



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 6th REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 18 FEBRUARY
2008, 9:30 A.M. AT THE SANGGUNIAN SESSION HALL.

PRESENT:

Councilor Agustin L. Cusi	- Acting Municipal Vice Mayor
Councilor Cesar T. Baticos	- Member
Councilor Jocelyn G. Solabo	- Member
Councilor Angeles D. Bautista	- Member
Councilor Hernan C. Erorita	- Member
Councilor Bernabe S. Mortel	- Member
Councilor Edren Y. Faderon	- Member
Councilor Napoleon M. Dimapilis	- Member
Councilor Larry V. Salazar	- Member, President Liga ng mga Barangay
Councilor Mary Jamaica Leigh Q. Sarmiento	- Member MSKF President

ABSENT:

Vice Mayor Violeta L. Dimapilis	- Acting Municipal Mayor
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MUNICIPAL ORDINANCE NO. 01
Series of 2008

**AN ORDINANCE PROVIDING FOR A
COMPREHENSIVE TRAFFIC MANAGEMENT
SYSTEM IN THE MUNICIPALITY OF ROXAS,
ORIENTAL MINDORO BY REGULATING TRAFFIC
ON ALL STREETS AND BRIDGES WITHIN THE
MUNICIPALITY AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF.**

TITLE ONE

GENERAL PROVISIONS

CHAPTER 1 - TITLE AND APPLICATION

Section 1. *Title* - This Ordinance shall be known and cited as the "ROXAS TRAFFIC
ORDINANCE OF 2008."

Section 2. Scope of Application - a) This Ordinance shall govern traffic rules and regulations in the thoroughfares of the Municipality of Roxas, pedestrian rules and regulations, vehicle stops and public transport terminals; the use of sidewalks and alleys; regulation of motorized tricycles and pedicabs, bicycles, horse-drawn rigs, pushcarts and other forms of conveyances, day and night parking areas, and public conveyances franchised by the Land Transportation Franchising and Regulatory Board (LTFRB) to operate within the Municipality.

b) This ordinance shall apply and be enforced on all streets, sidewalks, bridges and parking spaces within the territorial boundaries of the Municipality of Roxas in the furtherance of an efficient traffic management system within the Municipality.

Section 3. Declaration of Policies :

a) The Municipality of Roxas shall install and maintain an efficient and adequate traffic management system within the municipality in order to ensure that mobility and ease of flow of commerce and industry shall be maximized for the benefit of residents and non-residents of Roxas, business establishments and industrial concerns.

b) It is also the policy of the Municipality to install a mechanism of effective consultation and coordination with the other municipalities of Oriental Mindoro to ensure that the traffic system shall benefit other municipalities and communities.

c) There shall also be continuous consultation with the Philippine National Police and other agencies of the National Government in charge with the enforcement of traffic laws operating within Roxas, non-governmental and people's organizations, and members of the media community to ensure effective and meaningful implementation of this ordinance.

d) The cooperation of all Barangays within the Municipality shall be enjoined both in the implementation and information dissemination to their respective constituents through barangay assemblies.

CHAPTER 2 - DEFINITIONS

Section 1. Definition of terms - When used in this Ordinance, the term:

- a) **Motor Vehicle** - shall mean any vehicle propelled by any power other than muscular power using the main thoroughfares, streets and avenues, but excepting road rollers, trolley cars, street sweepers and sprinklers, lawnmowers, bulldozers, graders, forklifts, amphibian trucks and cranes, if not used in public highways, tractors and traction engines used exclusively for agricultural purposes.

- b) Motorist or Driver - shall mean any person licensed to drive any type of motor vehicle in main thoroughfares of the Municipality.
- c) Articulated vehicle - shall mean any motor vehicle with a trailer having no front axle and so attached that part of the trailer rests upon the motor vehicle and substantial part of the weight of the trailer and its load are borne by the motor vehicle. Said term shall also include tractor container vans.
- d) Ten-Wheeler - refers to heavy cargo trucks or sand and gravel trucks, and other similar trucks with ten wheels.
- e) Six-Wheeler - shall mean light cargo trucks or delivery vans whether enclosed or open and having six wheels on the front and rear axle.
- f) Owner - shall mean the actual legal owner of a motor vehicle in whose name such vehicle is duly registered with the Land Transportation Office (LTO) of the Department of Transportation and Communications (DOTC).
- g) Vehicle Repair Shop - shall include vulcanizing shop, radiator repair shop, auto air-con repair shop, motor or body repair shop, welding, electrical or painting shop, and other similar establishments owned by any person, association, partnership or corporation.
- h) Terminals - are those street stands, public service stations or other public places designated by proper authorities as parking spaces, any private lots specifically licensed as such for public utility buses or vehicles, public utility tricycle or pedicab stands where said conveyances can stop while awaiting or soliciting business.
- i) Bus or Jeepney Stop - shall refer to that portion of any public thoroughfare or highway designated as loading and unloading points for passengers of public utility vehicles and buses.
- j) Crosswalk or Pedestrian Lane - shall mean designated crossing points for pedestrians or pushcarts on any public highway or thoroughfare usually designated by diagonal lanes on the street pavement.
- k) Parking or Parked - shall mean that a motor vehicle has been brought to a stop on the shoulder or proper edge of a main thoroughfare and remains inactive in that place or close thereto for an appreciable period of time. A motor vehicle which properly stops merely to discharge a passenger or take in a waiting passenger; or to load or unload a small quantity of freight with reasonable dispatch shall not be considered "parked" if the motor vehicle moves away without delay.
- l) Stalled Vehicle - shall mean any vehicle from tricycle to articulated vehicle which is left unattended in any main thoroughfare or if being attended, can be moved immediately only with the aid of towing vehicle.

- m) Main Thoroughfares - shall mean all public roads, avenues, streets, but shall not include alleys and passageways not open to two-way traffic and roadways on private grounds and compounds.
- n) Traffic Obstruction or Impediment - shall mean all impediments on streets, sidewalks, alleys and highways such as things, constructions, stalled and/or parked vehicles and other movable properties that obstruct free passage thereon.
- o) Pedestrian - is any person going on foot or walking on sidewalks, main thoroughfares or alleys in the territorial jurisdiction of the Municipality.
- p) Jaywalking - shall mean any person violating traffic rules and regulations for pedestrians in the territorial jurisdiction of the Municipality.
- q) Out of Line - shall mean any pedicab, public utility tricycle, vehicle or bus found travelling not on their designated routes as specified on their respective franchises, this Ordinance and other applicable laws.
- r) Traffic Violation Citation Ticket and Violator's Receipt (TVCTVR) - shall mean a receipt issued by a traffic rules enforcer against any driver or person caught violating any provisions of this Ordinance and said receipt shall reflect pertinent information about the violator, the owner of the vehicle, or resident, or business establishment cited for the violation, an enumeration of the violations committed, the appropriate fine or fines and an order directing the driver or any person cited for the violation to appear on a certain date to the appropriate office or agency for appropriate action.
- s) Tricycle - is a motor vehicle composed of a motorcycle fitted with a single-wheel or with a two-wheel cab operated to render transport services to the general public.
- t) Motorized Tricycle Operator's Permit (MTOP) - is the document granting franchise or license to operate issued to a person, natural or juridical, allowing him to operate a tricycle within the Municipality.
- u) Route Measured Capacity (RMC) - is the number of tricycle-for-hire units allowed to operate within the Municipality as set by the Sangguniang Bayan through resolution as may be recommended by the Tricycle and Pedicab Franchising and Regulatory Committee (TPFRC).
- v) Public Tricycle - a tricycle-for-hire is one which offers transport services to the general public.
- w) Utility Motorized Tricycle - is a tricycle rendering services to specific passengers or goods.

