

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD

-oOo-

CITY ORDINANCE NO. 270
December 14, 2000

AN ORDINANCE AMENDING CITY ORDINANCE NO. 47-1988 OTHERWISE KNOWN AS 'AN ORDINANCE ALLOWING AND REGULATING THE OPERATION OF THE TRICYCLE OTHERWISE KNOWN AS 'TRISIKAD', PRESCRIBING FEES, RULES AND REGULATIONS FOR ITS OPERATION" AND DEVOLVING SAID REGULATORY FUNCTION TO THE BARANGAY, DOCKETED AS SP CORRESPONDENCE NO. 99-1204.

Be it ordained by the Sangguniang Panlungsod of Bacolod, that:

ARTICLE I - DEFINITION OF TERMS AND CLASSIFICATION:

Section 1 - For purposes of this ordinance, the following terms are defined:

1.0 Trisikad - is an unmotorized bicycle with a sidecar attached to the right side and operated manually for the transport of passengers, cargoes and other purposes;

1.1 Secondary or subdivision roads or streets - Barangay or City roads not yet assigned to public utility vehicles;

1.2 Downtown area - is the area bounded by Lizares, Lopez Jaena, North Drive, Sto. Niño, San Juan and Araneta Street;

1.3 Trisikad owner/operator - is the person who owns the Trisikad unit registered under this ordinance;

1.4 Trisikad Driver - is the person issued a license to drive a Trisikad;

1.5 License to operate public utility Trisikad - is the Certificate to Operate issued by the Barangay Council thru the Barangay Captain to operate Trisikad units in the designated routes in the Barangay and to charge appropriate fees;

1.6 Registration of Trisikad Unit - is the registration of the Trisikad unit with the Barangay Council thru the Office of the Barangay Captain either for private or public use;

1.7 Authorized routes - are the streets/areas in the barangay where Trisikad of the said Barangay are allowed to operate;

1.8 Authorized trisikad fare - is the authorized fare that a Trisikad owner/driver may charge to the passengers and/or cargoes;

1.9 Prohibited route/street/area - refers to all streets or areas not specifically mentioned/enumerated in the License or Certificate to Operate in the City for reasons of public convenience and safety.

Section 2 - The Trisikad is hereby authorized to ply or operate in their respective Barangays and as specified in their License or Certificate to Operate.

Section 3 - Classification of Trisikad units shall be classified according to their use, as follows:

3.1 Public Utility Trisikad - is a Trisikad unit used for transporting passengers or cargoes for a fee;

3.2 Private Trisikad - is a Trisikad unit used by the owner exclusively for his personal use or that of the members of his family or for his private business.

ARTICLE II - ISSUANCE OF BUSINESS PERMITS

Section 1 - Annual registration fees for business permit of both private and public Trisikad shall be paid to the City Government every first quarter of the year as required by the City's Tax Code.

Section 2 - Only Filipino citizens and actual residents of Bacolod City for at least six (6) months prior to the date of application as shown by the Certification of the Barangay Captain or in his absence, by the Barangay Secretary as to the applicant's residency shall be qualified for issuance of business permits.

Section 3 - Only a maximum of five (5) units shall be allowed to be registered to any natural/juridical person.

Section 4 - After completing Steps 1 to 3 under Article II, the owner/operator shall present these documents to his/her Barangay where he/she shall operate his/her Trisikad units for the issuance of License and/or Certificate to operate.

ARTICLE III - ISSUANCE OF LICENSE/CERTIFICATE TO OPERATE

Section 1 - After approval of a Business Permit with the City Government, the owner/operator shall process and obtain his/her License to Operate (LO) and/or Certificate to Operate (CO) from the Barangay Council through the Office of the Barangay Captain.

