



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 **May 31, 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. Lorna Tumambo Geonigo	SB Member
	Hon. Dennis Quillo Gerocho	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. Antonio Prias Masculino, Jr.	SB Member (LNB Representative)
	Hon. Ella Mae Seguisa Yeoh	SB Member (PPSK Representative)
<b>ON OFFICIAL BUSINESS:</b>	Hon. Vanessa Turita Salinas	SB Member
<b>ABSENT:</b>	None	

**ORDINANCE NO. 2023 – 417**

**AN ORDINANCE REGULATING THE NUMBER OF TRICYCLES FOR HIRE (TCH) PARKING ON THEIR RESPECTIVE TERMINALS.**

**AS PROPOSED** by Vice Mayor Jose Neil P. Olivares, **ON MOTION** of Hon. Jimmy R. Olivares, Vice Chair of the Committee on Public Utilities and Facilities which was duly seconded by Hon. Vanessa T. Salinas,

**BE IT ORDAINED** by the Sangguniang Bayan ng Oton, Iloilo, that:

**SECTION 1. RATIONALE** – This ordinance is ordained based on the following principles/precepts:

- a. Orderliness – TCH units shall fall in line or in column within their respective allotted space for parking area and not protrude on the sidewalks, curbs and gutters or streets. This gives solution to congestion.
- b. Aesthetics – It is aesthetically sound and pleasing to sight if TCH units are properly and neatly arranged on their parking areas.
- c. Public Safety – It is proper that, for the interest of public safety, passengers shall board the TCH right at their designated parking areas and not on streets, or shoulders of streets.
- d. Space Management – Since the Poblacion is getting congested, this measure will pave the way for proper use of spaces allotted for specific purposes, thereby knowing proper access and use of these spaces by passengers, pedestrian and motorist.

**SECTION 2. LEGAL BASES**

- a. Sub Paragraph a. (3), sub section (vi) of Article 447 of the Local Government Code of 1991 (RA 7160) so provides that: "Subject to the guidelines prescribed by the Department of Transportation and Communication, regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the municipality."
- b. Memorandum Circular NO. 2020-04 of the DILG on the Guidelines in the Review or Revisiting the City or Municipal Tricycle and Pedicab Franchise and Regulatory Ordinance or Code and Barangay Ordinance on the Use of Public Roads, Pathways and Alleys.
- c. Memorandum Circular No. 2020-036 Which Bans Tricycles/ Pedicabs along National Highways

**SECTION 3. DEFINITION OF TERMS** – As used in this ordinance, the following terms are defined as:

- a. **Parking** – the act of aligning in line or column with an engine turned off, within the number required to park therein, waiting for the turn to load passengers.

- b. **Holding Areas-** refer to public areas owned by the Municipality of Oton devoted for parking of TCH units waiting to park on their terminals.
- c. **Terminals-** refer to loading areas for TCH units each assigned a specific TCH route duly identified by an ordinance or a resolution.

**SECTION 4. REGULATED ACTS** – all associations of Tricycles for Hire (TCH) shall:

- a. park their waiting TCH Units in a holding area to be identified by the SB through an Ordinance or Resolution.
- b. park only 3 TCH units on their respective terminals;
- c. provide portable hand-held radios/ mobile phones or other means of communication with the association members waiting at the holding area.

**SECTION 5. PENALTY CLAUSE.** A violator of this ordinance shall be meted a fine of One Thousand Pesos (Php 1,000.00) or an imprisonment of two (2) days or both fine and imprisonment at the discretion of the court.

**SECTION 6. REPEALING CLAUSE.** All municipal ordinances or parts of any municipal ordinance inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 7. SEPARABILITY CLAUSE.** If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue in operation.


**SECTION 8. EFFECTIVITY CLAUSE.** 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 9. COPIES.** This Ordinance shall be furnished to the Office of the Mayor, Municipal Attorney, MDRRMO, TMTF, OFTODA, MEEDO, GSO, MPDC, 37 Barangays, OMPS, and the Sangguniang Panlalawigan of Iloilo for information, guidance and review respectively.

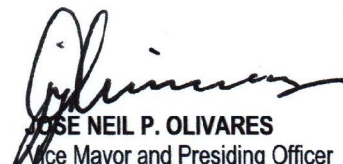
**UNANIMOUSLY APPROVED.**

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I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

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

Concurred:   
**JIMMY R. OLIVARES**  
 Vice Chair - Committee on Rules and Privileges

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

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

Date Approved:     JUN 13 2023    

Date Posted:     JUN 13 2023