TITLE TWO

TRAFFIC RULES AND REGULATIONS

CHAPTER 3 - SPEED RESTRICTIONS, U-TURN, ONE WAY TRAFFIC AND PEDESTRIAN LANES.

Section 5. Right side driving. - Unless a different course of action is required in the interest of safety and security of life, person, or property, or because of unreasonable difficulty of operation in compliance herewith, every person operating a motor vehicle, pedicab or an animal drawn vehicle on any street shall pass to the right when meeting persons or vehicles coming toward him, and to the left when overtaking persons or vehicles going the same direction, and when turning to the left in going from one road or street to another, every vehicle shall be conducted to the right of the center of the intersection of the streets.

Section 6. Speed Restrictions -

a.) Any person driving a motor vehicle on any road, street, or highway shall drive the same at a careful and prudent speed, not greater or less than what is reasonable and proper, having due regard for the traffic, the width of the highway or street, and of any other condition then and there existing; and no person shall drive any motor vehicle upon a highway at such a speed as to endanger the life, limb and property of any person, not at a speed greater than what will permit him to bring the vehicle to a stop within the assured clear distance ahead.

b.) Subject to the provisions of the preceding paragraph, the following speed limits for all vehicles shall be:

1. fifteen (15) kilometers per hour on school zones, church zones, hospital zones, "men working" and "Caution" zones, when passing other vehicles which are stationary, or other similar dangerous circumstances.
2. twenty (20) kilometers per hour on all streets of Barangays Bagumbayan, Paclasan and Dangay;
3. forty (40) kilometers per hour along the provincial highway in Barangay Odiong;
4. sixty (60) kilometers per hour along the national highway in Barangay Cantil and,
5. Speed limits on all other streets within Roxas shall be governed by applicable national laws.

Section 7. Exemptions to Speed Restrictions. - The rates of speed imposed herein-above shall not apply to the following:

- a) A physician or his driver when the former responds to emergency calls;
- b) The driver of a hospital ambulance on the way to and from the place of accident or other emergency;
- c) Any driver bringing a wounded or sick person for emergency treatment to a hospital, clinic or any other similar place;
- d) The driver of a motor vehicle belonging to the Armed Forces of the Philippines, the Philippine National Police, and other government vehicles while in use for official purposes in times or occasions of accident, riot, insurrection, rebellion, invasion, or and other emergency situations;
- e) The driver of a vehicle, when he or his passengers, are in pursuit of a criminal;
- f) A law enforcement officer or a traffic auxiliary who is trying to overtake a violator of traffic laws; and,
- g) The driver officially driving or operating a motor vehicle of any fire department and rescue center in response to emergencies.

The above mentioned exemptions notwithstanding, each exemption provided shall not be construed to allow useless or unnecessary fast driving of drivers aforementioned.

Section 8. No U-turn - It shall be unlawful for any motor vehicle to make a U-turn along Administration St., Morente Ave., Magsaysay Ave., Sampaguita St., and Villaresis St.

Section 9. One-way Traffic :

- a) All streets in the poblacion shall be considered two-way traffic except the following streets and street portions which shall be considered one-way streets:
 - 1. Administration Street corner Allied Bank to Administration Street corner Cabrera Street.
 - 2. Morente Street corner Cabrera Street to intersection of Magsaysay Street.
 - 3. Magsaysay Street from intersection of Villaresis Street to intersection of Morente Street.
 - 4. Magsaysay Street from intersection of Administration Street to intersection of Morente Street.

5. Cabrera Street corner Morente Street to corner Administration Street.

b) No entry for Public Utility Vehicles except pedicabs and tricycles:

1. G. Fabella Street from intersection of Morente St.
2. Sibale Street from intersection of Morente St.

c) No entry for all types of vehicles except for long vehicles such as ten-wheeler and up, tractor trailer and the likes:

1. Magsaysay Street from intersection of Villaresis Street.

Section 10. Penalties. - Violators of the provisions of Sections 6, 8 and 9 shall be meted a fine of P100.00 for the first offense, P200.00 for the second offense, and P300.00 and confiscation of license for the third offense. The confiscated license shall be turned-over to the Land Transportation Office with the recommendation for a six (6) months suspension.

Section 11. Pedestrian Regulations. -

a.) Pedestrians shall, at all times, walk along the sidewalk or in its absence, on the edge of the main thoroughfares. Whenever crossing main thoroughfares, they should do so, only on designated crosswalks or pedestrian lanes or in their absence, in the nearest intersection.

b) Pedestrians awaiting for their rides on public utility vehicles or buses shall do so only on designated vehicle stops for loading and unloading. During rush hours, they shall form an orderly line on a "first come, first serve" basis to get on board public utility vehicles; *Provided*, however, that at no time shall any pedestrian be allowed to await for rides or loiter on the pavement proper on the main thoroughfare. For this purpose, the Municipality shall erect barrier rails on designated busy thoroughfares where pedestrians can form a line.

Section 12. Pedestrian Lanes - There shall be designated pedestrian lanes to be determined by the Traffic Management Office under the Office of the Mayor.

Section 13. Penalties. Violators of the provisions of Sections 11 and 12 concerning pedestrian lanes shall be meted a fine of P50.00 for the first offense, P100.00 for the second offense; and, P200.00 for the third and subsequent offenses. The second and third offenses shall be reckoned within a period of one (1) year from the commission of the first offense.

CHAPTER 4 - TRAFFIC DISCIPLINE

Section 14. Application - This Chapter shall apply to traffic discipline in the main thoroughfares of the Municipality of Roxas.

Section 15. Duty of all drivers to maintain traffic discipline - Every driver using the main thoroughfares of the Municipality shall observe courtesy and discipline and obey all traffic rules and regulations.

Section 16. Right of Way - The following rules shall be observed in yielding the right of way

- 1) When two vehicles approach or enter an intersection at the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise provided herein. The driver of any vehicle travelling at an unlawful speed shall forfeit any right of way which he might otherwise have under the provisions hereof.
- 2) The driver of a vehicle approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection or turning therein to the left across the line of travel of such first-mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required herein.
- 3) The driver of any vehicle upon a street or highway within a business or residential district shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except at intersections where the movement of traffic is being regulated by a peace officer or by traffic signal. Every pedestrian crossing a main thoroughfare or highway within a business or residential district, at any point other than a crosswalk, shall yield the right of way to vehicles upon the highway or main thoroughfare.
- 4) The driver of a vehicle upon a highway shall bring to full stop such vehicle before traversing any "through street"; *Provided*, that when it is apparent that no hazard exists, the vehicle may be slowed down to ten (10) kilometers per hour instead of bringing it to a full stop.

