



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
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EXCERPTS FROM THE MINUTES OF THE FORTY - FOURTH (44TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON NOVEMBER 29, 2021 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Josephine H. Sumangil - Evangelista, Presiding Officer
S.B. Member Miko C. Pelegrina
S.B. Member Janos S. Lapiz
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mike Dexter A. Concio
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Rodora P. Loares
S.B Member Arlene P. delos Santos, Liga President
S.B. Member Jozlyn N. Manansala, SK Federation President
Secretary Dona T. Alborida
Ms. Felomina I. Lincallo, LLSO I

Absent : None

Visitor : Mr. Levy Tatad, J101 J Big Radio
Mr. Leo Noel L. Katimbang, MSWDO Staff
Hon. Benito A. Ebron, Barangay Kagawad of Malinta
Ms. Heidi M. Dela Rosa - Baculo, HRMO III
Atty. Katrina D. Galang Bacani, Municipal Administrator

ORDINANCE NO. 2021- 2214

ORDINANCE AMENDING SECTION 2 (REQUIREMENTS) AND SECTION 4 (PERIOD OF APPLICATION) OF ORDINANCE NO. 2021-2188 DATED SEPTEMBER 6, 2021, ENTITLED: "AN ORDINANCE GRANTING FIVE HUNDRED (500) NEW TRICYCLE FRANCHISES TO CLEAN UP COLORUM TRICYCLES IN THE MUNICIPALITY OF LOS BAÑOS."

Author: Councilor Marlo PJ A. Alipon, REE, RMP, MPA

WHEREAS, municipalities and cities, through their respective sanggunians, are granted the power to regulate the operation of tricycles and grant franchises within their respective jurisdictions subject to the guidelines prescribed by the Department of Transportation and Communication (DOTC) pursuant to Sections 447 (3) (vi) and 458 (3) (vi) of the Local Government Code of 1991;

WHEREAS, the Sangguniang Bayan of Los Baños enacted Municipal Ordinance 2011-1082 dated October 17, 2011 entitled “New Municipal Ordinance on the Franchise and Operation of Motorized Tricycles in Los Baños, Laguna to be known as the “New Ordinance for Tricycles in the Municipality of Los Baños”/ *Bagong Kautusang Pembayan na Nagsasaad ng Pagpapaprangkisa at Pamamahala ng Operasyon sa Lahat ng Traysikel na may Motor sa Bayan ng Los Baños, Laguna na Tatawaging “Bagong Ordinansa para sa mga Traysikel sa Bayan ng Los Baños’*;

WHEREAS, Ordinance No. 2011-1082 and Executive Order No. 149 Series of 2019 both state the powers and functions of the Municipal Tricycle Pedicab Franchising and Regulatory Board (MTPFRB) as a policy making body and define the Tricycle Regulatory Unit (TRU) as the implementing body of the Board under the management and supervision of the Office of the Municipal Mayor;

WHEREAS, on January 17, 2020, the MTPFRB approved Resolution No. 2020-04 entitled “Resolution Approving and Adopting the One Thousand Six Hundred Eighty-Nine (1,689) Units of Motorized Tricycles with Valid Franchises as the Legal and Authorized Number of Motorized Unis that can Operate in the Municipality of Los Baños. The Resolution was approved and adopted by the Sangguniang Bayan through Ordinance No. 2020-1945 dated January 24, 2021;

WHEREAS, during the MTPFRB Meeting on June 30, 2021, the newly appointed head of the TRU was tasked to collate data on issuance of tricycle franchise and to determine whether the 1,689 units legalized by the above stated Ordinance applied for renewal of franchise;

WHEREAS, as per report of the TRU, it was found out that there are still One Hundred Fifty (150) out of the 1,689 slots that can be reopened as new franchise;

WHEREAS, the 34 registered TODAs in the Municipality of Los Baños submitted requests for additional franchise for them to clean up colorum tricycles within their association;

WHEREAS, as part of the anti-colorum campaign, on August 26, 2021, the Board consented to grant Five Hundred (500) Additional/New Tricycle Franchise in the Municipality, provided all applicants for new franchise shall submit the necessary requirements mandated by existing Ordinances. Furthermore, the Board agreed that the issuance of new franchises shall be done within the period of two (2) months only. In view of the said premises, Resolution No. 2021-06 was approved. The MTPFRB Resolution was the final basis for the Sangguniang Bayan to enact Ordinance No. 2021-2188 on September 6, 2021;