Section 2 - As a basic requirement for processing of LO and/or CO the following shall be prepared:

2.0 Business Permit to Operate;

ARTICLE IV - TRISIKAD DRIVER'S LICENSE

Section 1 - The Trisikad driver shall first obtain a Trisikad Driver's License before driving the same;

Section 2 - The Traffic Division, Bacolod Police Station is empowered to qualify and grant Trisikad Driver's License which shall be valid for two (2) years subject to periodic renewals;

Section 3 - The biennial Trisikad Driver's License fee is One Hundred Pesos (P100.00) which shall be paid with the City Treasure's Office before a Trisikad Driver's License is issued. Regular DRIVER'S LICENSE issued by the Land Transportation Office Licensing Center is not valid;

Section 4 - The application to drive a Trisikad shall be in English or Ilonggo, signed by the applicant and certified by the Brgy. Captain as to his/her residency in the Barangay. It shall include a statement giving the name, age, address and citizenship or nationality of the applicant. The application should be under oath;

Section 5 - The applicant must be at least 18 years old, Filipino citizen, of sound mind and physically healthy, to be certified, free of charge, by the City Health Officer.

Section 6 - Before a Trisikad Driver's License is issued, the applicant shall first undergo a seminar or briefing on Traffic Rules and Safety Regulations, road discipline and courtesy to be conducted and certified free of charge by the Traffic Management Authority (TMA).

Section 7 - The Trisikad driver shall carry at all times his Driver's License signed by him while driving. A driver who fails to comply with this provision shall be imposed an administrative fine of P100.00.

ARTICLE V - AUTHORIZED ROUTES/TERMINALS/WAITING STATIONS & FARE

Section 1 - The Barangay Council, by ordinance, shall declare certain streets or areas of the Barangay as open or allowable street or area for operation of public utility Trisikad subject to the ratification by the Sangguniang Panlungsod. Once declared, said street/area shall be open to trisikad operators duly licensed to operate as public utility Trisikad in said Barangay except when said street or area is already crowded or congested of other public utility vehicles, e.g. Tricycle, PUJ's, as certified by the Traffic Management Authority (TMA).

Section 2 - No public utility Trisikad unit/s shall be allowed to operate in regular routes approved for public utility jeepneys and motorized tricycle routes as well as in main thoroughfares of the City of Bacolod as established by the Sangguniang Panlungsod through the recommendation of the TMA.

Section 3 - Public utility Trisikad unit/s shall bear signs in bold letter indicating its authorized route for the guidance of the riding public;

Section 4 - Applicability of traffic rules and regulations. Traffic rules and regulations provided for by National laws and existing ordinances of the City Government applicable to public utility jeepneys shall also be applicable to public utility Trisikads in the City of Bacolod in so far as they are consistent with this act;

Section 5 - No Trisikad operator or driver shall charge more than P2.00 (Two Pesos per passenger regardless of the time of the operation. Students shall not be charged more than P1.50 (One Pesos and Fifty Centavos) each, provided, he or she can show his or her ID and this privilege can be availed of only during school days;

Any request for adjustment of fares shall be approved by the Barangay and/or Barangays concerned which shall pass a Barangay Ordinance establishing the new Trisikad fare. Said Barangay Ordinance shall be ratified first by the Sangguniang Panlungsod before it can take effect in the concerned Barangay/Barangays;

Section 6 - The Trisikad routes are hereby established, to wit:

A. BARANGAY BATA

From any point of the Barangay toward the junction of Lacson Street. The terminal/waiting station shall be beside Pepsi Cola Bottling Plant. Assigned a color code by the TMA.

B. BARANGAY BANAGO

1.0) From Sitio Sibucan toward Puno Banago only. The terminal/waiting station shall be at Northside of Puno Banago;

1.1) From Sta. Clara Subdivision toward the junction of Cordova Boulevard. The terminal/waiting station shall be near the guardhouse at the entrance of the road leading to the Domingo Lacson National High School;

1.2) From San Mateo Subdivision and nearby places toward the junction of Cordova Boulevard, Purok Langis. The terminal/waiting station shall be the junction of the road leading to Purok Langis.

C. BARANGAY MANDALAGAN

1.0) From Capitolville using C.L. Montelibano toward the junction of Lacson Street. The terminal/waiting stations shall be beside Aces Aluminum Display Center, junction of C.L. Montelibano Avenue and Lacson Street;

1.1) From ERORECO VILLAGE toward the junction of La Salle Avenue Extension. The terminal/waiting station shall be beside the guardhouse in front of the St. Scholastica's Academy;

1.2) From ABKASA, Our Lady of Mercy Hospital, Mountainview Subdivision, Puroks Santol and Trece Y Media toward Lopue's Mandalagan Department Store. The terminal/waiting station shall be near the gasoline Station in front of Lopue's Department Store.