Section 17. Exemptions to Right of Way Rule - The following shall be considered exemptions to the right of way rules provided in the preceding paragraph:

- 1) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such main thoroughfare or highway.
- 2) The driver of a vehicle upon a main thoroughfare or highway shall yield the right of way to a police or fire department vehicle or ambulance, and other emergency vehicles when such vehicle is being operated on official business and the driver thereof sounds audible signal of his approach.

- 2) The driver of a vehicle entering a "through street" or "stop intersection" shall yield the right of way to all vehicles approaching in either direction on such "through street"; Provided, that nothing in this Section shall be construed as relieving the driver of any vehicle being operated on a "through street or highway" from the duty of driving with due regard to the safety of vehicles entering such highway or street nor as protecting the said driver from the consequences of an arbitrary exercise of such right of way.

Section 18. Signals on Starting, Stopping or Turning The following rules shall be observed before starting, stopping or turning a vehicle:

- 1) The driver of any vehicle upon a main thoroughfare or highway, before starting, stopping or turning from a direct line, shall first see that such movement can be made in safety, and if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle approaching or following may be affected by such movement, shall give a signal plainly visible to the driver of such other vehicles of the intention to make such movement.
- 2) The signal herein required shall be given by means of extending the hand and arm beyond the left side of the vehicle, or by any approved mechanical or electrical signal device.

Section 19. Traffic violations and Penalties There shall be imposed upon the driver of any vehicle a fine of Two Hundred Pesos (P200.00) for any of the following violations for the first offense:

- a) **Illegal turn** - Failure to conduct the vehicle to the right of the intersection of the main thoroughfare when turning to the left in going from one main thoroughfare to another.
- b) **Driving Against Traffic** - failure to pass to the right when meeting persons or vehicles coming toward him.
- d) **Illegal Overtaking** - Failure to pass to the left when overtaking persons or vehicles going to the same direction except in (i) emergency situations and (ii) when there are two or more lanes for the movement of traffic in one direction where the driver of the vehicle may overtake another vehicle on the right.
- d) **Overtaking at an unsafe distance** - failure to pass at a safe distance to the left of another motor vehicle when overtaking the latter.
- e) **Cutting an overtaken vehicle** - Driving to the right side of the street or main thoroughfare after overtaking another vehicle before his motor vehicle is safely clear of such overtaken vehicle.

- f) Failure to give way to an overtaking vehicle - Failure to give way to another vehicle approaching from the rear that wishes to overtake his vehicle when the former has given suitable and audible signal.
- g) Increasing speed when being overtaken - Increasing the speed of the motor vehicle before the overtaking vehicle has completely passed.
- h) Overtaking when left side is not visible or clear of oncoming traffic - Driving to the left side of the center line of the street or main thoroughfare in overtaking or passing another vehicle proceeding in the same direction where the left side is not clearly visible and is not free of oncoming traffic for a sufficient distance to pass or overtake safely.
- i) Overtaking upon a crest of grade - Overtaking or passing another vehicle proceeding in the same direction when approaching the crest of a grade.
- j) Overtaking upon a curve - Overtaking or passing another vehicle proceeding in the same direction upon a curve in a main thoroughfare, where the driver's view along the main thoroughfare is obstructed within a distance of five hundred (500) feet ahead.
- k) Overtaking at an intersection - Overtaking or passing another vehicle proceeding in the same direction at any intersection of main thoroughfare.
- l) Overtaking between "men working" or "caution" signs - Overtaking or passing or attempting to overtake or pass another vehicle proceeding in the same direction between warning and caution signs indicating that men are working on the main thoroughfare.
- m) Overtaking at "no overtaking zone" - Overtaking or passing or attempting to overtake or pass another vehicle proceeding in the same direction in any "no passing or overtaking" zone, which includes but not limited to "School Zones" and "Church Zones."
- n) Failure to yield the right of way - Failure of the vehicle on the left to yield the right of way to the vehicle on the right when these vehicles approach or enter an intersection at approximately the same time.
- o) Failure to yield the right of way - Failure of a vehicle approaching but not having entered an intersection to yield the right of way to a vehicle within such intersection or turning therein to the left across the line of travel of the first mentioned vehicle has given a plainly visible signal of intention to turn.
- p) Failure to yield the right of way to pedestrians - Failure of the driver of any vehicle upon a main thoroughfare within a business or residential district to yield the right of way to a pedestrian crossing such main thoroughfare within a designated pedestrian lane or crosswalk except at intersection where the movement of traffic is regulated by a peace officer or by traffic signal.

- q) Failure to stop before traversing an "intersecting main thoroughfare" - Failure of the driver of a vehicle upon a main thoroughfare to bring to full stop such vehicle before traversing any "intersecting main thoroughfare".
- r) Failure to yield right of way - Failure of a vehicle entering a main thoroughfare from a private road or drive to yield the right of way to all vehicles approaching on such highways.
- s) Failure to yield the right of way to ambulance, police or fire department vehicles, and other emergency vehicles - Failure of a driver upon a main thoroughfare to yield the right of way to police or fire department vehicles and ambulances when such vehicles are operated on official business, and other emergency vehicles, and the drivers thereof sound audible signal of their approach.
- t) Failure to yield right of way at an "intersecting main thoroughfare" or "stop intersection" - Failure of a vehicle entering an "intersecting main thoroughfare" or a "stop intersection" to yield the right of way to all vehicles approaching in either direction on such "intersecting main thoroughfare".
- u) Failure to give proper signal - Failure to give the appropriate signal before starting, stopping or turning the vehicle from a direct line.
- v) Illegal Turn - Failure of the driver of a motor vehicle intending to turn to the right of an intersection to approach such intersection in the lane for traffic nearest to the right - hand side of the main thoroughfare and, in turning, to keep as close as possible to the right-hand curve or edge of the main thoroughfare.
- w) Illegal Turn - Failure of the driver of a vehicle intending to turn to the left, to approach such intersection in the lane for traffic to the right of and nearest to the center line of the main thoroughfare, and in turning, to pass to the left of the center of the intersection except upon main thoroughfare with two or more lanes for traffic and upon one-way main thoroughfare.
- x) Failure to stop motor and notch handbrake of motor vehicle when unattended - Failure to turn off the ignition switch and stop the motor and notch effectively the handbrake when parking a motor vehicle unattended on any main thoroughfare, for more than five (5) minutes.
- y) Obstruction of Traffic - Obstructing the free passage of other vehicles on the main thoroughfare while discharging or taking on passengers or loading or unloading freight, or driving a motor vehicle in such a manner as to obstruct or impede the passage of any vehicle.
- z) Illegal U-turn - Making a U-turn along the streets designated in Section 8 hereof as "No U-turn" streets.
- aa) Reckless driving - Operating a motor vehicle recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and

other conditions of the main thoroughfare and the conditions of the atmosphere and weather, or so as to endanger the property or the safety or rights of any person or so as to cause excessive or unreasonable damage to the main thoroughfare.

