



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
-oOo-

OFFICE OF THE SB SECRETARY

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR, HELD AT THE MUNICIPAL SESSION HALL ON DECEMBER 16, 1996.

- C a l l -

PRESENT:

Hon. Edgardo G. Jamero,	Vice Mayor, Presiding Officer
Hon. Nacianceno Pacalioga, Jr.,	SB MEMBER
Hon. Zacarias Tangalin,	-do-
Hon. Felipe Robles,	-do-
Hon. Eddie Bueno,	-do-
Hon. Edman Ambil,	-do-
Hon. Wellie Geographia,	-do-
Hon. Inocencio Faunillan,	-do-
Hon. Allan Anggaos,	-do-

ABSENT:

Hon. Libertine Retes,	-do-
Hon. Jovencio Bono,	-do-

ORDINANCE NO. 28, S. 1996

" AN ORDINANCE AMENDING PARAGRAPHS A AND C, SECTION 1 OF ARTICLE II, VARIOUS SECTIONS OF ARTICLE III AND SECTION 1 OF ARTICLE IV OF THE MUNICIPAL ORDINANCE NO. 8, S. 1995 REGARDING THE DEFINITION OF TERMS, POLICIES AND GUIDELINES, FINES AND PENALTIES." (Kagawad Geographia & Kagawad Faunillan)

Be it ordained by the Sangguniang Bayan of Dumingag, Zamboanga del Sur in session assembled:

SECTION 1. Paragraphs A and C, Section 1, Article II of the Municipal Ordinance No. 8, S. 1995 are hereby amended to read as follows:

- A. Tri-sikad - a three-wheeled vehicle propelled by a muscular power.
- C. Driver - any person driving a tri-sikad "for hire" or "not for hire."

SECTION 2. Section 2, Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended, to read as follows:

Section 2. The Office of the Municipal Mayor shall issue an ID card to all licensed drivers of tri-sikad, renewable every two (2) years which shall be renewed ten (10) days before expiry date. Signatories of such ID cards shall be the Municipal Mayor, Chairman of Committee on Transportation of the Sangguniang Bayan and the Chief of Police (CoP). The production of ID cards shall be prepared by the Office of the Municipal Treasurer and the expenses therefor shall be charged to the driver concerned. The Municipal Treasurer shall endorse such ID cards to the Office of the Municipal Mayor for proper issuance and control.

SECTION 3. Section 3, Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended to read as follows:

Section 3. No person shall be granted with driver's license who is below fifteen (15) years of age. Any person caught driving a tri-sikad "for hire" or "not for hire", without license and is below fifteen (15) years of age, the operator/owner of the tri-sikad shall be liable for the penalty as herein provided.

SECTION 4. Section 4, Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended by substitution to all provisions of the entire section, to read as follows:

Section 4. Tri-sikad operator/owner shall not allow any person without driver's license, to drive his/her unit. Any person who is fifteen (15) years of age or above caught driving without license, both the driver and the operator or owner of the tri-sikad shall be penalized accordingly.

not filed
SECTION 5. Section 5, Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended by substitution to all provisions of the entire section, to read as follows:

Section 5. Any tri-sikad driver shall not drive a tri-sikad "for hire" without franchise to operate. Violation to this section, both the driver and tri-sikad operator shall be penalized accordingly.

SECTION 6 - Section 6, Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended by substitution of all provisions, to read as follows:

Section 6. Owner of tri-sikad "not for hire" shall secure registration of his/her unit from the Office of the Municipal Mayor. Any person caught driving a tri-sikad "not for hire" without registration, both the driver and owner of the tri-sikad shall be penalized accordingly.

SECTION 7. Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended by adding Section 7 where provisions of which are provisions of Section 4, to read as follows:

Section 7. Any driver shall not be allowed to drive a tri-sikad for hire without bearing on display the ID card issued by the government.

SECTION 8. Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended by adding Section 8 where provisions of which are provisions of Section 5, to read as follows:

Section 8. Any driver of tri-sikad "for hire" shall not select, discriminate and/or refuse to convey a riding individual/s to any point of the poblacion or route area within the territorial jurisdiction of the municipality, without valid or justifiable cause/reason. If having valid reason, the driver shall properly and courteously explain to the riding individual/s for the benefit of the franchise and license to operate and drive, respectively granted by the government.

SECTION 9. Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended by adding Section 9 where provisions of which are provisions of Section 6, to read as follows:

Section 9. Any tri-sikad operator/owner shall be required to put up a lamp in frontside of tri-sikad while on operation during darktime from 6:00 P.M. until 5:00 o'clock dawn. Any driver shall not be allowed to drive a tri-sikad for hire or not for hire, in the absence of such lamp.

SECTION 10 - Article III of the Municipal Ordinance No. 8, S. 1995 is hereby amended by adding Section 10, to read as follows:

Section 10. Any tri-sikad "for hire" shall bear a body number to be controlled by the Office of the Municipal Mayor. In coordination with the traffic officer, the corresponding control number shall be painted on the frontside and rear side of tri-sikad cab in black color on a white background. However, tri-sikad "not for hire" shall not bear a body number but shall be marked with the word "PRIVATE" on the frontside and rear side in black color on a white background.

SECTION 11. Section 1, Article IV of the Municipal Ordinance No. 8, S. 1995 is hereby amended to read as follows:

Section 1. Any tri-sikad driver or operator/owner who violates any provision of this Ordinance shall be penalized accordingly:

- A. First Offense - a fixed fine of FIFTY PESOS (P50.00) or an imprisonment of six hours (6 hrs.) or both at the discretion of the court.
- B. Second offense - a fixed fine of ONE HUNDRED PESOS (P100.00) or imprisonment of twelve (12) hours or both at the discretion of the court.
- C. Third offense - a fixed fine of P300.00 or imprisonment of eighteen (18) hours or both at the discretion of the court.

SECTION 12. EFFECTIVITY CLAUSE - This Amendatory Ordinance shall take effect upon its approval.

ENACTED DECEMBER 16, 1996.

ATTESTED:

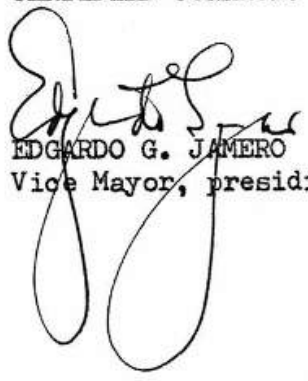

A. R. ESTILLORE
SB SECRETARY

approval:

Jan. 14, 1997


DOMICIANO E. REAL
Municipal Mayor

CERTIFIED CORRECT:


EDGARDO G. JAMERO
Vice Mayor, presiding

ale/