORDAINED by the Honorable Sangguniang Bayan in session assembled:

"MUNICIPAL ORDINANCE NO. 21-02

Series of 2021

SECTION I. TITLE: This shall be known as **"AN ORDINANCE REGULATING AND GRANTING OF FRANCHISE FOR THE OPERATION OF MOTORIZED TRICYCLE AND THREE WHEELED MOTORCYCLE (BAO-BAO/BADJARE) WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF SIAYAN, ZAMBOANGA DEL NORTE, IMPOSING FEES AND PENALIZING ANY VIOLATION THEREOF"**.

SECTION II. DEFINITION OF TERMS:

MOTORIZED TRICYCLE – A motor vehicle composed of a motorcycle fitted with a single-wheel side car.

THREE-WHEELED MOTORCYCLE – a motorized tricycle, or three-wheeled vehicle based on the same technology as a bicycle or motorcycle and powered by an electric motor (Wikipedia).

MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOP) – is a necessary document for one to be qualified to use and operated a motorized tricycle for any livelihood purposes whether for a local delivery or transportation services.

FRANCHISE – is the right or license granted to an individual or group to market a company's goods or services in a particular territory.

SECTION III. GRANTING OF FRANCHISE CERTIFICATE AND REGISTRATION. All persons, corporations, or cooperatives operating motorized and three-wheeled motorcycle for hire within the boundaries of Siayan, Zamboanga del Norte shall secure a franchise certificate and register their unit (Motorized Tricycle) in the Office of the Sangguniang Bayan in this municipality.

Upon registration of the motorized and Three-wheeled motorcycle, the driver/operator shall be issued an ID Card. No person shall be allowed to operate a motorcab without wearing ID card visible in his/her necklace to be issued by the Municipal Mayor. In case of lost, the operator/driver shall secure another ID and pay the corresponding fees.

SECTION IV. ISSUANCE OF MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOP). All persons, corporations or cooperatives operating motorized and three-wheeled motorcycle after having secured a Franchise Certificate and Registered their motorcycle for hire shall be issued a **MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOP)** and pay the corresponding fees and charges in the Office of the Municipal Treasurer.

The franchise and MTOP is not transferrable, unless otherwise such unit (motor-cab) is sold to other person and the same the vendee continued its operation.

SECTION V. REQUIREMENTS FOR APPLICATION OF FRANCHISE CERTIFICATE, REGISTRATION AND ISSUANCE OF MTOP. All persons, group of persons, corporation or cooperative, whether a residents or non-residents engaged in motorized tricycle-for-hire operation in the municipality of Siayan, ZN are entitled to be granted a franchise provided however, the following documents are the requirements in securing, registering and issuance of MTOP:

1. Updated Original copy of O.R. and C.R. of the motorcycle for hire.
2. Stencil of chassis and engine number.
3. Professional Driver's License
4. Police Clearance (Operator and Driver)
5. Certificate of Membership from any motorcycle operators and driver's association.
6. Motorcycle dealer certification if not fully paid from the company
7. Deed of Sale or whatever agreement from the original owner if not transferred to the second owner.

SECTION VI. RENEWAL OF FRANCHISE. Franchise Certificate and MTOP granted and issued to the motorcycle-for-hire operators shall be operative in one (1) year, therefore, renewal of such shall be on or before 20th day of January every year.

SECTION VII. AUTHORIZED ROUTE OF THE MOTORCYCLE-FOR-HIRE ALONG THE NATIONAL HIGHWAY FOR NO ALTERNATE ROAD. In pursuant to DILG MC Circular No. 2007-01, dated January 2, 2007, all motorized and three-wheeled motorcycle (bao-bao/badja) for hire are hereby authorized to ply/cruise along the national highway of the following route in the municipality of Siayan, ZN.:

1. From Barangay Poblacion bound to Barangay Denuyan
2. From Barangay Poblacion bound to Barangays Munoz, Gunyan and Soguillon

SECTION VIII. ISSUANCE OF TRAVEL PERMIT (AUTHORITY TO PLY/CRUISE ALONG THE NATIONAL HIGHWAY TRANSPORTING PASSENGERS BOUND TO THE MUNICIPALITY OF SINDANGAN, ZAMBOANGA DEL NORTE). All motorized and three wheeled motorcycle for hire legally operating in the municipality of Siayan, ZN shall secure "TRAVEL PERMIT" in order to be authorized to ply/cruise along the national highway directly bound to the municipality of Sindangan, ZN in pursuant with the Municipal Ordinance No. 2020-184, Series of 2020 of Sindangan, Zamboanga del Norte.

The trip going to the municipality of Sindangan, ZN is not a regular route, however in a case to case basis where the passengers approached or hired the driver/operator for pakyaw system.