- bb) Hitching on to a vehicle - Knowingly allowing any person hanging on to or riding on the outside rear end of any vehicle, or allowing any person on a bicycle, roller skate or other similar device to hold fast to or hitch on to his moving vehicle; *Provided*, that the person hanging on or hitching as above provided shall also be equally liable with the driver.
- cc) Driving While Under the Influence of Liquor - Driving a motor vehicle while under the influence of liquor, narcotic drug, or prohibited or regulated drugs.
- dd) Allowing a passenger on top or cover of vehicle - Allowing a passenger to ride on the top or cover of any motor vehicle while it is in motion.
- ee) Permitting passenger to ride on running board, stepboard, fender, or mud guard - Permitting a person to ride on the running board, stepboard, fender, or mudguard of his motor vehicle while it is in motion.
- ff) Arrogance or discourtesy - arrogance or discourtesy towards a law enforcement officer, traffic enforcer or auxiliary, public official, persons in authority, passenger, or any private person in the conduct of his motor vehicle.
- gg) No helmet - Failure to use helmet when driving a motorcycle.
- hh) Disregarding traffic signs - Disregarding traffic signs and signals officially placed and erected by the proper authorities.

tion 20. **Prohibited Parking** - There shall be imposed upon the driver of a motor vehicle a fine of P100.00 for parking a vehicle or permitting it to stand, whether attended or unattended, upon a main thoroughfare designated as "No Parking" streets, upon or along any sidewalk, path or alley not intended for vehicular traffic or parking, or in any of the following places:

- i. within an intersection;
- ii. on a crosswalk or pedestrian lane;
- iii. within fifteen (15) meters of the intersection of curb lines;
- iv. within five (5) meters of the driveway entrance to any fire or police station;
- v. within four (4) meters from a fire hydrant;
- vi. in front of a private driveway,

- vii. on the roadway side of any vehicle stopped or parked at the curb or edge of any street; or,
- viii. at any place where official signs have been erected or installed prohibiting parking.

Section 21. Duty of driver in case of Accident.

- a) In the event that any accident should occur as a result of the operation of a motor vehicle upon a main thoroughfare, the driver of that vehicle shall stop immediately, and, if requested by any person present, shall show his driver's license, give his true name and address and also the true name and address of the owner of the motor vehicle.
- b) No driver of a motor vehicle concerned in a vehicular accident shall leave the scene of the accident without aiding the victim, except under any of the following circumstances:
 - i) If he is in imminent danger of being seriously harmed by any person or persons by reason of the accident;
 - ii) If he reports the accident to the nearest officer of the law; or,
 - iii) If he has to summon a physician or nurse to aid the victim.

Section 22. Subsequent Violations. - Drivers who shall be found to have violated subsequently any of the provisions of Section 19, and 20 within a one (1) year period from the commission of the first violation shall pay a fine of P300.00 for the second offense; P500.00 and confiscation of license for the third offense. The confiscated license shall be turned over to the Land Transportation Office (LTO) with a recommendation of suspension for six (6) months.

CHAPTER 5 - TRUCK BAN AND PUBLIC UTILITY JEEPNEY AND BUS ROUTES

Section 23. Total Truck ban. - Cargo trucks, gravel and sand trucks and other heavy cargo trucks with eight (8) wheels and up, including tractor trailers or containerized haulers, except those which are government owned and operated, shall not be allowed to travel along the streets at the public market.

Section 24. Limited truck ban - Six wheeler cargo trucks, sand and gravel, six-wheeler passenger/cargo jeepneys, six wheeler delivery vans, cargo trucks and delivery vans with five (5) tons or below gross weight capacity are not allowed to load and unload its cargoes or passengers, park along, nor use the streets mentioned in the immediately preceding section from 6:00 A.M. to 8:00 A.M. and 11:30 A.M. to 1:00 P.M. and 4:00 P.M. to 6:00 P.M.

CHAPTER 6 - TRAFFIC OBSTRUCTIONS

Section 25. Obstructions on sidewalks, alleys, and streets. Any article, object, or thing that impedes pedestrian traffic on sidewalks and alleys and vehicular traffic on roads and streets shall not be allowed within the Municipality.

Section 26. Stalled vehicles. - All stalled motor vehicles along any road, street, or alley within the municipality unattended for more than ten (10) minutes shall be towed at the owner's expense to the designated impounding area.

Section 27. Duty of owners and operators of vehicle repair shops.

a) It shall be unlawful for owners and operators of motor vehicle and owners and operators of motor vehicle repair shops, such as vulcanizing, welding, body repair, body painting, engine repair and tune up, and other similar establishment to use any portion of any street, road, sidewalk or public places as garage or parking spaces or as extension of private garage or repair shop. *Provided*, however, that owners of private vehicles may park at night on the streets in front of their houses or business establishments from 9:00 P.M. to 5:00 A.M. the following morning subject to the provisions on night parking in this Ordinance; *Provided*, further, that at no time shall any repair work be done on the pavement of main thoroughfares.

b) A fine of Two Hundred Pesos (P200.00) shall be imposed on owners or operators of vehicle repair shops found violating this provision. For the second offense, a fine of Three Hundred Pesos (P300.00) shall be imposed; and for the third offense, a fine of Five Hundred Pesos (P500.00) and revocation of the permit to operate the motor repair shop shall likewise be imposed.

Section 28. Storage of Articles on sidewalks, alleys, or main thoroughfares. - Business establishments and private residences shall not store or use as display areas of their merchandise or things or articles, including signs and advertisements of whatever form, the sidewalks, alleys, and main thoroughfares. Unloaded articles, including but not limited to, equipment parts, junks, beverages, or any article of commerce shall immediately be removed and stored within the premises of the business establishment or private houses by their owners or consignees. Violators of this section shall be meted a fine of One Hundred Pesos (P100.00). For the second offense, a fine of Two Hundred Pesos (P200.00) shall be imposed; and for the third and subsequent offenses, a fine of Three Hundred Pesos (P300.00) and revocation of the permit to operate the business establishment, if applicable, shall be imposed.

Section 29. Sidewalk vendors and ambulatory peddlers -

- a) Vendors and ambulatory peddlers shall ply their trade in a manner that will not impede vehicular or pedestrian traffic. Whenever practicable, they shall use portions of the sidewalk immediately adjoining the building or structure without impeding access or egress in said building or structure and sidewalk. No sidewalk vendor or ambulatory peddler shall be allowed on Morente Street, Magsaysay Street, Administration Street, Villaresis Street, Sampaguita Street, G. Fabella Street and J. P. Rizal Street at Barangay Paclasan. Areas which are congested shall be kept off-limits to sidewalk and ambulatory peddlers.
- b) Vendors or peddlers found violating this Section shall be imposed a fine of P50.00 for the first offense; P100.00 for the second offense; and P200.00 for the third offense and cancellation of permit or license, if applicable.

Section 30. Parades and Motorcades - All persons, business establishments, and organizations shall first seek the permit from the Office of the Mayor before holding a parade, motorcade, or other similar activities for whatever legal purposes. Applicants for permit, under this section, shall pay a parade fee of ONE HUNDRED PESOS (P100.00) per parade or motorcade; *Provided*, that parades and motorcades sponsored by schools, government units or agencies, duly accredited non-governmental and people's organizations, and civic organizations registered with the Office of the Mayor shall be exempted from paying the said fee, but shall still apply for a permit to hold the parade or motorcade. Violators of this Section shall be meted a fine of Two Hundred Pesos (P200.00).

