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OFFICE OF THE SANGGUNIANG BAYAN

Tel No. (Loc) 926-0569; (062) 926-0569; MP No. 09265986831

GENERAL ORDINANCE NO. 32
Series of 2008

**AN ORDINANCE ESTABLISHING THE MUNICIPAL FARE
STRUCTURE FOR TRICYCLE OF TUNGAWAN, ZAMBOANGA SIBUGAY
AND FOR OTHER PURPOSES**

Sponsored by: Hon. Loreto F. Caracol
Co-Sponsored by: Hon. Abdulsalam M. Jalla

Be it enacted by the 15th Legislative Council of Tungawan, Zamboanga Sibugay in its 38th Regular Session, that:

Article I - General Provisions

Section 1. **Title** - This Ordinance shall be known as "An Ordinance Establishing the Municipal Fare Structure for Tricycle of Tungawan, Zamboanga Sibugay and for other Purposes"

Section 2. **Definition of Terms** - When used in this ordinance, the following terms and phrases shall mean as follows:

- a. *Downtown* - this means the area from Sition DK, Clark Adelfa, Clark Masao 1, Clark Ilzamce and Municipal Hall in Poblacion
- b. *Dispatcher* - refer to a person designated by the Municipal Mayor to look into the order of loading and unloading of passenger in the terminal.
- c. *Fare Structure* - means the official fare rate per passenger according to distance of travel. The terms "Fare Structure" and "Fare Matrix" shall be synonymous with each other.
- d. *Strike* - refers to the option of a tricycle to pull out and loss his turn from/in the queue area to get a cargo or to find a passenger outside the terminal radius.
- e. *Terminal* - this refers to the tricycle terminal designated by the Mayor or MTOPRB.
- f. *Terminal Radius* - means the area visible by the naked eye from the center of terminal.

Section 3. **Municipal Fare Structure of Tricycle** - The Municipal Fare Structure for Tricycle or the Municipal Fare Matrix for Tricycle shall be as follows:

Signature



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b) The MTOPRB DL and LTO Deputized Officer shall be entitled to 20% incentive from their apprehensions which can be collected after the penalty has been paid. The principal amount of the fines or penalties shall accrue to the general fund of the municipality and may be used for the expansion and improvement of the terminal.

Section 10 MTOPRB Citation Ticket The MTOPRB Citation Ticket is a document served by the Deputized Enforcer and Officer charging/citing the violations committed by the driver/operator of the tricycle or single motorcycle. It contains the driver's/operator's name and address, the violations committed with the corresponding fines, the place of violation, date and time, the signature of violator and the name of apprehending officer. This will serve as Driver's Temporary Operator's Permit for 72 hours from the apprehension, and also as official document to inform the concerned private individual found violating the stated charge. Furthermore, it states that the violator promise to appear at the Municipal Treasurer's Office before the expiration of the MTOP within 72 hours excluding Saturdays, Sundays and holidays to answer the above cited offenses, otherwise, it will cause the filing of appropriate criminal charges in the court of law.

The construction, production, custody and accountability of this Citation Ticket shall be held responsible to the Municipal Treasurer.

Section 11 Grievance - Grievance arising in the implementation of this ordinance shall within thirty (30) be resolved by the MTOPRB. Such decision may be appealed within fifteen (15) days to the Sangguniang Bayan whose decision shall be final and executory.

Article III Prohibitive Acts and Penalties

Section 12 Prohibitions and Fines - The following are prohibitive acts of MTOP Franchise Holders including single motor peddlers or habal-habal and private motorcycles when applicable, with the corresponding fines.

Prohibitions	Fines
i. tricycle/ habal-habal approaching the bus vans in the IBT to get passenger or cargo	50.00
ii. driver refuse to form queue or park at designated terminal/parking area	50.00
iii. picking cargoes/passengers in terminal radius while out of queue order	50.00
iv. unlicensed driver/operating without franchise or permit/unregistered MV/colorum	100.00
v. double parking/driving under influence of liquor/over passenger limit/over charged fare/non-posting of fare matrix/ illegal side parking/ entering one-way street/entering prohibited zones/ parking along Libertad street to wait passenger except when called by passenger for a ride/ over speed limit at designated streets or zones	50.00
vi. abandoned vehicle/no required MV Parts/Accessory/disregarding traffic signals/gestures/driver/passengers smoking while vehicle is in motion.	50.00



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MUNICIPAL FARE STRUCTURE FOR TRICYCLE

