



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao
SEVENTH CITY COUNCIL



EXCERPTS FROM THE MINUTES OF THE 52nd REGULAR SESSION
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON AUGUST 22, 2017, 1:00 P.M., TUESDAY,
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Danilo L. Baccay	City Vice Mayor, Regular Presiding Officer
Hon. Kendrick S. Calubaquib	Sangguniang Panlungsod Member
Hon. Maila Rosario T. Que	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Jose G. Velasco	-do-



ABSENT:

Hon. Jude T. Bayona	Sangguniang Panlungsod Member
Hon. Mary Marjorie P. Martin-Chan	-do- (on Sick Leave)

CITY ORDINANCE NO. 28-2017

**ORDINANCE AMENDING CITY ORDINANCE NO. 08-2013, OTHERWISE KNOWN AS THE
 "TUGUEGARAO CITY TRICYCLE ORDINANCE 2013"**

Introduced by: **HON. DANILO L. BACCAY**

WHEREAS, Section 458, Paragraph 3 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that the Sangguniang Panlungsod shall enact ordinances granting franchises and authorizing the issuance of permits or licenses, upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the city;

WHEREAS, Subparagraph 6 thereof further provides that pursuant to such legislative authority and subject to the guidelines prescribed by the Department of Transportation and Communications, the Sangguniang Panlungsod shall regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the city;

WHEREAS, it has been observed that Section 12 of City Ordinance No. 08-2013, otherwise known as the "Tuguegarao City Tricycle Ordinance 2013", has been repeatedly abused by the "buy and sell operators" and made huge profit in selling instead of operating the same;

WHEREAS, Land Transportation Franchising and Regulatory Board (LTFRB) through its Memorandum Circular Number 2016-010 prohibits the acceptance of applications for sale and transfer whether voluntary or involuntary of certificate of public convenience (CPC) thereby repealing Memorandum Circular Number 96-015;

WHEREAS, there is a need to amend Section 12 of City Ordinance No. 08-2013 otherwise known as the Tuguegarao City Tricycle Ordinance of 2013 in order to avoid fraudulent acts of "buy and sell operators" and to be consistent with LTFRB MC No. 2016-010.

NOW, THEREFORE, be it **ORDAINED** by the Sangguniang Panlungsod of Tuguegarao City in session assembled, to enact the following:

SECTION 1. TITLE. This Ordinance shall be known as the “*Ordinance Amending Section 12 of City Ordinance No. 08-2013 otherwise known as the Tuguegarao City Tricycle Ordinance 2013.*”

SECTION 2. Section 12 of Tuguegarao City Tricycle Ordinance 2013 is hereby deleted and shall be rephrased to be read as follows:

SECTION 12. CHANGE OF OWNERSHIP. The ownership of a franchise is non-transferable. However, in case of death of a franchise owner, the spouse or the nearest kin should immediately notify the Tuguegarao City Tricycle Franchising Board (TCTFB) of such death and the spouse or the nearest kin may apply for the grant of the franchise as a new applicant subject to the submission of death certificate and any other documents to establish that the applicant is indeed the spouse or the nearest kin of the deceased.

SECTION 3. The following portion in Section 8 to wit (c. transfer Fee P1,000.00) is hereby deleted

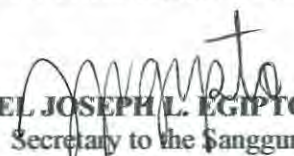
SECTION 4 REPEALING CLAUSE. Any ordinance, resolutions, rules and regulations or parts thereof which is inconsistent with this Ordinance is hereby repealed accordingly.

SECTION 5. EFFECTIVITY. This ordinance shall take effect upon approval.

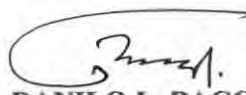
On motion of Hon. Raymund P. Guzman, duly seconded by Hon. Grace B. Arago and without any objection, **CITY ORDINANCE NO. 28-2017** was **APPROVED** on its Second, Third and Final Reading under suspended rules.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, PLD. 082317
Secretary to the Sanggunian

ATTESTED:


HON. DANILO L. BACCAY
City Vice Mayor
Presiding Officer
Date: 08/23/17

APPROVED:


HON. BIENVENIDO C. DE GUZMAN II
City Mayor
Date: 8/29/17

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