Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE JOURNAL OF THE 65th REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 27 NOVEMBER 2017, 01:30 P. M. AT THE SANGGUNIAN SESSION HALL.

Present:

Vice Mayor Cesar T. Baticos	- Presiding Officer
Councilor David D. De La Cruz	- Member
Councilor Juanito A. Bacay, Jr.	- Member
Councilor John John S. Yason	- Member
Councilor Agustin L. Cusi	- Member
Councilor Ruel S. Taytay	- Member
Councilor Eduardo K. Soriano	- Member
Councilor Gualberto V. Magno	- Member

Absent: Councilor Joseph M. Galicia — President, Liga ng mga Barangay, On Official Business

MUNICIPAL ORDINANCE NO. 08
Series of 2017

AN ORDINANCE PROVIDING FOR THE POLICIES, RULES, AND REGULATIONS IN THE OPERATION AND MAINTENANCE OF THE NEW ROXAS PUBLIC TERMINAL LOCATED AT BARANGAY BAGUMBAYAN, ROXAS, ORIENTAL MINDORO, AND FOR OTHER PURPOSES.

AUTHORS:

Hon. **DAVID D. DE LA CRUZ**
Hon. **JUANITO A. BACAY, JR.**
Hon. **JOHN-JOHN S. YASON**
Hon. **EDUARDO K. SORIANO**
Hon. **AGUSTIN L. CUSI**
Hon. **GUALBERTO G. MAGNO**
Hon. **RUEL S. TAYTAY**

WHEREAS, Section 16 of the Local Government Code of 1991 (R.A. 7160) provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare:

WHEREAS, Section 458 (3) of the same law provides further that it shall enact ordinances granting franchise 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 municipal and pursuant to this legislative authority shall: (i) fix and impose reasonable fees and charges for all services rendered by the municipal government to private persons and entities;

WHEREAS, Article 100 (5) (v) of the Implementing Rules and Regulations of R.A. 7160 provides that the Sangguniang Bayan shall regulate the use of streets, avenues, alleys, sidewalks, bridges, parks, and other public places and approve the construction, improvement, repair, and maintenance of the same, and establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles which serve the public;

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WHEREAS, there is a need to enact an Ordinance that will regulate the operation of private terminals within the Central Business District of the Municipality of Roxas as provided for by the Zoning Ordinance and the Comprehensive Land Use Plan of the municipality to prevent traffic and illegal parking within the major thoroughfare.

NOW THEREFORE BE IT ORDAINED by the Sangguniang Bayan in session that:

SECTION 1. ***TITLE.*** This Ordinance shall be known as the Integrated Transport Terminal Ordinance of Roxas, Oriental Mindoro, and hereinafter referred to as the "Ordinance."

SECTION 2. ***COVERAGE.*** This Ordinance shall apply to the operation and management of the new Roxas Public Terminal. Insofar as the departure fees herein provided, the same applies to the buses, jeepneys, vans, multicabs, and tricycles that are required to load and unload passengers at the terminal.

SECTION 3. ***DEFINITION OF TERMS.*** For purposes of this Ordinance, the following terms and acronyms shall be understood to mean as:

a. **Terminal** – refers to the Roxas Public Terminal located at Barangay Bagumbayan, Roxas, Oriental Mindoro
b. **Paved Bay** – an area within the terminal building allocated for Public Utility Vehicles (PUV) for the purpose of loading and unloading passengers.
c. **Bus** – any motor vehicle covered with a valid Certificate of Public Conveyance (CPC) and registered as "bus for hire" with the Land Transportation Office
d. **Jeepney** – any motor vehicle covered with a valid Certificate of Public Conveyance (CPC) and registered as "jeepney for hire" with the Land Transportation Office
e. **Van** – any vehicle covered with a valid Certificate of Public Conveyance (CPC) registered as "van for hire" with the Land Transportation Office
f. **Operator** – a natural or juridical person who is either a holder of Certificate of Public Conveyance (CPC) or a holder of a valid business permit and engage in legal activity within the terminal area.
g. **Dispatcher** – shall refer to the person in charge of dispatching vans, jeepneys, and buses in the terminal