TITLE THREE

PARKING AND TERMINAL AREAS

CHAPTER 7 PARKING, LOADING AND UNLOADING OF PASSENGER AND CARGOES

Section 31. No Parking streets -

- a.) Parking of motor vehicles on the left side of Administration Street from corner of Magsaysay Street to corner of Cabrera Street shall be strictly prohibited from 7:00 a.m. to 7:00 p.m.
- b.) All types of private vehicles are allowed to stop along the right sides of Administration Street and Morente Street only to load and unload passengers and cargoes. However, passenger jeepneys and other public utility vehicles are allowed to load and unload passengers and cargoes only at designated areas; *Provided*, that no two vehicles shall stop at the same time alongside each other; *Provided* further, that the provisions of Section 35 (a) on prohibited

parking shall be strictly observed, and, *Provided* finally, that no vehicle shall stop for more than 10 minutes.

Section 32. Parking on top of bridges. - Notwithstanding the provisions of the preceding sections, all motor vehicles, tricycles, bicycles, and pedicabs are not allowed to park, load and unload passengers and cargoes on top of all bridges within the Municipality.

Section 33. Vehicles carrying explosives and other flammable materials. - Motor vehicles carrying explosives and flammable or combustible materials are prohibited to pass along the streets of thickly populated residential areas at any time of the day except carrier of Liquefied Petroleum Gas (LPG) which shall be allowed only to load and unload their cargo. Said vehicles shall likewise be covered by the applicable truck bans.

Section 34. Stalled vehicle charges. -

a) Vehicles found stalled in any street within the Municipality shall be towed to the Municipal Impounding Area nearest to the place where the stalled vehicle was found.

b) Owners or drivers of stalled vehicles shall pay the following:

1. Stalled vehicle charge ----- P 200.00

2. For towing charges:

i. Vehicles with gross weight of 4,000 kgs. or less
for the first three (3) kilometers or a fraction thereof - P60.00

For every additional kilometer or a fraction
thereof ----- P20.00

ii. Vehicles with gross weight of more than 4,000 kgs.
for the first three (3) kilometers or a fraction
thereof ----- P120.00

For every additional kilometer or a fraction thereof - P40.00

3. Impounding charge - For each day or a fraction
thereof that the vehicle remains impounded:

Four-wheeler -----	P100.00
Six-Wheeler and up -----	P200.00
Tricycle -----	P 50.00
Pedicab -----	P 20.00

Section 35. Prohibition of private towing companies. The Municipality shall not authorize any private towing company or person to conduct the towing of stalled vehicles in any street within its jurisdiction in the enforcement of the provisions concerning towing of stalled vehicles.

Section 36. Loading and Unloading area:

1. Morente Street (in front of Roxas South Mega Mart)
2. Morente Street (in front of former Caltex Gasoline Station)
3. Intersection of Morente and Magsaysay Streets (30 meters away from the corner, 4 sides)
4. Administration Street (in front of Roxas Public Market wet section)

Section 37. Unloading for Delivery Trucks:

1. Administration Street (along Roxas Public Market grocery section)
2. Cabrera Street (along Roxas Public Market vegetable section)
3. Morente Street (in front of DBP property)

Section 39. Public Parking Area:

1. Along Administration Street intersection of Magsaysay Street to Administration Street corner Cabrera Street (right side only)
2. Along Morente Street intersection of Magsaysay Street to Morente Street corner Cabrera Street (right side only)
3. Open space in front of the Roxas Amusement Center (portion only)
4. Tiangge-an area

Section 39. Public utility vehicle terminal. Public Utility vehicle terminals shall be designated by the Municipal Mayor on government owned vacant lots. Private companies and operators, or any private person shall not be allowed to operate private terminals for public utility vehicle.

Section 40. Terminal fees for tricycles. - There shall be designated terminals for public utility tricycles by the Municipal Mayor. Public utility tricycles using any of the designated tricycle terminals shall pay the terminal fee of P10.00 per use of the terminal.

Section 41. Collection of pay parking and terminal fees. - The Municipal Treasurer, through his authorized representatives, shall collect the parking and terminal fees provided for herein. The collectors shall issue the corresponding parking and terminal ticket fees.

Section 42. Printing of terminal or parking ticket fees. - The Office of the Municipal Treasurer shall cause the printing and terminal ticket fees subject to the guidelines set forth by the Commission on Audit (COA). The Office of the Municipal Treasurer shall prepare a monthly summary of the parking and terminal fees collected, together with the corresponding number of tickets issued to the Office

of the Mayor. The Office of the Municipal Treasurer shall issue tickets to its duly authorized representatives and personnel on a consecutive-number basis. The said office shall observe the usual accounting procedures set forth by the COA.

Section 43. *Overnight parking* -

- a) The regulation of overnight parking on secondary roads not designated as pay-parking streets shall be determined by the Sangguniang Barangay concerned through an appropriate ordinance.
- b) Those secondary roads that may be designated shall be on a one-side parking basis and in no case shall egress or through passage on said secondary roads be allowed to be obstructed as to prevent two-way use.
- c) No alley that can accommodate only one vehicle passageway shall be designated as overnight-parking areas.

Section 44. *Enforcement of Overnight parking* - The enforcement and collection of overnight parking fees may be undertaken by the Barangay concerned in the Municipality upon compliance with the following:

- a) The Sangguniang Barangay concerned shall conduct a Barangay Assembly to determine which of the secondary roads may be utilized for overnight parking, and after said consultations, the Sangguniang Barangay shall pass an ordinance determining which of the secondary roads in their barangay shall be utilized for overnight parking in accordance with the provisions of the previous section.
- b) The Sangguniang Barangay shall, in the same ordinance, authorize the Barangay Captain to enter into a Memorandum of Agreement with the Municipal Mayor, detailing the streets where overnight parking shall be allowed and the sharing of overnight parking fees collected by the Barangay. The Barangay entering into the Memorandum of Agreement shall be furnished the corresponding tickets and receipts which shall be accounted for by the Barangay. One-half ($\frac{1}{2}$) of the fees collected for overnight parking shall be retained by the Barangay for their General Fund and which they may deposit with their depository bank, and the remaining one-half ($\frac{1}{2}$) shall pertain to the Municipality and be paid to the Municipal Treasurer's Office. The Barangays, through their respective treasurers, shall submit a daily collection report in the prescribed form to the Municipal Treasurer's Office so that a determination of the correctness of the amount collected and paid can be undertaken by the Municipal Treasurer's Office.
- c) Overnight parking shall be limited only to the hours from 9:00 p.m. to 5:00 a.m. the following day.

- d) No cargo trucks, tractor trailers, dump trucks of six wheels and up shall be allowed to avail of overnight parking in any streets except by reason of emergency repair which shall be accomplished as expeditiously as possible. The above mentioned vehicles found parking during prohibited hours on any street shall be towed to the vehicle impounding area, and the driver required to pay the corresponding fines imposed on violators of prohibited parking on section 20 and for towing charges as set forth in Section 39.
- e) The cost of tickets and receipts issued by the Municipal Treasurer to the Barangay for the collection of overnight parking fees shall be chargeable to the Municipal Government.
- f) Overnight parking fees shall be collected at the rate of P50.00 per vehicle per night; *Provided*, that owners of motor vehicles shall have the option to pay a monthly overnight parking fee of P500.00 per vehicle in lieu of the nightly parking fees.
- g) It shall be the duty of the Barangay Treasurer to remit collections pertaining to the share of the Municipality to the Municipal Treasurer's Office the following day after the collection for overnight parking fees were made.

