



Republic of the Philippines
Province of Ilocos Sur
MUNICIPALITY OF NARVACAN

OFFICE OF THE SANGGUNIANG BAYAN

37th Regular Session
Held at the SB Session Hall
On 24 September 2012

ORDINANCE NO. 4
Series of 2012

AN ORDINANCE AMENDING SECTIONS 33 and 48 OF THE "TRANSPORTATION AND TRAFFIC CODE OF NARVACAN 2011"

WHEREAS, DILG-DOTC Joint Memorandum Circular No. 01, Series of 2008 has allowed the operation of tricycles along national roads if there is no other alternative route;

WHEREAS, the Local Government Code of 1991 has conferred upon the municipal governments through the Sangguniang Bayan Members the power to regulate the operation of tricycles;

WHEREAS, the convenience and safety of passengers, as well as the promotion of trade and industry between Narvacan and its neighboring towns are matters of paramount importance;

WHEREAS, it has come to the attention of the Sangguniang Bayan Members that the tricycle drivers of Narvacan have been carrying passengers to other nearby municipalities and likewise, tricycle drivers from neighboring towns have also been plying within the territorial jurisdiction of Narvacan;

WHEREAS, DILG Memorandum Circular No. 2007-01 allows the maintenance of existing zones within more than one municipality, provided that operators serving said zone shall secure MTOP from each of the municipalities having jurisdiction over the areas covered by the zone;

WHEREAS, reasonable franchising requirements need to be imposed, consistent with the privilege of operating along different municipalities, subject to the terms and conditions to be imposed by the franchising authority;

NOW THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Narvacan, Ilocos Sur, that:

SECTION 1. Section 33 of the Transportation and Traffic Code of Narvacan 2011 is hereby amended to include Sections 33-A, 33-B and 33-C as follows:

SECTION 33-A. Different Zones in the Operation of Tricycle-for-Hire. The different zones of operation of tricycles-for-hire in Narvacan are hereby prescribed:

- a) Tricycles-for-hire operated by residents of Narvacan are allowed to ply their route anywhere within the territorial jurisdiction of Narvacan;

- b) Tricycles-for-hire operated by residents of Sta. Maria are allowed only to ply the route from their point of origin (Sta. Maria) to the point of destination of their passenger(s), only within the highway, or to Narvacan Mall, Central Ilocos Sur District Hospital (CISDH), Narvacan National Central High School (NNCHS), Narvacan North Central School (NNCS), and/or their designated parking areas;
- c) Tricycles-for-hire operated by residents of Nagbukel are allowed to ply their existing routes.

SECTION 33-B. Franchise Limitations/Restrictions for Non-Resident TFH Drivers

- a) Non-resident TFH drivers providing transport services within Narvacan shall also secure an MTOP from the franchising authority of Narvacan to be allowed to operate therein;
- b) Non-resident tricycle drivers plying within Narvacan shall only operate within the zones designated in their franchise; *however*, this restriction shall not apply from 6:00 P.M. – 6:00 A.M. but only with respect to non-resident TFH drivers who are carrying passengers from their point of origin;
- c) Non-resident TFH drivers are only allowed to load passengers in their designated parking areas. Tricycles-for-hire operated by residents of Sta. Maria are not allowed to pick up passengers along Barangays San Antonio and Nanguneg East;
- d) The total number of franchises to be granted for TFH drivers plying the Sta. Maria – Narvacan route shall not exceed twenty-five (25), subject to an increase to be determined by the Sangguniang Bayan as the need arises;
- e) Non-resident tricycle drivers plying within Narvacan shall display a sign in front of their sidecar indicating that they are authorized to provide transport services along said route. Tricycles for private use shall also conspicuously display a sign bearing the words “PRIVATE – NOT FOR HIRE” in such a manner as to properly inform the public that the tricycle unit is not engaged in the carrying of passengers for a fee;
- f) The Sangguniang Bayan shall adopt a Schedule of Fares for the Narvacan – Sta. Maria route as may be agreed upon by both municipalities;
- g) The following acts are hereby prohibited under this amendment:
 - 1. Transport of passengers outside of designated zones
 - 2. Loading of passengers outside of designated parking area
 - 3. Illegal parking
 - 4. Failure to secure a permit for special trips
- h) Any violation of the immediately preceding sub-section of this amendment shall be a ground for cancellation of franchise of the offending non-resident TFH driver.