SECTION 4. ***ADMINISTRATION, OPERATION, AND MAINTENANCE OF THE MUNICIPAL TERMINAL.*** Administration, operation, and maintenance of the Municipal Terminal shall be supervised by the Head of the Local Economic Enterprise Division, who shall have the following duties and responsibilities:

a. To maintain facilities, such as but not limited to keeping the fence and gates intact, replacing broken light bulbs, and others;
b. To keep the premises in a clean and sanitary condition;
c. To adopt and enforce rules for orderly vehicle movements and parking inside the terminal;
d. To keep the terminal clear of vendors, peddlers, and other such illegal occupants;
e. To maintain peace and order inside the Terminal;
f. To keep daily records of departure of Public Utility Vehicles;
g. To assist the Office of the Municipal Treasurer in the collection of terminal fees from PUVs;
h. To keep accounts of collection and financial operation of the terminal;
i. To award to appropriate groups the porterage/cargo handling services at the rentable space of the terminal, provided that there will be at least three (3) bidders accredited by the Sangguniang Bayan; and

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j. To perform all other functions required by the Municipal Mayor for the efficient operation of the Terminal.

SECTION 5. ***RULES AND REGULATIONS.*** The following rules and regulations shall be observed in the operation of the Terminal:

a. All vans and buses and all northbound and southbound public utility jeepneys for hire with approved routes outside the municipal limits are required to enter the Roxas Public Terminal to load and unload their passengers but not to the prejudice of unloading passengers in between the point of origin and destination. It is understood that their destination is from terminal to terminal. They shall not be allowed to go around the municipality to pick up passengers.
b. No private van garage and/or booking office for public utility vans shall operate outside of the designated van terminal site upon the effectivity of this Ordinance;
c. Maintenance services and repairs of any vehicle shall not be allowed inside the Terminal;
d. Damages to the building or any Terminal facility shall be charged to the party/parties responsible;
e. Private vehicles shall not be allowed to enter Terminal access road only to load and/or unload passengers.
f. Passenger vehicles waiting for passengers must be parked properly on the bays provided for them;
g. To ensure cleanliness and maintain sanitation, bus, van, and jeepney operators shall provide their own garbage receptacles for bio and non-biodegradable wastes.

SECTION 6. ***ASSIGNMENT OF BAYS.*** Bays at the Terminal shall be assigned to operators after consultation with them, subject to the following procedures:

a. For purposes of loading and unloading passengers, public utility buses shall occupy the bays at the new terminal building;
b. Each bus line operator shall enter into a Memorandum of Agreement (MOA) with the Municipal Government for the assignment of bays. The MOA shall be renewable annually;
c. Public utility vans and jeepneys shall have separate bays. Vehicles sharing the same or common routes shall occupy one bay and shall be parked upon the instruction of the terminal authorities. Bays shall be assigned by drawing of lots.

SECTION 7. ***RENTAL OF SPACES.*** The following rates shall be charged as rentals or leased fees.

a. P7.00 per square meter per day rental for all office spaces in the Terminal building.
b. The leased contract shall be renewable every three (3) years.
c. The schedule of increase in rental is shown in the table below:

YEAR	AMOUNT	UNIT
1st year of implementation	P7.00	Pesos/square meter/day
2nd year of implementation	P8.00	Pesos/square meter/day
3rd year of implementation	P9.00	Pesos/square meter/day
4th year of implementation	P10.00	Pesos/square meter/day
5th year of implementation	P11.00	Pesos/square meter/day
6th year of implementation	P12.00	Pesos/square meter/day
7th year of implementation	P13.00	Pesos/square meter/day
8th year of implementation	P14.00	Pesos/square meter/day
9th year of implementation	P15.00	Pesos/square meter/day
10th year of implementation	P16.00	Pesos/square meter/day