Origin	Destination	Fare
Downtown	Downtown	P 10.00 for single passenger 7.00 for two passengers & above
Terminal	Masao 2	10.00/passenger
	Masao Prim. Sch.	10.00/passenger
	Pulo Pantad	10.00/passenger
	Logpond wharf	10.00/passenger
	Campo Islam	10.00/passenger
	Clark Crislam	10.00/passenger
	Battalion	10.00/passenger
	Caracol Farm	15.00/passenger
	Baluran Bridge	15.00/passenger
	Tigbanuang Bridge	15.00/passenger
DK Cemetery	15.00/passenger	
Municipal Hall	Terminal	7.00/passenger
Ilzamce	Logpond Wharf	15.00/passenger
Children at 5-7 y.o minimum fare		5.00/child
Baggage/Cargo Weighing 25 kg and above		7.00

Section 4. **Fare Privilege** - A 20% fare privilege may be accorded to Senior Citizens and Students riding in tricycles within the municipality.

Article II - Administrative Provisions

Section 5. **The Municipal Mayor** - a) The Municipal Mayor in coordination with the Market Supervisor shall designate the tricycle terminal. When necessary and practicable, this terminal shall be a covered place and convenient to both operators and the riding public.

b). The Municipal Mayor may designate a dispatcher who shall initiate and implement measures to ensure the orderly conduct in loading and unloading passengers in the terminal.

Section 6. **The Market Supervisor** - It is the duty of the Market Supervisor to regulate the efficient and effective operation of the terminal. He may submit reports and recommend innovations to the Municipal Mayor for the sustainable operation of the terminal.

Section 7. **Queue System** - All tricycles shall form a queue in the designated terminal and register to the dispatcher for their turn and order of trip. A tricycle may be allowed to strike provided it will not pick cargo or passenger within the terminal radius.

Section 8. **Passenger Limit** - In no case, a tricycle shall embark or load more than six (6) passengers at one time.

Section 9. **MTOPRB Deputized Enforcer** - a) There shall be a Municipal Tricycle Operators' Permit Regulatory Board Deputized Enforcer (MTOPRB DE) designated by the Municipal Mayor from the market personnel, who shall be trained to enforce this ordinance. In addition to his official job in the public market as MTOPRB DE, he shall apprehend the violations committed or remised by the tricycle driver and issue the MTOPRB Citation Ticket by checking the violation and corresponding penalty. Give the original copy thereof to the violating driver and the duplicate copy to the Municipal Treasurer within 24 hours for the collection of penalty.



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The administrative fines herein provided do not preclude the Land Transportation Office and its Deputized Officers or the Traffic Management Services of the Department of Transportation and Communication from criminally prosecuting violators of the Land Transportation and Traffic Code.

Section 13. **Sticker Regulation** - No single motor, peddler or habal-habal and private motorcycle shall be allowed to fetch, carry or load a passenger without first securing and posting a sticker at a designated part of the vehicle.

Such sticker shall be a colored piece material, marked with the Ordinance Number and its inclusive date of validity. It shall be prepared and sold at P 5.00 each by the Municipal Treasurer.

Section 14. **Penalty Clause** - Unless otherwise provided in any Section hereof, any person found violating this Ordinance shall be fined One Thousand Pesos (P 1,000.00) or upon conviction shall be imprisoned for one (1) to two (2) months or both fine and imprisonment upon the discretion of the court.

Article IV - Final Provisions

Section 15. **Repealing Clause** - Any other ordinances or parts thereof contrary to or inconsistent with the provisions of this ordinance is hereby repealed, modified or amended accordingly.


Section 16. **Separability Clause** - If any provision of this ordinance is declared invalid or unconstitutional, the other provisions not affected shall remain valid and subsisting.

Section 17. **Effectivity** - This ordinance shall take effect upon the approval of the Municipal Mayor.

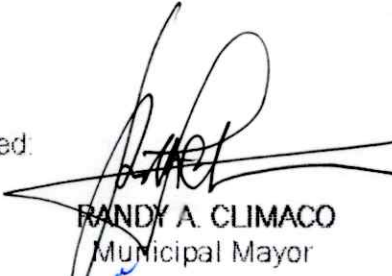
ENACTED AND APPROVED, this 3rd day of June 2008 at Tungawan, Zamboanga Sibugay, Philippines.


DANTE D. IBARRA
Secretary to the Sanggunian

Attested and Certified
To be Duly Adopted:


ABDURAUP A. ABISON
Municipal Vice Mayor
Presiding

Approved:


RANDY A. CLIMACO
Municipal Mayor

Date: June 11 2008