TITLE FOUR

OPERATION OF TRICYCLE, PEDICAB, BICYCLE, HORSE DRAWN RIG AND PUSH CART

CHAPTER 8 - SCOPE AND THE TRICYCLE AND PEDICAB FRANCHISING AND REGULATORY COMMITTEE

Section 45. Scope and Application. - The provisions of this chapter shall apply to all motorized tricycles, pedicabs, bicycles, horse-drawn rigs and pushcarts operating within the territorial jurisdiction of the Municipality of Roxas.

Section 46. Tricycle and Pedicab Franchising and Regulatory Committee (TPFRC) -

- a) There is hereby created a Tricycle and Pedicab Franchising and Regulatory Committee (TPFRC) under the Office of the Mayor tasked to implement the provisions of this Title and is composed of the following:

The Municipal Mayor	-	Chairman
Chairman, SB Committee on Transportation	-	Vice-Chairman
Chairman, SB Committee on Appropriation	-	Member
Chairman, SB Committee on		

Laws	-	Member
Municipal Treasurer	-	Member
	-	Member

- b.) The Office of the Municipal Planning and Development Coordinator shall be the Secretariat and shall provide the secretarial support and assistance to the TPFRC.

CHAPTER 9 – REGULATIONS ON TRICYCLE FRANCHISING AND OPERATIONS

Section 47. Registration of tricycles. -

- a) All public motorized tricycles-for-hire operating within the territorial jurisdiction of Roxas shall register and apply for a franchise with the Tricycle and Pedicab Franchising and Regulatory Committee to operate a motorized tricycle-for-hire.
- b) All utility motorized tricycles utilized for private use or to convey specific passenger and/or goods to and from a particular destination shall register with the TPFRC and apply for a specific franchise.
- c) All applicants for a tricycle franchise should present the following documents:
 - i. Notarized Application form;
 - ii. Documents attesting the applicant's citizenship such as the birth certificate, voter's affidavit, voter's ID, and similar documents;
 - iii. Certificate of the Barangay Captain of the Barangay the applicant is a resident of that the latter is a bona-fide resident of his barangay;
 - iv. Barangay Certificate as to good moral character of the applicant;
 - v. Police clearance of owners and drivers;
 - vi. Medical Certificate from a physician that the driver is in good medical condition and is fit to drive a tricycle;
 - vii. Certificate of Road-worthiness from the Office of the Municipal Engineer;
 - viii. Certificate of Registration of the tricycle from the Land Transportation Office (LTO);

- ix. Latest Official Receipt or Certificate of Payment of the Tricycle from the LTO under the applicant's name,
- x. Insurance policy or coverage for any liability the operation of the tricycle may incur to the passenger(s) and third party(ies) in case of accident or negligence.

Section 48. Duration of Franchise. - Franchise for motorized tricycle-for hire is valid for one (1) year and renewable for the same period.

Section 49. Fees. - All applicants for motorized tricycle franchise shall pay the following fees to the Municipal Treasurer's Office:

a) Tricycle-for-hire or tricycle for public utility:

- i. Franchise Fee - ONE HUNDRED PESOS (P100.00) for every unit payable every anniversary date of franchise;
- ii. Mayor's Permit Fee - FIFTY PESOS (P50.00) per unit payable every anniversary date of franchise;
- iii. Driver's Identification Card - FIFTY PESOS (P50.00) per annum;
- iv. Tricycle License Plate - TWO HUNDRED SEVENTY FIVE PESOS (P275.00);
- v. Annual Sticker - SEVENTY FIVE PESOS (P75.00) per unit payable every anniversary date; and,
- vi. Medical Fee - FIFTY PESOS (P50.00), if the medical certificate is issued by a physician from the Municipal Health Office.

b) Tricycle for private utility:

- i. Specific Franchise Fee - TWO HUNDRED PESOS (P200.00) per unit payable on anniversary date of franchise;
- ii. Tricycle License Plate - TWO HUNDRED SEVENTY FIVE PESOS (P275.00)
- iii. Annual sticker - SEVENTY FIVE PESOS (P75.00) per unit payable every anniversary date of franchise.

Section 50. Surcharge for late renewal of expired franchise. - A surcharge of twenty five per cent (25%) of the franchise fee shall be collected from the operators with expired

franchises who will apply for renewal, except those operators whose franchises expired before the enactment of this Ordinance.

Section 51. Routes, terminals, areas of operation, and number of tricycles

a.) Only motorized tricycle-for-hire units duly registered with the TPFRC shall be allowed to operate within the Municipality of Roxas and use the terminals which may be designated by the Municipal Mayor, through an Executive Order, for specified routes or barangays; *Provided*, that the designation of terminals shall be done with prior consultation with the barangays and appropriate government agencies concerned.

b.) The number of tricycles allowed to operate within the Municipality of Roxas shall be determined by the Sangguniang Bayan depending on the number of passengers and the availability of road facilities.

The number may be amended by the Sangguniang Bayan as may be recommended by the TPFRC and after a public hearing is conducted.

c.) Franchises of those tricycles for hire which were registered with the TPFRC for the year 1995 shall be respected and they shall likewise retain their franchise number.

Section 52. Tricycle ban. - Tricycles may use all provincial, municipal, and barangay roads and streets of the Municipality except at the national road.

Section 53. Driver's Identification. - An Identification Card of each driver of tricycle-for-hire, with his picture and indicating therein his name and complete address, shall be issued by the TPFRC and shall be displayed at all times inside the tricycle unit in full view of its passengers.

Section 54. Rules and Regulations. -

1. All operators of motorized tricycles-for-hire must comply with the following rules and regulations which shall be deemed as conditions imposed in their respective franchises:

- a) Only Filipino citizens and partnerships, corporations, or associations with only Filipino equity are qualified to be operators of tricycles-for-hire.
- b) No franchise shall be granted unless the applicant is in possession of units with valid registration papers from the Land Transportation Office.
- c) Grantees of MTOP's must carry a common carrier's insurance sufficient to answer for any liability they may incur to passengers and third parties in case of accident or negligence.

- d) No tricycle-for-hire unit shall be allowed to operate within the territorial jurisdiction of Roxas without having first submitted the following:
 - i. Registration with and the issuance of MTOP by the TPFRC for the current year.
 - ii. Motor Vehicle Registration with the LTO for the current year.
 - iii. Annual safety inspection check-up certificate or certificate of road worthiness issued by the Office of the Municipal Engineer.
 - e) No tricycle unit shall be allowed to use or traverse national roads and highways except when crossing the same, provided, that it is the only access road to its destination.
 - f) No tricycle unit for hire shall be allowed to overload or carry more passengers and/or goods than it is designed for. For purposes of this provision, the maximum passenger that a tricycle for hire shall carry at one time shall be five (5) excluding the driver.
 - g) Tricycles for hire shall not be allowed to overcharge or collect more than the prescribed rate. The schedule of rates shall be posted prominently at the terminal, if any, and in a conspicuous part inside the sidecar of the tricycle unit concerned.
 - h) No driver of public motorized tricycles-for-hire shall refuse to convey passengers to their destination, except for just and valid reasons.
 - i) Drivers of public motorized tricycles-for-hire must comply with other traffic rules and regulations imposed under this Ordinance and may be meted the appropriate penalties provided for herein.
 - j) An operator wishing to stop service completely or suspend operation for more than one (1) month should report in writing such termination or suspension to the TPFRC. Transfer of ownership shall be permitted upon application for the same.
 - k) Operators shall employ only drivers with professional driver's license from the LTO. In case of violation, both the operator and the drivers shall be penalized.
- 2) Violators of the provisions of this section, except the provision of subparagraph i.), shall be penalized by a fine of P200.00 for the first offense; P300.00 for the Second offense; P500.00 for the third offense and confiscation of license with a recommendation for suspension for six (6) months with the LTO. Computation of the times of offenses shall be within a period of one year.

