



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



EXCERPTS FROM THE MINUTES OF THE 118th REGULAR SESSION
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON FEBRUARY 19, 2019, 9:00 AM, TUESDAY,
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
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. Gil G. Pagulayan	Ex Officio Member (Liga ng mga Barangay President)
Hon. Karen L. Taguinod	Ex Officio Member (SK Federation President)



ABSENT:

Hon. Mary Marjorie P. Martin-Chan Sangguniang Panlungsod Member (on Maternity Leave)

CITY ORDINANCE NO. 05-2019

ORDINANCE AMENDING SECTION 12 OF CITY ORDINANCE NO. 08-2013, OTHERWISE KNOWN AS THE "TUGUEGARAO CITY TRICYCLE ORDINANCE 2013"

Sponsors: **Hon. Bienvenido C. De Guzman II**
Hon. Danilo L. Baccay
Hon. Jude T. Bayona
Hon. Kendrick S. Calubaquib
Hon. Maila Rosario T. Que
Hon. Arnel T. Arugay
Hon. Gilbert S. Labang
Hon. Winnoco R. Abraham
Hon. Imogen Claire M. Callangan
Hon. Raymund P. Guzman
Hon. Grace B. Arago
Hon. Anthony C. Tuddao
Hon. Gil G. Pagulayan
Hon. Karen L. Taguinod

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, pursuant to such legislative authority and subject to the guidelines prescribed by the Department of Transportation and Communication, Paragraph 3, Subparagraph VI under Section 458 of Republic Act No. 7160 states that the Sangguniang Panlungsod shall regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the city;

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WHEREAS, the Land Transportation Franchising and Regulatory Board (LTFRB) through its Memorandum Circular No. 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 No. 96-015;

WHEREAS, to be consistent with LTFRB Memorandum Circular No. 2016-010, City Ordinance No. 28-2017 amending Section 12 of City Ordinance No. 08-2013 was enacted on August 22, 2017 to avoid the fraudulent acts of buy and sell operators;

WHEREAS, the Federation of Tricycle Operators and Drivers Association (FETODA) has petitioned to return the policy of transferring ownership of franchise of tricycles for hire through sale;

WHEREAS, the Committee on Transportation has assessed the petition of FETODA and agreed to consider their request, however, new guidelines must be followed;

WHEREAS, there is a need to amend Section 12 of City Ordinance No. 08-2013, otherwise known as the "Tuguegarao City Tricycle Ordinance 2013";

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 City Ordinance No. 08-2013 is hereby amended to include the guidelines and to be read as follows:

SECTION 12. CHANGE OF OWNERSHIP. Change of ownership of unit and franchise by the owner/operator to another operator is allowed upon presentation of the required legal documents duly evaluated and verified by the TRU subject to the provisions of Sections 7 and 8 of this Ordinance and subject to the following guidelines:

- a) Before the sale of a tricycle unit with franchise, the operator shall surrender the franchise and apply for the sale of the same at the Tricycle Regulation Unit;
- b) Only those tricycle units with franchises that were affected by the effectivity of City Ordinance No. 28-2017 will be considered;
- c) Dormant franchises for more than three (3) years upon the effectivity of the aforesaid ordinance are no longer allowed to be transferred;
- d) For humanitarian reasons, transfer of tricycle through sale is allowed only during medical cases. The same is allowed only to tricycle unit with franchise obtained through installment basis, provided, however, that the franchise was active when the ordinance took effect;
- e) The buyer must be a bonafide resident and registered voter of Tuguegarao City; and
- f) The seller and the buyer must apply for the transfer of ownership of franchise at the Tricycle Regulation Unit. The same is subject to the approval of the Tuguegarao City Franchising Board.

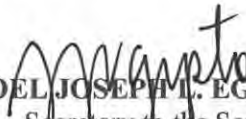
SECTION 3. REPEALING CLAUSE. This Ordinance hereby repeals Ordinance No. 28-2017 and all other ordinances, resolutions, rules and regulations which are inconsistent with this Ordinance.

SECTION 4. EFFECTIVITY. This Ordinance shall take effect upon approval.

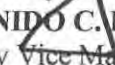
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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sanggunian *me*

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor
Presiding Officer
Date: 02/20/19

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
City Mayor
Date: 02/20/19

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