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SECTION 8. ***PORTERAGE AND CARGO HANDLING.*** The porterage/cargo handling shall be governed by the following:

a. Porterage/cargo handling shall be provided by appropriate group duly screened and recommended by the Terminal Authorities
b. Porters/cargo handlers shall secure individual working permit yearly.
c. Porters shall wear a prescribed uniform and an official Identification (ID) Card issued by the appropriate group and duly signed and approved by the terminal overseer.
d. Porterage/cargo handling fee shall be regulated by the Terminal Authorities subject to review and amendment every two (2) years.
e. Passengers who desire to carry their own cargoes shall not be obliged to avail of the service of handles.

SECTION 9. ***DISPATCHING.*** The following provides for the guidelines on dispatching:

a. Only barkers and private dispatchers for jeepneys and vans authorized by the Office of the Municipal Mayor shall be allowed inside the Roxas Public Terminal.
b. Every public utility van and jeepney shall be assigned to a bay and shall have a permanent occupancy number to be determined by drawing of lots.
c. The Office of the Municipal Mayor shall assign dispatchers for vans and jeepneys who shall dispatch vehicles according to the assigned permanent occupancy number.
d. A Civil Security Unity (CSU) personnel assigned at the gate shall record all departing and arriving vans and jeepneys to monitor the order of dispatching.

SECTION 10. ***PROHIBITION TO HAWK, SELL, OR PEDDLE ALONG SIDEWALKS.*** No person shall hawk or peddle their wares along the sidewalks, alleys, aisles, or corridors inside the terminal;

SECTION 11. No person shall hawk or peddle their wares inside the buses or any public utility vehicle within the terminal.

SECTION 12. ***PROHIBITION ON ILLEGAL STRUCTURES.*** No person shall put up any structure, shanty, "barong-barong", shed, table or push cart within the premises of the Roxas Public Terminal for the purpose of selling or keeping their wares or articles for sale to the public.

SECTION 13. ***DEPARTURE FEES.*** On departure, there shall be levied a terminal fee upon each owner/operator of any departing public utility vehicle for using the new terminal bays at the following rates.

a. Buses - P100.00/departure
b. Vans – P50.00/departure
c. Jeepneys – P20.00/departure
d. Multicabs – P20.00/departure
e. Tricycles – P10.00/departure

SECTION 14. ***COLLECTION AND DISPOSITION OF FEES.*** The fees/charges herein provided shall be collected by the Municipal Treasurer through their duly assigned deputies.

SECTION 15. There shall be an issuance of departure ticket, which shall be in the prescribed form in the Ordinance hereto attached as Annex "B". Departure tickets are

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color coded, light green for buses, pink for jeepneys, yellow for multicabs, light blue for vans, and orange for tricycles

SECTION 16. Any such fees/charges collected shall accrue to the Economic Enterprise Fund-Operation of the Municipal Terminal and shall be used exclusively for the maintenance and other operating expenses of the Terminal subject to the usual accounting and auditing procedures

SECTION 17. The Municipal Treasurer is required to prepare daily departure report copy furnish the Terminal overseer

SECTION 18. The operators of public utility buses, vans, jeepneys, or multicabs shall secure the necessary individual business permits and licenses upon payment of appropriate taxes, fees, and other impositions that may be imposed, levied, and collected by duly constituted authorities before using or taking possession of the premises assigned to them.

SECTION 19. For operator of public utility buses, vans and jeepneys with two or more units franchised under his/her name, he/she shall be required to get only one permit for his/her units. The plate numbers of the units must be reflected in the permit.

SECTION 20. There shall be printed/typewritten on the face of the business permit the following: *"Any violation by the permitee of a law, ordinance, executive order or other issuances in the preparation of his business shall be cause for the revocation of the permit."* The Business Permits and Licenses Division shall also issue corresponding vehicle stickers to all approved permitee, which shall be displayed on the front windshield of their vans, jeepneys and buses.