SECTION IX. FARE MATRIX OF REGULAR ROUTE OF MOTORIZED/THREE WHEELED MOTOCYCLE FOR HIRE: The table below reflects the regular fare rate of the motorcycle for hire in Siayan, Zamboanga del Norte:

FROM	TO (Vice Versa)	KM	FARE	SPECIAL DISCOUNT FOR SENIOR CITIZEN, PWD, SOLO PARENT AND STUDENTS.
Terminal of Poblacion	Brgy. Denuyan	6 kms	30.00	24.00
Terminal of Poblacion	Brgy. Munoz	6 kms.	30.00	24.00
Terminal of Poblacion	Brgy. Litolet	9 kms.	40.00	32.00
Terminal of Poblacion	Brgy. Guryan	10 kms.	50.00	40.00
Terminal of Poblacion	Brgy. Soguilon	18 kms.	60.00	48.00
Terminal of Poblacion	Brgy. Gonayen	10 kms	50.00	40.00
Terminal of Poblacion	Brgy. Sayaw	19 kms	70.00	56.00
Terminal of Poblacion	Direct to Sindangan	17 kms.	50.00	40.00

SECTION X. TERMINATION OF OPERATION. No operator shall be prevented from terminating its business in tricycle-for-hire operation, however, any operator wished/decided to stop and/or terminate its operation, he/she report in writing or appear in person to cancel/ surrender his franchise and MTOP before the Office of the Sangguniang Bayan in pursuant to Section IV of this ordinance.

SECTION XI. IMPOSITION OF FEES. The following fees and charges shall be collected in the issuance of franchise, MTOP, ID and Travel Permit:

Registration of motorized and three-wheeled tricycle for hire200.00 (Once)
Franchise Certificate (Sticker)250.00 (Once)
ID CARD.....100.00 (Once)
Travel Permit500.00/annum
MTOP1,000.00/annum

SECTION XII. PENALTY. Any driver/operator who violates this ordinance shall be penalized in the following manner:

First Offense 1000.00
Second Offense 2,000.00
Third Offense2,500.00 and revocation of
franchise and MTOP

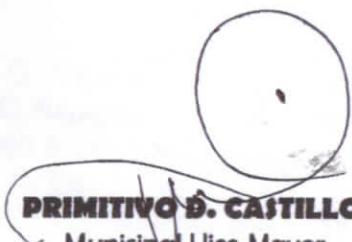
SECTION XIV. EFFECTIVITY: This Ordinance shall take effect upon approval of the Sangguniang Panlalawigan of Zamboanga del Norte and posting of copies of Three (3) issuances in a local circulation.

ENACTED this 1st day of March 2021.

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.


WILFREDO O. DOMPALES
Sangguniang Bayan Secretary

**CERTIFIED CORRECT
AS TO ITS PASSAGE:**


PRIMITIVO D. CASTILLO
Municipal Vice Mayor
(Presiding Officer)

APPROVED:


JOSECOR S. GEPOLONGCA
Municipal Mayor

MAR 05 2021

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Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Legislative Building, Capitol, Dipolog City
Telefax No. (065) 212-3225 /1317

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE 18TH SANGGUNIANG PANLALAWIGAN OF ZAMBOANGA DEL NORTE HELD AT THE SP SESSION HALL, PROVINCIAL LEGISLATIVE BUILDING, DIPOLOG CITY ON JULY 5, 2021

PRESENT: Hon. Senen O. Angeles
Hon. Julius C. Napigquit
Hon. Crisologo A. Decierdo
Hon. Ronilio D. Lee
Hon. Constantino C. Soriano, Jr.
Hon. Venus A. Uy
Hon. Luzviminda E. Torrino
Hon. Patri B. Chan
Hon. Romulo P. Soliva
Hon. Peter Y. Co
Hon. Ruben D. Mangan
Hon. Rogelio M. Isip
Hon. Miles P. Tejada
Vice Governor (Presiding Officer)
SP Member (Pres. Officer Pro-Tempore)
SP Member (Majority Floor Leader)
SP Member (Asst. Floor Leader)
SP Member (Minority Floor Leader)
SP Member
SP Member
SP Member
SP Member
SP Member – FSMMC
SP Member – IPMR
SP Member – FABC
SP Member – PPSK
ABSENT: Hon. Ruth M. Brillantes
Hon. Anacleto H. Olvis, Jr.
SP Member (On Leave)
SP Member (+ June 21, 2021)

RESOLUTION NO. 399
Series of 2021

DECLARING IN ORDER AND OPERATIVE MUNICIPAL ORDINANCE NO. 21-02, SERIES OF 2021 OF THE SANGGUNIANG BAYAN OF SIAYAN, ZAMBOANGA DEL NORTE, WITH ADVICE

On motion of Honorable Romulo P. Soliva, duly seconded by Honorable Miles P. Tejada and Honorable Luzviminda E. Torrino, it was

RESOLVED, as it is hereby resolved, to **APPROVE** the recommendations of this body's Committee on Public Works, Infrastructure and Public Utility as contained in Committee Report No. PWIPU-21-03 dated July 5, 2021, **declaring in order and operative** Municipal Ordinance No. 21-02, series of 2021 of the Sangguniang Bayan of Siayan, Zamboanga del Norte, entitled: "An Ordinance Regulating and Granting of Franchise for the Operation of Motorized Tricycle and Three Wheeled Motorcycle (Bao-bao/Badjare) Within the Territorial Jurisdiction of the Municipality of Siayan, Zamboanga del Norte, Imposing Fee and Penalizing any Violation Thereof", **provided however**, that there be compliance with the posting and publication requirements as provided in the Local Government Code of 1991 (LGC). Since the subject ordinance has a penal provision, Section 511 of the LGC requiring publication of ordinances with penal sanctions should be strictly complied with for its effectivity.


Carried unanimously.

Q


I HEREBY CERTIFY to the

RECEIVED

7-2-21


VANESSA MARIE C. VALLECER-PATCHO
Secretary to the Sanggunian

CERTIFIED CORRECT AS TO ITS PASSAGE:


SENEN O. ANGELES
Vice Governor
(Presiding Officer)

Smtm

Approved: 7-8-, 2021