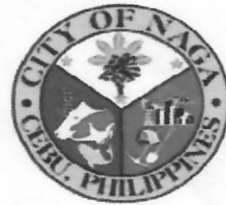


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Republic of the Philippines
Province of Cebu
CITY OF NAGA



Excerpt from the minutes of the Regular Session of the Sangguniang Panlungsod of the City of Naga, Cebu held on May 03, 2017 at the Session Hall, Legislative Building, City of Naga, Cebu.

Present:

HON. OTHELLO M. CHIONG
HON. ALEXANDER R. LARA
HON. VIRGILIO M. CHIONG
HON. AURELIO B. ALINSONORIN
HON. DELFIN R. SEÑOR
HON. AFSHIN MARK K. SEÑOR
HON. CARMELINO N. CRUZ, JR.
HON. RODRIGO A. NAVARRO
HON. PABLO A. ABANGAN
HON. LUZMINDA R. LAPITAN
HON. PORFERIO V. RESABA, JR.
HON. JUSTINO L. DAKAY

- Vice Mayor/Presiding Officer
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- ABC President



ORDINANCE NO. 2017-005

Hon. Aurelio B. Alinsonorin – Sponsor

AN ORDINANCE REGULATING THE SEATING CAPACITY OF ALL TRICYCLES-FOR-HIRE WITH FRANCHISES PLYING THE ROUTE WITHIN THE CITY OF NAGA, CEBU

EXPLANATORY NOTE

Pursuant to its legislative authority as embodied under R.A. 7160, otherwise known as the Local Government Code of 1991, the 3rd Sangguniang Panlungsod of the City of Naga, Cebu deems it necessary to regulate the operation of tricycles-for-hire with franchises operating in the city;

Regulating the operation of all tricycles-for-hire in the City of Naga, Cebu is to ensure the safety and security of passengers and to curb possible vehicular accidents involving tricycles that may occur in the city streets and even in the national highways.

One of the safety measures is to limit the seating capacity of all tricycles-for-hire which will be defined in this proposed measure with corresponding penalties to violators thereof to avoid overloading and road mishaps.

In view of the above-cited premise, this Ordinance is hereby conceptualized.

BE IT ORDAINED, as it is hereby ORDAINED by the Sangguniang Panlungsod of the City of Naga, Cebu, in session assembled, that:

SECTION 1. TITLE – SEATING CAPACITY- the seating capacity of all tricycles-for-hire with franchises plying the route within the City of Naga, Cebu shall only be six (6) passengers excluding the driver and shall be distributed as follows:

- a.) Four (4) passengers shall sit inside the side car; and
- b.) Only two (2) passengers shall be allowed to sit as backriders.

SECTION 2. VIOLATION – having passengers more than what is defined in this Ordinance shall be a violation which shall include the following:

- a.) Hitching/Kapyot
- b.) Topload
- c.) Backload
- d.) Frontload
- e.) Any other acts of overloading

SECTION 3. PENALTY – violation to this Ordinance shall be penalized as follows:

- a.) **FIRST OFFENSE** – to pay the penalty of Five Hundred Pesos (P500.00) per excess passenger to be collected during the renewal of franchise;
- b.) **SECOND OFFENSE** – to pay the penalty of One Thousand Pesos (P1,000.00) per excess passenger to be collected during the renewal of the franchise and immediate suspension of the issued franchise for a period of six (6) months; and
- c.) **THIRD OFFENSE** – to pay the penalty of One Thousand Five Hundred Pesos (P1,500.00) per excess passenger to be collected immediately and the franchise shall be revoked rendering the disqualification of tricycle-for-hire operator from applying any franchise again.

SECTION 4. SEPARABILITY CLAUSE - should any provisions of this Ordinance be declared illegal or unconstitutional by any court of competent jurisdiction, those not so declared shall remain in full force and effect thereof.

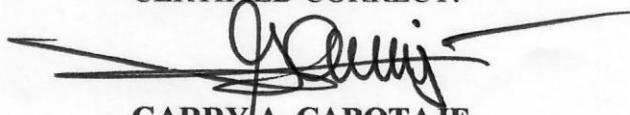
SECTION 5. REPEALING CLAUSE – Any ordinance contrary to or inconsistent with this Ordinance are hereby repealed or considered modified.

SECTION 6. COPIES FURNISHED CLAUSE - Let copies of this Ordinance be furnished the Office of the City Mayor, the City of Naga Police Station and all other concerned offices for their information, guidance and documentation.

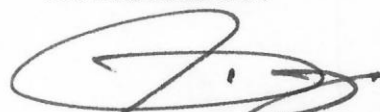
SECTION 7. EFFECTIVITY – This Ordinance shall take effect upon approval hereof.

APPROVED on third and final reading this 10th day of May 2017, on motion of Hon. Aurelio B. Alinsonorin, seconded by Hon. Porferio V. Resaba, Jr.


CERTIFIED CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


OTHELLO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


KRISTINE VANESSA T. CHIONG
City Mayor
5-16-17