D. BARANGAY 1

1.0) From any point of Barangay 1, Gatuslao Extension and Bat-us Calamba Roads toward the junction of Aquino Drive and Lacson Street, using the outer lane of Aquino Drive, Northern side. The terminal/waiting station is beside T & U SQUARE Building in front of Recuerdo Antique Shop;

1.1) From the junction of San Juan Street toward Lacson Street using the outer lane, Northern side of Aquino Drive. The terminal waiting station is also beside T & U SQUARE Building in front of Recuerdo Antique Shop.

E. BARANGAY 2, 3 and 4

From any point of these barangays using Gatuslao and Aguinaldo Streets from the junction of Aquino Drive toward the Provincial Capitol. The terminal/waiting station is beside the New Provincial Capitol Building.

F. BARANGAYS 6, 8 AND 9

From the Food Terminal using San Juan Street, toward corner of Rizal Street. The terminal/waiting station in front of the house of Dr. Montelibano.

G. BARANGAY 10

Toward the Reclamation Area and Manokan Country using Burgos Extension. The terminal/waiting stations near the junction of Burgos Extension and San Juan Street.

H. BARANGAY 12

Toward the Reclamation Area and People's Market using Rizal Extension. The terminal/waiting station is beside Reming's & Sons (formerly Jumbo's).

I. BARANGAYS 14, 16, 34 and 35

1.0) Any point of these Barangays toward the downtown area using the outer lane, Westside of San Juan Street. The terminal/waiting station in front of ARMI'S Refreshment near Republic Planter's Bank;

1.1) Toward Awing Building using Libertad Street. The terminal/waiting station is at the back of the stage of Rizal Elementary School;

1.2) Toward the junction of Alunan and Araneta Street using Alunan Street only;

1.3) Other streets leading to Araneta Street such as Quezon, Rodriguez and Lizares are off-limits to the Trisikad;

J. BARANGAY VILLAMONTE

1.0) From any point of Barangay Villamonte toward the Shopping Center without, however, using Lopez Jaena, Aquino Drive, 6th and Hilado Streets;

1.1) From Hervias National High School and nearby places toward Shopping Center. the terminal/waiting station shall be the corner of Narra and Aquino Drive;

1.2) From Capitol Heights/Sto. Niño Village, Miragon Subdivision and nearby areas towards C.L. Montelibano Avenue and Shopping Center. The terminal/waiting stations are beside ELMA's Apartment and Corner Narra and Aquino Drive;

1.3) Villa Angela-Helvetia Heights, Hda. Helvetia and Rio Vista Subdivision, toward Burgos Street only. The terminal/waiting station is the junction of the circumferential road and Burgos Street;

1.4) From Gonzaga Subdivision to Burgos-Granada road.

K. BARANGAY TACULING

1.0) St. Francis Village and Puentevella Subdivision toward Ramos Elementary School and Bacolod PNP using Leroville Subdivision roads only and vice-versa;

1.1) City Heights Subdivision toward the junction of the main entrance. The terminal/waiting station is near the main entrance;

1.2) Doña Juliana Heights - Las Palmas Subdivision and Villa Socorro toward the main entrance. The terminal/waiting station is beside the road in the main entrance.

L. BARANGAY SINGCANG

Any point of Barangay Singcang-Airport toward the intersection of Calong-Calong Magsungay Roads only. The terminal/waiting station is beside Philphos Bodega.

M. BARANGAY ALIJS

Any point of the Barangay toward the National Road only. The terminal/waiting station is the main entrance leading to the subdivision.

N. BARANGAY TANGUB

Any point of the barangay toward the junction of Araneta Street only. The terminal/waiting station is the main entrance toward the subdivision.

O. BARANGAY CABUG AND PAHANOCOY

Any point from said Barangays toward the junction of Araneta Street. The terminal/waiting station shall be the junction of Araneta Highway and the subdivision roads.

P. BARANGAY SUM-AG

Any point inside the Barangay toward the National Highway. The terminal/waiting station shall be the unction of the National Highway and the subdivision roads.