SECTION 33-C. Designated Parking Area. Non-resident tricycle drivers plying the Sta. Maria – Narvacan route shall have a parking area which shall be separate from the designated parking areas for resident TFH drivers. For this purpose, the designated parking area for Sta. Maria – Narvacan TFH drivers shall be next to the waiting shed located beside Land Bank – Narvacan Branch and/or PCR-1.

SECTION 33-D. Special Trips. Non-resident tricycle drivers who regularly carry their passengers to Narvacan on a special trip basis shall first secure a certification from the Committee on Transportation of the Office of the Sangguniang Bayan. For this purpose, they are required to submit to the committee a copy of the written agreement, specifying the name/s of their passenger/s and the fixed schedule (date and time) of their special trips for the approval of the Sangguniang Bayan. This requirement shall not apply during holidays and during fiesta season in Narvacan.

Non-resident tricycle drivers are free to transport agricultural products without need of a permit before office hours. During office hours, non-resident TFH drivers engaged in the transport of agricultural products are required to secure a permit from the Office of the Sangguniang Bayan. During weekends, the permit can be secured from the Municipal Police Station of Narvacan, Ilocos Sur.

SECTION 2. Section 48 (i) of the Transportation and Traffic Code of Narvacan 2011 is amended to read as follows:

- i) No entry to specific routes (for non-residents of Narvacan), *provided*, that no violation is committed where the non-resident tricycle driver plying the designated route within Narvacan shall first secure an MTOP from the Office of the Sangguniang Bayan.

SECTION 3. SEPARABILITY CLAUSE

Should any provision, section or part of this ordinance be declared invalid by any court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections or parts hereof which shall continue to be in full force and effect.

SECTION 4. REPEALING CLAUSE

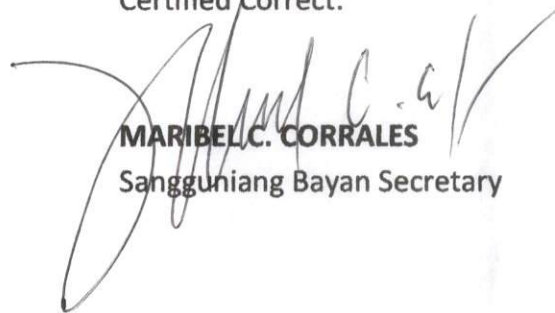
All ordinances, rules and regulations or any part thereof found in conflict or inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

SECTION 5. EFFECTIVITY

This ordinance shall take effect upon approval and posting in three (3) conspicuous public places.

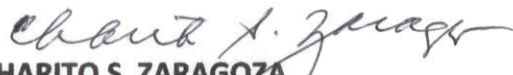
ENACTED this 24th day of September 2012.

Certified Correct:



MARIBEL C. CORRALES
Sangguniang Bayan Secretary


Attest:



CHARITO S. ZARAGOZA
Vice Mayor / Presiding Officer

CONFORME:

TERESITO C. VALERA, SR.
SBM



AVEL VERNEY C. ZARAGOZA
SBM

MA. LOURDES V. VILORIA
SBM



CARLITO T. CORRALES
SBM



MARIA PAZ V. CACHOLA
SBM

THELMA C. COPIOZO
SBM



ELISEO D. CABRADILLA
SBM



BENEDIX "BX" L. DELA CUADRA
SBM



LORETO C. CABALLES
ABC President

JAYSON BENEDICT A. CABUENA
SKF President

Approved:



ZURIEL S. ZARAGOZA
Municipal Mayor