Section 55. Record keeping - The complete record of all franchises granted by the TPFRC shall be kept by the TPFRC Secretariat, and the latter shall furnish a copy of the same to the Sangguniang Bayan.

CHAPTER 10 – REGULATION OF PEDICAB FRANCHISING AND OPERATIONS

Section 56. Pedicab registration - All pedicabs for hire operating within the territorial jurisdiction of Roxas shall register and apply for a permit to operate with the Tricycle and Pedicab Franchising and Regulatory Committee (TPFRC).

Section 57. Documentary requirements - Applicant for permit to operate a pedicab for hire shall present the following documents:

- i. Notarized Application form;
- ii. Documents attesting the applicant's and the driver's citizenship and age such as the birth certificate, voter's affidavit, voter's ID, and similar documents; *Provided*, that no person below sixteen (16) years of age shall be allowed to drive or operate a pedicab within the Municipality;
- iii. Certificate of the Barangay Captain of the Barangay the applicant is a resident of that the latter is a bona-fide resident of his barangay and as to good moral character of the operator or driver;
- iv. Police clearance for the driver, the operator or the owner;
- v. Medical Certificate from a physician that the driver is in good medical condition and is fit to drive a pedicab;

Section 58. Routes, terminals and areas of operation -

- a) Only pedicabs duly registered with the TPFRC shall be allowed to utilize the streets in the Municipality and the terminals designated for the same by the Municipal Mayor.
- b) Pedicabs shall only be allowed to use secondary or feeder roads.
- c) Pedicabs shall not be allowed to use or traverse national and provincial roads

Section 59. Private pedicabs - Private pedicabs and operating not for hire are allowed to traverse all secondary roads and streets except national and provincial roads.

Section 60. Pedicab Registration fees. - Pedicab operators shall pay the following fees upon registration:

a) Pedicab for hire:

- i. Franchise Fee - P50.00 per unit per annum payable on anniversary date;
- ii. Mayor's Permit fee - FIFTY PESOS (P50.00) per unit per annum payable on anniversary date;
- iii. Pedicab Registration Plate - TWO HUNDRED FIFTY (P250.00) per unit;
- iv. Annual Sticker - FIFTY PESOS (P50.00) per unit per annum;
- v. Driver's ID - FIFTY PESOS (P50.00) per annum.
- vi. Medical fee - FIFTY PESOS (P50.00) per annum

b) Private pedicabs:

- i. Pedicab registration plate - TWO HUNDRED FIFTY PESOS (P250.00); and
- ii. Annual sticker - FIFTY PESOS (P50.00) per annum

Section 61. Surcharge for late renewal of expired franchise. - A surcharge of twenty five per cent (25%) of the franchise fee shall be collected from the operators with expired franchises who will apply for renewal.

Section. 62. Penalties. - Violators of the provision of this Chapter shall be penalized by a fine of P50.00 for the first offense; P100.00 for the Second offense; P200.00 for the third offense and confiscation and revocation of permit to operate. Computation of the times of offenses shall be within a period of one year.

CHAPTER 11 - REGULATION OF BICYCLES

Section 63. Bicycle Registration. - All bicycles owned by residents of Roxas shall be registered with the TPFRC for the issuance of bicycle license plates and upon payment of the amount of TWO HUNDRED FIFTY PESOS (P250.00) and an annual sticker fee of FIFTY PESOS (P50.00). For failure to apply for registration, violators shall be meted a fine of P50.00 for the first offense, P100.00 for the second offense, and P200.00 for the third offense.

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**CHAPTER 12 - REGULATION OF HORSE DRAWN
RIGS AND PUSHCARTS**

Section 64. Pushcarts. - All pushcarts shall be registered with the TPFRC upon payment of FORTY PESOS (P40.00) for the license plate and TWENTY PESOS (P20.00) as supervision fee annually. For failure to apply for registration, violators shall be meted a fine of P50.00 for the first offense, P100.00 for the second offense, and P200.00 for the third offense.

TITLE FIVE

IMPLEMENTORY PROVISIONS

**CHAPTER 13 - ENFORCEMENT OF TRAFFIC RULES
AND REGULATIONS**

Section 65. Creation of the Traffic Management Office (TMO). - There is hereby created a Traffic Management Office (TMO) which shall be under the direct supervision of the Office of the Municipal Mayor. The TMO shall primarily be the Office to enforce and implement this Ordinance, Executive Orders issued pursuant to this Ordinance, and such other traffic management plans and programs that may be drawn or prepared as directed by the Municipal Mayor. Specifically, the TMO shall perform the following functions:

- a) Assist in the preparation of traffic management plans and programs and be the primary authority to enforce the same.
- b) Subject to guidelines of the Commission of Audit, order the payment of all fines that are incurred by violators of this Ordinance to the Municipal Treasurer.
- c) Cause and supervise the printing of Traffic Violation Citation Tickets and Violators Receipts (TVCTVR) and their distribution to enforcement agencies and traffic enforcers. The TVCTVR shall be an accountable form and its printing and distribution shall be in accordance with established procedures as set forth by the Commission on Audit.
- d) Take custody of vehicles and articles impounded by virtue of this Ordinance and secure the same in the Municipal Impounding Area until released to their owners or lawful claimants, or otherwise disposed of in accordance with this Ordinance.
- e) Cause the preparation and installation of appropriate traffic signs and install, maintain and operate all traffic signal lights in the Municipality in

coordination with the PNP Municipal Station, LTO, and other concerned agencies.

- f) Through the Traffic Auxiliaries, apprehend and issue the TVCTVR to all violators of this ordinance. In the performance of their functions, traffic auxiliaries shall be under the operational and direct control and supervision of the Office of the Mayor. They shall closely coordinate and work with the traffic division of the Roxas PNP while conducting traffic along the main thoroughfares.
- g) Tow all illegally-parked vehicles or cause the removal of any obstruction on sidewalks, alleys and main thoroughfares which are in violation of this Ordinance. In the event that no one admits ownership of any object or thing found impeding vehicular or pedestrian traffic, take possession of the same for storage in the Municipal Impounding Area for later disposition.
- h) In coordination with the TPERC, apprehend or issue TVCTVR to drivers, owners, or operators of motorized tricycles, pedicabs, and bicycle found violating any provisions of this Ordinance.

Section 66. Traffic Auxiliaries. - Traffic Auxiliaries shall be appointed by the Municipal Mayor on a contractual basis. The number of auxiliaries and the duration of the contract shall be determined from time to time by the Municipal Mayor. The Municipal Mayor may deputize any Municipal Government Official or employee to act as traffic auxiliaries. The appointed or designated traffic auxiliaries shall be tasked with the enforcement of all traffic rules and regulations and the enforcement of this Ordinance within the territorial jurisdiction of the municipality. They shall have the power to apprehend any violators of this Ordinance and shall assist the Philippine National Police in the conduct of investigations in vehicular accidents whenever so required.