Q. BARANGAY PUNTA TAYTAY

Any point from said barangay toward the National Highway using the UNIMOLCO Road. The terminal/waiting station is beside Allied Superette. The road leading to Punta Taytay passing RPN road is off-limit to Trisikad.

R. BARANGAY CABUG, FELISA AND HANDUMANAN

From any point of these Barangays toward the National Highway only. The terminal/waiting station is beside the junction of the barangay roads and the National Highway.

S. BARANGAY MANSILINGAN

From any point of this Barangay toward the Bacolod City- Murcia National Highway only. The terminal/waiting station is beside the junction of the barangay roads and the National Highway.

T. BARANGAY VISTA ALEGRE

From any point of this Barangay toward the unction of Libertad Street Extension only. The terminal/waiting station is in front of the Bodega at the junction of the Vista Alegre Road and Libertad Extension.

U. BARANGAY ESTEFANIA, GRANADA AND ALANGILAN

From any point of these Barangays toward Burgos Street Extension only. The terminal/waiting station is beside the junction of the road and Burgos Extension. Crossing of Burgos Street Extension is prohibited.

V. BARANGAY MONTEVISTA

From any point of this Barangay toward Burgos Street, Villamonte and Shopping Center only. The terminal waiting station is the junction of the road and the Highway.

W. BARANGAY 41

From any point of this Barangay toward Burgos Street. The terminal/waiting station is beside the junction of BMMC Road and Burgos Street.

6.2) Existing routes that are not included in Section 6A-W shall be submitted per Barangay to the Traffic Management Authority for its information and guidance and to the Sangguniang Panlungsod for its ratification. Said additional routes shall be included in the permanent Trisikad routes of the various Barangays until amended or repealed.

6.3) Application for new Barangay routes, the following procedures shall govern:

- a.) Applicant/s shall submit proposed route to the Barangay Council;
- b.) Barangay Council deliberates and considers request after proper public notices and public hearings have been conducted;
- c.) Draft the appropriate Barangay Ordinance opening said new Barangay Trisikad route;
- d.) Submit to Sangguniang Panlungsod for its ratification giving a copy to the TMA for its information and guidance.
- e.) Once Barangay Ordinance has been ratified, give 15 days to inform Barangay of the new route. Effectivity takes place after the 5-day public notice.

6.4) Trisikad Terminals shall be determined and established by the Barangay concerned. All Trisikads in a Barangay shall be required to have a Terminal. Trisikads found waiting in an undesignated terminal shall be warned and after three violations of Section 6.4, the Barangay Council shall revoke permanently the License to Operate of said Trisikad.

ARTICLE VI - RESTRICTIONS AND LIMITATIONS

Section 1 - Trisikad is absolutely prohibited from operating in the downtown area, as defined in this Amended City Ordinance. Trisikad is also prohibited from plying or operating in the National Highways and main thoroughfares.

For purposes of this ordinance, the National Highways, and/or main thoroughfares are identified as follows:

- 1.0) Araneta Street from the Bacolod Public Plaza to the municipal boundary of Bago City;
- 1.1) Lacson Street from the junction of Magsaysay Avenue toward the municipal boundary of Talisay;
- 1.2) Pedro Hernaez Street (Libertad) from the junction of Araneta Street until the municipal boundary of Murcia;
- 1.3) Burgos Street from the junction of Gatuslao Street until Barangay Granada;
- 1.4) San Juan Street, from Mandalagan Bridge until the junction of North Capitol road;
- 1.5) Lopez Jaena Street from Shopping Center until the junction of Libertad Street;
- 1.6) Magsaysay Avenue from the junction of Calong Calong Magsungay Roads, until the junction of Libertad Extension;
- 1.7) Alijis Highway from the junction of Araneta Street until Barangay Mansilingan;
- 1.8) La Salle Avenue from the junction of Aquino Drive until the junction of ERORECO road.

Section 2 - Crossing/passing the National Highways/Streets mentioned in preceding Section is absolutely prohibited.

Section 3 - The use of earphone by the driver while driving attached to stereo/radio cassette is strictly prohibited.

