



Republic of the Philippines
City of Bago
OFFICE OF THE SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 19-18

AN ORDINANCE AMENDING ARTICLE III, SECTION 1, 1.a, E, ARTICLE IV, SECTION 5, A AND C AND SECTION 7, 7.f. AND ARTICLE V, SECTION 1, I, V, VI, VIII, IX, X, XIII AND XVII OF ORDINANCE NO. 17-12 OTHERWISE KNOWN AS THE 2017 COMPREHENSIVE TRICYCLE OPERATIONS CODE OF BAGO CITY.

WHEREAS, Section 458 (3) (vi) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 provides that the Sangguniang Panlungsod shall, subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycle and grant franchises for the operation thereof within the territorial jurisdiction of the city;

WHEREAS, tricycles have been the most effective and most often used mode of transportation within the City of Bago;

WHEREAS, committee meetings were called to assess the present situation of the tricycle transportation industry within the City and it was revealed that there are supervening circumstances affecting Ordinance No. 17-12, Series of 2017 which needs to be addressed through an amendment;

WHEREAS, after a careful deliberation, it is the consensus of the members of the August Body that these supervening circumstances should be addressed for the Ordinance to be responsive to the present changes and also to keep abreast of the current economic situations of our city and our nation;

NOW, THEREFORE, be it ordained by the Sanggunian Panlungsod of the City of Bago in a session assembled and on motion by SP Member Allan C. Galunan duly seconded by SP Members Ma. Josefa Y. Matti, Ma. Femmy A. Martir and Jozsef Mark Dexter M. Somcio, that:

SECTION 1. – Article III, Section 1, 1.a, E is accordingly amended to reads as follows:

“E. To recommend to the Sangguniang Panlungsod the amount of fares or the adjustment of fares to be imposed in a particular zone or route. However, it may approve temporary fare adjustment upon prior petition and after a summary hearing on the ground of extraordinary inflation and excessive oil price increase which adjustment shall not last for more than sixty (60) days extendible for the same period. Provided that, as soon as the inflation rate or the oil price stabilizes, the BCTFRB may, at any time, order the lifting of the temporary fare adjustment prior to the expiration of the 60-day period.”

SECTION 2. - Article IV, Section 5, A and C and Section 7, 7.f. are accordingly amended to reads as follows:

“Section 5.– Requirements for TOP application.

“A. Barangay Clearance duly issued by the Punong Barangay of the barangay/s affected by the route of the tricycle unit. The concerned Punong Barangay/s shall have three (3) working days to act on the request of the applicant for the issuance of Barangay Clearance. If after 3 working days he/she fails to act on the request without justifiable reason, this requirement shall be considered complied and the applicant may proceed to process his/her application with the BCTFRB upon presentation of proof that a request was made with the office of the concerned Punong Barangay and that no action was taken thereon after the lapse of 3 working days.

B. X X X

“C. Certificate of membership or Certificate of Good Standing from an existing TODA in the specified route where the tricycle is to operate to insure smooth operation and harmonious relationship among operators and to encourage association-based discipline. The concerned TODA President shall have three (3) working days to act on the request of the applicant for the membership (for new members) or Certificate of Good Standing (for new members). If after 3 working days he/she fails to act on the request without justifiable reason, this requirement shall be considered complied and the applicant may proceed to process his/her application with the BCTFRB upon presentation of proof that a request was made with the office of the concerned TODA President and that no action was taken thereon after the lapse of 3 working days.”

“Section 7. – Administrative Provisions:

“7.f. – The BCTFRB shall establish a fare structure subject to the approval by the Sangguniang Panlungsod, that will provide the operator a reasonable return of profit and still affordable to the general public. The fare structure may either be flat (single fare regardless of distance) or a minimum fare plus a basic per kilometer charge. **However, in case of extraordinary inflation and excessive oil price increase where immediate fare adjustment is needed, the BCTFRB may approve temporary adjustment fare for a period not exceeding 60 days extendible for the same period.**”

SECTION 3. - Article V, Section 1, I, V, VI, VIII, IX, X, XIII and XVII are accordingly amended to read as follows:

“Section 1 –Every tricycle for hire shall be allowed to operate in one (1) zone only. The different areas of the city are hereby designated and zoned as follows:

- I.
 - AREA/ZONE 1 : City Center (Brgy. Poblacion, Sampinit, Lag-asan & Balingasag)
 - Number of units : **1,390** (1,315)
 - Associations : BACTODA – Bago City Tricycle Operators’ and Drivers’ Association
 - CAPTODA – Citywide Alliance of Progressive Tricycle Owners and Drivers Association
 - PBL-TODA – Poblacion, Balingasag & Lag-asan Tricycle Operators’ and Drivers’ Association
 - POSAMPITODA
 - SPBLTODA -
 - Route : Brgys. Poblacion, Sampinit, Balingasag and Lag-asan vice versa;
- II.
 - X XX
- III.
 - X XX
- IV.
 - X XX

V.

AREA/ZONE 5 : Malingin area
Number of units : 85 (60)
Association : BAMATODA – Bago-Malingin, Napoles Tricycle Operators and Drivers Association
BMTSTODA
Route : Brgy. Malingin to terminal in Bago City Public Market, Brgy. Poblacion & vice versa;

VI.

AREA/ZONE 6 : Pacol Area
Number of units : 60 (40)
Association : PABATODA
Route : Brgy. Pacol to terminal in Bago City Public Market, Brgy. Poblacion & vice versa;

VII.

X X X

VIII.

AREA/ZONE 8 : ZONE 1, Taloc Area
Number of units : 50 (20)
Association : BITATODA – Baybay, Ilaya, Taloc Tricycle Operators and Drivers Association
Route : From Purok Dangal terminal to Purok Ilaya terminal traversing the national highway & vice versa;

IX.

AREA/ZONE 9 : ZONE 2, Taloc area
Number of units : 101 (70)
Association : TAPACAMODA – Taloc, Para, Camingawan Motorbike Operators and Drivers Association
Route : Km. 13.5, Camingawan, Para, Newton Jison up to Brgy. Taloc Brgy. Hall, Purok Paho North & vice versa;

X.

AREA/ZONE 10: Tabunan, Abuanan, Dulao Area
Number of units : 250 (185)
Association : STADTODA – Sum-ag Tabunan, Abuanan, Dulao Tricycle Operators and Drivers Association
SDUTTODA – Sum-ag, Dulao, Tabunan, Tricycle Operators and Drivers Association
Route : From boundary of Bago City and Bacolod City to Brgys. Tabunan, Dulao and Abuanan & vice versa;

XI.

X X X

XII.

X X X

XIII.

AREA/ZONE 13: Don Jorge L. Araneta (DJLA) area
Number of units : 175 (130 {120 – original, 10 – Bacus, Clinic, Florida, 45 – Rounder within DJLA proper only)
Association : LACMATODA – La Carlota Central Ma-ao Tricycle Operators and Drivers Association
MAMACETODA – Ma-ao Barrio, Ma-ao Central Tricycle Operators and Drivers Association
Route : Brgy. Don Jorge L. Araneta to Brgy. Ma-ao (Bacus, Clinic, Florida, & vice versa)

XIV.

X X X

XV.

X X X

XVI.

X X X

XVII.

AREA/ZONE 17: Bagroy area
Number of units : 30 (20)
Association : BAGTODA – Bagroy Tricycle Operators and Drivers Association
Route : Brgy. Bagroy- Bago City Public Market& vice versa"

SECTION 4. –Any other ordinance or portions thereof passed which are inconsistent in whole or in part with this ordinance are hereby modified or repealed accordingly.

SECTION 5. – If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and affect.

SECTION 6.–This Ordinance shall take effect after the approval of the City Mayor and the required posting of ten (10) days in three (3) conspicuous places in the City Proper and in all Barangay Halls in the City.

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sanggunian Panlungsod during its regular session held on May 29, 2019.


VICENTE D. MESIAS
Supervising Environmental Management Specialist/
City Secretary-Designate

ATTESTED:



RAMON D. TORRES
City Vice Mayor-Presiding Officer

Approved this 4th day of June 2019.


NICHOLAS M. YULO
City Mayor