Section 67. Uniform of Traffic Auxiliaries. - In order to provide a distinction between traffic auxiliaries and members of the Philippine National Police, the traffic auxiliaries shall wear a uniform distinct from the uniform or attire of the members of the PNP. The determination of the color and type of uniform of traffic auxiliaries shall be left at the discretion of the Mayor; *Provided*, that no change in type, color, or style of uniform shall be allowed for a period of three (3) years, determined from the date the prescribed uniforms were first implemented.

Section 68. Procedure in the issuance of Traffic Violation Citation Ticket and Violator's Receipt (TVCTVR) to violators of this Ordinance. - The following procedure shall be observed in the apprehension of any person found violating any provision of this Ordinance:

- a) In case of drivers of motor vehicles, the traffic auxiliary or deputized agent or traffic enforcement officer of the Philippine National Police shall demand presentation of driver's license and registration of motor vehicle. The apprehending officer shall then indicate the name and address of the driver, the driver's license number, the issuing agency of the driver's license, name and

address of the registered owner of the motor vehicle, the registering agency of the motor vehicle, and the certificate of registration number of the vehicle in the Traffic Violation Citation Ticket and Violator's Receipt (TVCTVR). In case of drivers or operators of pedicabs, the franchise and/or permit shall instead be demanded. The apprehending officer shall indicate the provision violated and furnish copy of the TVCTVR to the person apprehended.

- b) In case of business establishments or any person found violating the provisions on traffic obstructions, the apprehending officer shall demand the presentation of Mayor's Permit, or in case of construction, the Building Permit, and indicate the name and address of the owner and the corresponding Mayor's or Building Permit Number, the particular provision violated, and furnish a copy of the TVCTVR to the person apprehended. If the owner of the establishment is a juridical person, the name of the responsible officer shall likewise be indicated in the TVCTVR. In the event, however, that the person found violating the provisions on traffic obstructions is not engaged in any occupation or business requiring a permit, his name and correct address shall be ascertained and indicated in the TVCTVR.
- c) In all cases when the person found violating any other provisions of this Ordinance has no driver's license or permit, his name and correct address shall be indicated in the TVCTVR in accordance with the above procedures.
- d) In case of pedestrians found violating this Ordinance, they shall be taken to the Traffic Management Office which shall institute the appropriate steps for payment of the fine to the Municipal Treasurer's Office. In the event of inability to pay the fine or that the person decides to contest his apprehension, the TMO shall immediately file the corresponding complaint before the Office of the Municipal Trial Court of Roxas.

Section 69. Effect of failure to comply within the period specified in the TVCTVR. - Persons apprehended and issued TVCTVR shall appear before the Traffic Management Office for appropriate disposition within the period specified in said TVCTVR. Their failure to appear will be construed as waiver of their right to contest the citation and the appropriate charges for violation of this Ordinance shall be filed before the Municipal Trial Court of Roxas.

Section 70. Other administrative remedies for enforcement. - Aside from the filing of the appropriate action before the Municipal Trial Court, the following administrative remedies for enforcement shall be undertaken.

- a) In driver-related violations - The Office of the Municipal Mayor, through the TMO, shall communicate with the Agency of the Land Transportation Office which issued the driver's license and request that the renewal of the driver's license be held in abeyance until the appropriate fines and surcharges have been paid and clearance secured from the Office of the Mayor. It shall likewise be communicated with the registering agency of the motor vehicle concerned with a request for the holding in abeyance of vehicle stickers of registration until the appropriate fines and surcharges have been paid and

clearance secured from the Office of the Mayor. In case the offending driver is using a motorized tricycle or pedicab operating in the Municipality, renewal of the permit to operate shall be held in abeyance until payment of the appropriate fines and surcharges and clearance is issued by the Office of the Mayor.

- b) In establishment-oriented violations and other violations, the TMO shall immediately request for cancellation of the permit and the issuance of closure order from the Municipal Mayor. In the event that the owner of the thing or object causing the obstruction on the sidewalk or streets could not be determined, the TMO shall cause its removal and said thing or object shall be stored at the Impounding Area.

Section 71. Surcharges on unpaid fines. - The following surcharges for fines that remain unpaid by the violators shall be paid upon the expiration of the period fixed hereinafter:

- a) In driver-related violations. - The appropriate fine shall be paid within five working (5) days from the date of issuance of the TVCTVR. In the event of failure to pay the prescribed fine, an additional surcharge of TEN PESOS (P10.00) for each day of delay or failure to pay the appropriate fine is hereby imposed until the full amount of fine and surcharge is paid.
- b) In establishment-related and other violations - The appropriate fine shall be paid within five working (5) days from the date of issuance of the TVCTVR, and in the event of failure to pay the appropriate fine, the additional surcharge of FIFTY PESOS (P50.00) for each day of delay or failure to pay the fine is hereby imposed.

Section 72. Establishment of Special Account. - There is hereby created a special account in the General Fund of the Municipality wherein all receipts from franchising, supervisory, regulatory fees, fines, and surcharges as herein set forth in this Ordinance, including all expenditures and transfers shall be rendered thereunder. In the application of proceeds, provisions shall be made for the cost of printing of parking tickets, TVCTVRs, traffic signs and signals, license plates, registration stickers, pedestrian waiting stations, crosswalk markings, uniform, salaries and allowances of contractual employees including traffic auxiliaries and parking aides and similar incidental expenses for the effective implementation of traffic management and public safety. Any excess shall form part of the General Fund.

TITLE SIX

MISCELLANEOUS AND FINAL PROVISIONS

Section 73. Mandatory review every five years. - The Sangguniang Bayan shall undertake a mandatory review of this Ordinance at least once every five (5) years and as often as it may deem necessary, with the primary objective of providing a more

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responsive traffic management system taking into consideration the ever changing traffic condition in the Municipality.

Section 74. **Transitory Provision.** - All business establishments adversely affected by this ordinance shall be given the period of four (4) months after the date of effectivity of this Ordinance within which to comply with all the provisions herein.

Section 75. **Repealing Clause.** - All other ordinances, executive orders or regulations inconsistent herewith are hereby repealed or modified accordingly

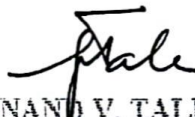
Section 76. **Separability Clause** - If, for any reason or reasons, any part or provision of this Ordinance shall be held to be invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 77. **Effectivity Clause.** - This Resolution/Ordinance shall take effect upon approval and after its complete publication once in at least one (1) newspaper of general circulation within the Municipality. The Secretary of the Sanggunian shall likewise cause the dissemination of the salient provisions of this Ordinance to the general public immediately upon approval hereof.

On motion of Councilor Napoleon M. Dimapilis duly seconded by all members.

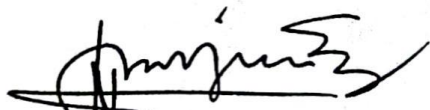
Adopted : 18 February 2008

CERTIFIED CORRECT:



FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:



AGUSTIN L. CUSI
Acting Municipal Vice Mayor



03/27/08

SPO 4 Agustin L. Cusi
05-06-08

Recd - 03/27/08