ARTICLE 7 - PROHIBITED ACTS AND PENALTIES THEREFORE

Section 1 - Failure to secure a business permit to operate a public utility Trisikad. No person shall be allowed to operate public utility Trisikad unit/s in the City of Bacolod without having been issued a business permit to operate public utility unit/s. In case of violation of this prohibition, the unit/s shall immediately be impounded at the nearest police station or substation and shall be returned only to the owner upon registration and payment of corresponding fees and surcharges.

Section 2 - Failure to register a Trisikad unit. No trisikad unit, whether for private or public use, shall be allowed to operate in the Barangay without prior registration. For violation of this provision, the unit/s shall immediately be impounded in the Barangay Hall or nearest sub-station.

Section 3 - Operating outside of authorized route. No driver shall be allowed to operate a public utility Trisikad outside the route for which it was authorized as indicated in its certificate of registration. For violation of this provision, the driver shall pay a fine of P100.00 and/or imprisonment of ten days for the first offense; P200.00 fine and/or 20 days imprisonment for the second offense; and P300.00 fine and/or imprisonment of 30 days for the third offense at the discretion of the court and the unit he is driving shall immediately be impounded by the Barangay which shall cause the apprehension. The fines shall go to the Barangay where the Trisikad is unauthorized to ply.

Section 4 - Overloading. No public utility Trisikad driver shall carry more than two (2) passengers inside the sidecar and there shall be no back rider in his Trisikad. A child more than seven (7) years old shall be considered a passenger; in no case shall more than two (2) children below (7) years old shall be allowed. For violation of this prohibition, the driver shall pay a fine of P20.00 per excess passenger for the first offense or an imprisonment of ten (10) days; P30.00 per excess passenger for the second offense or an imprisonment of ten (10) days; and P40.00 per excess passenger for the third offense or an imprisonment of fifteen (15) days at the discretion of the court.

Section 5 - Dilapidated public utility Trisikad. No dilapidated public utility Trisikad unit as determined by the Barangay Captain shall be allowed registration. The owner shall maintain his public utility Trisikad unit in road-worthy condition at all times. Any public utility Trisikad unit which is now dilapidated as determined by the Barangay Captain shall immediately be impounded at the Brgy. Hall or the nearest substation. The unit shall only be released upon payment of storage fee of P50.00 after restoring it to road-worthy condition.

Section 6 - Trisikad operator operating his Trisikad without complying with Section 7, Article 2, shall be fined P100.00 and/or imprisonment of ten (10) days for the first offense; P200.00 fine and/or imprisonment of twenty (20) days for the second offense and P300.00 fine and/or imprisonment of thirty (30) days for the third offense at the discretion of the Court and the cancellation of the registration of Trisikad.

Section 7 - SEPARABILITY CLAUSE. In the event that any section, paragraph, sentence, clause or word of this ordinance, declared invalid for any reason the other provisions thereof shall not be affected thereby.

Section 8 - EFFECTIVITY CLAUSE. This ordinance will take effect after fifteen (15) days from date of approval by the City Council and after five (5) days of public notice.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors: Alex A. Paglumotan, Archie S. Baribar, Juanito S. Amihan, Jr., Lorendo K. Dilag, Ramiro L. Garcia, Jr., Ana Marie V. Palermo, Jose Max S. Ortiz, Roberto M. Rojas, Al Victor A. Espino, Elmer T. Sy, Pepito T. Malapitan, Christine Angelle M. Espinosa.

Negative : N o n e .

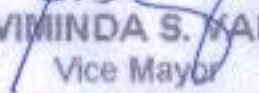
Absent : N o n e .

Official Leave : Councilors Ricardo L. Tan and Celia Matea R. Flor.

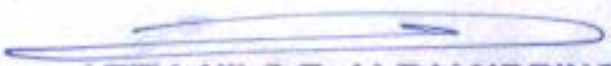
Author : Councilor Pepito T. Malapitan.

Passed : December 14, 2000 (120th Regular Session).

Comments: P a s s e d .


LUZVIMINDA S. VALDEZ
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: _____

30 DAYS LAPSED
AS OF 1/19/01

OSCAR R. VERDEFLOR
City Mayor