SECTION 21. The operators shall not start or proceed with any repair work, extend the area, occupy more bays/alleys as allowed nor in any case introduce improvements or make any alteration in the leased premises without prior written consent and approval of the Municipal Engineer; and that in case of permitted improvements or alterations, the same shall not be removed but shall belong to and become the exclusive property of the Municipal Government of Roxas, Oriental Mindoro without any right of reimbursement on the part of the operators.

SECTION 22. The operators shall comply with all sanitation rules and safety regulations which are promulgated by the duly constituted authorities and those that may be imposed from time to time by the Municipal Government and to keep and maintain the leased premises in clean and sanitary condition and disposed of all rubbish or garbage only thru the means and places indicated by the Municipal Administrator for the purpose.

SECTION 23. Each operator shall require his/her employee/s to wear company's ID upon entering the premises of the Roxas Public Terminal and to require them to log-in the logbook prepared by the overseer of the said Terminal for identification purposes.

SECTION 24. Each operator shall not directly or indirectly sublease, assign, transfer, convey mortgage or in any way encumber his privilege of lease over the leased premises or any portion thereof under any circumstances whatsoever, or shall allow any person to conduct business thereat by tolerance, thus, any agreement or contract that may be made in violation of this clause be null and void.

SECTION 25. Each operator shall undertake the expenses for minor repair of the leased premises resulting from ordinary wear and tear but major repairs shall be assumed by the Municipal Engineer's Office provided that the operator informs the Municipal Engineer's Office before any repair is undertaken.

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SECTION 26. Each operator shall comply with any and all laws, ordinances, regulations or orders of the National or Municipal Government authorities arising from or regarding the use, occupation and sanitation of the leased premises.

SECTION 27. Each operator or his/her duly authorized representatives shall recognize the authority of the Municipal Government or his duly authorized representatives to inspect the leased premises at any reasonable hour of the day or night.

SECTION 28. Each operator shall notify in writing the Municipal Government at least Thirty (30) days in advance should he/she decide to vacate the leased premises.

SECTION 29. All operators shall submit to the terminal authorities their own daily arrival and departure reports on arrivals and departures of their own units;

SECTION 30. ***PENALTY CLAUSE.*** Any person violating the provisions of the foregoing Sections shall be punished as follows:

a. For operators of buses, jeepneys, and vans who violate any provision of this Ordinance shall be punished with a fine of Two Thousand Five Hundred Pesos (P2,500.00);
b. For peddlers, hawkers, and/or any personnel who violate any provision of this Ordinance shall be punished with a fine of Five Hundred Pesos (P500.00);
c. Any other personals shall be punished to pay a fine of Five Hundred Pesos (P500.00).

SECTION 31. ***SEPARABILITY CLAUSE.*** If, for one reason or another, some part of this Ordinance is found to be invalid or unconstitutional, all other provisions hereof not affected thereby shall remain to be in full force and effect.

SECTION 32. ***EFFECTIVITY CLAUSE.*** This Ordinance shall take effect immediately after fifteen (15) days following the completion of its full publication in any newspaper of general circulation in the Municipality of Roxas, Oriental Mindoro.

On motion of Councilor Aguustin L. Cusi duly seconded by all this Ordinance is hereby ENACTED.

Adopted: 27 November 2017

CERTIFIED CORRECT:

FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:

CESAR T. BATICOS
Municipal Vice Mayor

APPROVED:

VIOLETA E. DIMAPILIS
Municipal Mayor
Date: _____

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1/10/18

MUNICIPALITY OF ROXAS, OR. MINDORO
RECEIVED
BY:
DATE: 01-10-2018
TIME:
OFFICE OF THE MAYOR

EFFECTIVE as of
01-30-2018