



Republic of the Philippines  
Province of Iloilo  
**MUNICIPALITY OF OTON**  
OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPT** from the Minutes of Session of the Sangguniang Bayan ng Oton, Iloilo recorded during its Regular Session held at the SB Session Hall on **April 26, 2023** at 9:00 in the morning.

<b>PRESENT:</b>	Vice Mayor Jose Neil Portugalete Olivares	Vice Mayor and Presiding Officer
	Hon. Jimmy Robles Olivares	SB Member
	Hon. Ma. Loma Tumambo Geonigo	SB Member
	Hon. Dennis Quillo Geroche	SB Member
	Hon. Ernesto Cordova Ticao	SB Member
	Hon. Lee Cereneo Alison – Bretaña	SB Member
	Hon. Grace Marie Escanlar-Cruz	SB Member
	Hon. Rodolfo Zurita Alconga, Jr.	SB Member
	Hon. Vanessa Turita Salinas	SB Member
	Hon. Antonio Prias Masculino, Jr.	SB Member (LNB Representative)
	Hon. Ella Mae Seguiza Yeoh	SB Member (PPSK Representative)
<b>ON OFFICIAL BUSINESS:</b>	None.	
<b>ABSENT:</b>	None.	



**ORDINANCE NO. 2023 – 416**

**AN ORDINANCE PRESCRIBING A NIGHT TIME FRANCHISE AND ROUTE OF TRICYCLES FOR HIRE (TCH), AMENDING FOR THIS PURPOSE SECTION 391 OF MUNICIPAL ORDINANCE NO. 2007-182.**

**SECTION 1 – INTRODUCTION**

- A. There is a number of Ogtonganons working at night going to and coming from Iloilo City, or other areas, or students who take the night classes who should not be deprived of TCH services.
- B. Applicants for TCH franchise who cannot be accommodated to operate on day time, can apply to a newly opened franchise and route at night.
- C. With this Ordinance, TCH operating at night will be regulated and will legitimize the operation of illegitimate or colorum TCH.
- D. This Ordinance is ordained to ensure public safety and welfare in the transportation sector at night time.

**SECTION 2 – AMENDATORY CLAUSE**

- A. The last sub section of Section 391 of Municipal Ordinance No. 2007-182 shall be:
  - k. Night time – Población to any point in Oton (HIRED).
    - k. 1. Color: Magenta
    - k. 2. Terminals: a. Side of the gym at JC Zulueta Street;  
b. Crossing Botong- Cabanbanan;  
c. Crossing Mohon.
    - k. 3. Fare: Equivalent of the total seating capacity fare of the area of destination.

**SECTION 3 – REGULATORY CLAUSE**

- A. The Registration procedure shall be:
  1. The motorcycle shall be registered with the Land Transportation Office (LTO).
  2. Applicant applies for franchise at the SB Office.
  3. Jointly, the MDRRMO and SB Staff conduct the seminar and inspect the unit (s).
  4. If the requirements are complied, the franchise document known as MTOP will be issued by the Sangguniang Bayan through the Vice Mayor.
  5. Payment of necessary fees for TCH Operation at the BPLO and MTO.
  6. Issuance of permit to operate by the Office of the Mayor or by a duly delegated office.
- B. THIRTY (30) UNITS for new NIGHTTIME franchise shall be opened for Ogtonganon residents only with standard TCH Unit and fixtures and accessories as required by governing Ordinance/s.

C. Administrative Provisions

1. The side car shall have a couple of orange lights at its front and rear.
2. The TCH driver is allowed to have a companion.
3. The following white reflectorized sticker shall be stuck on the side car:
  - a. NIGHT-TIME TCH at the front and back, with a height of at least five (5) inches and width per letter of not less than half an inch.
  - b. MTOP Number at the side of the side car above the side wheel with the same dimension provided in the preceding subsection.
4. Drivers shall be issued an Identification Card issued by the Sangguniang Bayan and the MDRRMO which shall be displayed in the front seat of the side car.
5. The following shall also be displayed in the front seat of the side car:
  - a. Contact numbers of the MDRRMO Rescue Team and Oton Municipal Police Station.
  - b. The Fare Matrix duly issued by the SB as recommended by the OMFRB.
6. Night – time operation shall be from 8:00 in the evening to 5:00 in the morning of the next day.
7. The Night-time TCH drivers shall form an association which shall be recognized by the SB through a Resolution.
8. Smoking and liquor intoxication are strictly prohibited on the part of the driver and his companion.
9. The Franchise and Regulatory Fees prescribed for TCH operating at daytime shall also be the fees for TCH operating at nighttime.
10. Ordinances on TCH applicable for Night-time TCH shall continue to be in full force and effect as long as not in conflict with the provisions of this ordinance.

**SECTION 4. PENALTY CLAUSE** – Any person violating this ordinance shall be meted a fine of One Thousand Pesos (P1,000.00) or imprisonment of three (3) days, or both fine and imprisonment at the discretion of the court.

**SECTION 5. SEPARABILITY CLAUSE.** – If any section or part of this Ordinance is held unconstitutional or invalid, the other or provisions not otherwise affected shall remain effective.

**SECTION 6. REPEALING CLAUSE**– All other ordinances, which are inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

**SECTION 7. EFFECTIVITY.** – Based on Section 511 of the Local Government Code, this Ordinance with penal sanctions shall take effect either on the day following its publication, or at the end of three (3) consecutive weeks period of posting, whichever occurs later.

**SECTION 8. COPIES.** This Ordinance shall be furnished to the Office of the Mayor, All Departments, Liga ng mga Barangay, MLGOO, OFTODA, 37 Barangays, Oton-PNP, TMTF-MDRRMO, OMFRB and the Sangguniang Panlalawigan of Iloilo for information, guidance and review respectively.


**UNANIMOUSLY APPROVED.**

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I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

Concurred:   
**VANESSA T. SALINAS**  
 Chair - Committee on Rules and Privileges

  
**KERRY ANN T. LACIFICAR**  
 Secretary to the Sanggunian

Attested:   
**JOSE NEIL P. OLIVARES**  
 Vice Mayor and Presiding Officer

Approved:   
**SOFRONIO L. FUSIN, JR.**  
 Municipal Mayor

Date Approved: APR 28 2023

Date Posted: APR 28 2023

