



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,
Los Baños, Laguna 4030 Philippines
Email: losbaños@laguna.net

EXCERPTS FROM THE MINUTES OF THE THIRTY-FIRST (31ST) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON OCTOBER 19, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

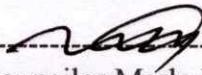
Present : Vice Mayor Antonio L. Kalaw, Presiding Officer
S.B. Member Josephine S. Evangelista
S.B. Member Janos S. Lapiz
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mike Dexter A. Concio
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Arlene P. delos Santos, Liga President
Secretary Dona T. Alborida
Ms. Felomina I. Lincallo, LLSO I

Absent : S.B. Member Miko C. Pelegrina, (O.B.)
S.B. Member Jozlyn N. Manansala, SK Fed. President, (O.B.)

Visitors : INSP. Noemi O. Francisco, BFP-LB
SFOS. Rodolfo Ang, BFP-LB
FO1. Josalyn Miguel, BFP-LB

ORDINANCE NO. 2020-2066

ORDINANCE APPROVING AND ADOPTING THE MUNICIPAL TRICYCLE PEDICAB FRANCHISING AND REGULATORY BOARD (MTPFRB) RESOLUTION NO. 2020-12, DATED OCTOBER 7, 2020 ENTITLED “RESOLUTION RECOMMENDING TO THE SANGGUNIANG BAYAN FOR THE REIMPOSITION OF SURCHARGE / PENALTY FOR AN OPERATOR WITH AN EXPIRED FRANCHISE WHO APPLIES FOR RENEWAL AS PROVIDED IN SECTION 12, ARTICLE V OF ORDINANCE NO. 2011-1082.”

Author :  Councilor Marlo PJ A. Alipon

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 Pam bayan 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”*;

PINACTIBAY
SANGGUNIANG PANLALAWIGAN
KAPASIHAYAN BLD. 1247 S. 2020
PETSA October 19, 2020



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 thru the Office of the Municipal Treasurer;

WHEREAS, Ordinance No. 2014-1305 dated February 10, 2020 amended the said Ordinance which states that Section 12 of Article V shall now be read as "No surcharge shall be collected from an operator with an expired franchise, hence, they have to re-apply as a New Franchise and submit all needed requirements, subject to an available slot". Furthermore, Ordinance No. 2014-1305 also amended Subsection 24.5 of Section 24, Article VIII Cancellation of Franchise which now states that, "*Non-renewal of franchise after three (3) months of its yearly expiration shall be cancelled, thus, the operator/owner shall re-apply as a New Franchise and submit all the needed requirements, subject to an available slot.*";

WHEREAS, the Board observed that most of the owners/operators were applying for the renewal of their franchise on the third month from its yearly expiration. To discourage owners/operators with this practice and to further regulate them, the Board has recommended for the reimposition of surcharge/penalty;

WHEREAS, after careful review and deliberation, the Sangguniang Bayan agreed to approve and adopt the reimposition of surcharge / penalty for an operator with an expired franchise who applies for renewal as provided in Section 12, Article V of Ordinance No. 2011-1082;

NOW THEREFORE, upon motion of Councilor Marlo PJ A. Alipon duly seconded by Councilwoman Josephine S. Evangelista and concurred by all other members present;

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

SECTION 1. ARTICLE V. Fees and Charges.

SECTION 12. (Ordinance No. 2014-1305) "No surcharge shall be collected from an operator with an expired franchise, hence they have to re-apply as a New Franchise and submit all the needed requirements, subject to an available slot.

Shall now read as:

"A surcharge of twenty-five (25%) of the total fees for every month after its yearly expiration shall be collected from an operator with an expired franchise who applies for renewal";

SECTION 2. SEPARABILITY CLAUSE. This ordinance partly amends repeals and modify Ordinance No. 2014-1305. Any inconsistency with previous / other ordinances, this ordinance shall prevail. Any part which has been declared unconstitutional, the other part shall remain in force.

SECTION 3. REPEALABILITY CLAUSE. All ordinances, rules and regulations inconsistent with this ordinance are hereby repealed and modified accordingly.

PUNAC TIBAY
SANGGUNIANG PANLALAWIGAN
CAPASIVAHAN BLW. 1067, S. 2020
NETSA December 12, 2020

3.00 Ordinance No. 2020-2066 10/19/2020

SECTION 4. EFFECTIVITY. This ordinance shall take force and effect upon approval.

ENACTED : October 19, 2020

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


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:

HON. ANTONIO L. KALAW
Vice Mayor/Presiding Officer

APPROVED:

HON. CAESAR P. PEREZ
Municipal Mayor

PINAC TIBAY
SANGGUNIANG PANLALAWIGAN
KAPASITAHAN BL. 1267 S. 2020
PETSA - December 13, 2020