WHEREAS, as per report of the TRU, there are only Two Hundred (200) applicants for new tricycle franchises as of November 19, 2021. With this, there are still Three Hundred (300) available slots for new franchise;



WHEREAS, upon consultation with the members of Los Baños TODA Federation on November 18, 2021, it was found that applicants are having difficulty in complying with some documentary requirements. They also requested for the extension of the period of application;

WHEREAS, on November 19, 2021, the MTPFRB passed a Resolution No. 2021-09 which provides recommendations for the amendment of Section 2 (requirements) and Section 4 (Period of Application) of Ordinance No. 2021-2188 dated September 6, 2021, entitled: "An Ordinance granting Five Hundred (500) New Tricycle Franchises to clean up Colorum Tricycles in the Municipality of Los Baños".

WHEREAS, after careful review and deliberation, the august body agreed to adopt the recommendations of the MTPFRB to amend the said Ordinance;

NOW THEREFORE, on motion of Councilor Marlo PJ A. Alipon duly seconded by Councilor Geronimo A. Ciceron and approved by the councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, THAT:

SECTION 1. **TITLE.** This Ordinance is entitled as Ordinance amending Section 2 (Requirements) and Section 4 (Period of Application) of Ordinance No. 2021-2188 dated September 6, 2021, entitled: "An Ordinance Granting Five Hundred (500) New Tricycle Franchises to clean up colorum tricycles in the Municipality of Los Baños."

SECTION 2. **AMENDMENTS.** Section 2 and 4 of Ordinance No. 2021-2188 are hereby amended:

SECTION 2. REQUIREMENTS. All applicants for a tricycle franchise shall fill-up the application form and present the following documents:

- 2.1.1 TODA Certification
- 2.1.2 Barangay Clearance for Tricycle Franchise
- 2.1.3 LTO-O.R / C.R.

Shall now read as:

Submission of Original Sales Invoice/Contract to Sell in lieu of LTO-OR/CR is allowed when applying for new franchise. However, LTO-OR/CR is required upon release of franchise;



2.1.4 NBI Clearance

Shall now read as:

Submission of NBI Clearance is not required for this batch of 500 New Franchises.

- 2.1.5 Police Clearance
- 2.1.6 Profile Form with Professional Driver's License
- 2.1.7 Certificate of Inspection issued by the Municipal Engineer

SECTION 4. PERIOD OF APPLICATION. The issuance of new franchise shall be done within the period of two (2) months only starting from the date of effectivity of this ordinance.

Shall now read as:

The issuance of new franchise shall be done until January 31, 2022.

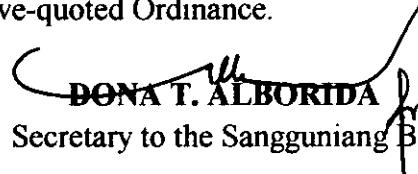
SECTION 3. SEPARABILITY CLAUSE. If, for any reasons, any part or provision of this Ordinance shall be declared unconstitutional or invalid by the court, or suspended or revoked by competent authorities, other parts or the provisions thereof which are not affected thereby shall continue to be full force and effect.

SECTION 4. REPEALING CLAUSE. All ordinances, rules and regulations or parts not consistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.

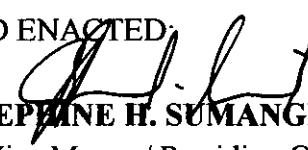
SECTION 5. EFFECTIVITY. This Ordinance shall take force and effect upon approval.

ENACTED : November 29, 2021

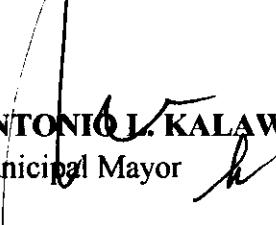
I HEREBY CERTIFY to the correctness of the above-quoted Ordinance.


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. JOSEPHINE H. SUMANGIL - EVANGELISTA
Vice Mayor / Presiding Officer

APPROVED:


HON. ANTONIO J. KALAW
Municipal Mayor