

**RESOLUTION NO. 043-F-2004**

WHEREAS, due to increasing economic activity within the Municipality of Naga, Cebu, there is a need to amend the regulations pertinent to the operation of the trisikads for hire as provided for in Ordinance No. 04, s. of 1998 adopted under Resolution No. 023-H-1998 and Ordinance No. 01-99, s. of 1999 adopted under Res. No. 03-D-99 of this August Body;

WHEREAS, included in the amendment is to increase the number of permits for trisikad from 250 units to 350 units per year;

NOW THEREFORE, Be it resolved by the Sangguniang Bayan of Naga, Cebu, on motion of Hon. Dominga Paunila, Chairman, Committee on Utilities and Facilities to adopt and promulgate the following amendatory Ordinance:

**ORDINANCE NO. 006-2004**

**AN ORDINANCE AMENDING REGULATIONS IN THE OPERATION OF TRISIKADS WITHIN THE MUNICIPALITY OF NAGA, CEBU**

**Be it enacted by the Sangguniang Bayan of Naga, that:**

**SECTION 1.** This Ordinance shall be known as "TRISIKAD ORDINANCE OF 2004"

**SECTION 2.** Definitions: For purposes of clarification, the following terms shall be understood to mean:

- a. TRISIKAD – a vehicle composed a bicycle fitted with a single-wheel side car, run by means of pedalling.
- b. PUT – Public Utility Trisikad engaged in the business of transporting passengers or cargoes from one place to another for a fee.
- c. PRT – a Private Trisikad – operated for private convenience of the owner.
- d. Subdivision Road – a road within and around a residential subdivision and shall include the outlet leading towards the National Highway;
- e. Tertiary Road or Street – a road or street owned and maintained by Municipal or Barangay Government which is not regularly used for traffic of passenger buses, trucks, etc.

**SECTION 3.** Imposition of fees, surcharge of late payments, penalties. There shall be imposed the following fess and charges to any person, entity, association who shall own and/or operate Trisikads, both PUT and PRT:

<b>Annual Registration Fee</b>	<b>-P100.00/unit</b>
<b>Mayor's Permit Fee</b>	<b>- 100.00/unit</b>
<b>Driver's Permit Fee</b>	<b>- 50.00</b>
<b>Plate Number Fee</b>	<b>- 30.00/unit</b>

Payment for the above-mentioned charges must be paid annually to the Municipal Treasurer, prior to the issuance of Mayor's Permit, which shall become due on the 31<sup>st</sup> of March of each year. However, if the trisikad unit is newly acquired or purchased, registration is required within thirty (30) days from purchase. Hence in the case of failure to pay the charges within the time required, the amount of fees due shall be increased by fifty (50%) percent for the first month plus additional one (1%) percent for every month thereafter. Such surcharge shall be paid at the same time as the usual fees herein stated.

The following penalties shall be imposed administratively for non-compliance or willful violation of the provisions of this Ordinance:

- a. Operating a non-registered trisikad and impoundment. -P200.00/unit
- b. Driving without a Trisikad Driver's Permit and impoundment of the trisikad unit -P100.00/unit
- c. For any other violation of any provision in the Ordinance (per violation) -P 20.00
- d. Charge while being impounded -P10.00/day

Provided, however, that the impounded unit shall be redeemed within a period of one month, after which the impounded unit shall be automatically forfeited in favor of the local government.

**Section 4. Administrative Provisions and Operating Conditions:**

1. A person applying for a Trisikad Permit, (limited only to residents of Naga, Cebu), shall submit to the Office of the Municipal Mayor the following requirements:
  - a) In case the unit is newly purchased, a Deed of Sale or Invoice from the vendor of the unit.
  - b) Community Tax Certificate
  - c) Official Receipt of fees imposed herein from the Municipal Treasurer's Office.
2. Registration of Trisikads shall be limited to three hundred fifty (350) units per year, issuance of which will be on a first-come-first serve basis.
3. Plate numbers which shall be issued by the Office of the Municipal Treasurer to Trisikad Operators should be placed at the back of the side cab.
4. For safety purposes, the Trisikad Operator shall provide the unit with the following facilities:
  - a) a buzzer or horn
  - b) lighting device (flashlight or lamp, etc)
  - c) reflectorized stickers which shall be placed around the unit in such a manner that the outline of the unit shall be emphasized.
5. No Trisikads shall operate on national highways, except only when crossing, from a tertiary road or subdivision road to the other.
6. Drivers of Trisikads shall be required to have a Trisikad Driver's Permit duly issued by the Office of the Municipal Mayor, requirements of which are as follows:
  - a) The driver should be at least 18 years old.
  - b) Two (2) pcs. 1 x 1 ID picture
  - c) Barangay Clearance.
  - d) Police Clearance
  - e) Official Receipt of payment from the Mun. Treasurer's Office.

**Section 5. Separability Clause** – Should any provision of this Ordinance be declared by any court of competent jurisdiction to be void or unconstitutional, the portions hereof which are not so declared shall remain in full force and effect.

**Section 6. Repealing Clause** – All previous ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, modified or amended accordingly.

**Section 7. Effectivity Clause** – This Ordinance shall take effect immediately.

UNANIMOUSLY CARRIED this 8<sup>th</sup> day of November, 2004.

CERTIFIED CORRECT:

VALDEMAR M. CHIONG  
Vice Mayor/Presiding Officer

APPROVED BY:

FERDINAND M. CHIONG  
Municipal Mayor

*Approved by SP per  
Per. # 1094 - 2005  
03/07/2005*