



Republic of the Philippines
 Province of Cavite
MUNICIPALITY OF BACOOR
Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 23-S-2009

[Signature]
 ROLANDO S. REMULLA
 Councilor

[Signature]
 AVELINO B. SOLIS
 Councilor

HUBERT V. GERVACIO
 Councilor

[Signature]
 REYNALDO M. FABIAN
 Councilor

[Signature]
 NORMITA D. CELESTINO
 Councilor

[Signature]
 AVELINO S. DE CASTRO
 Councilor

[Signature]
 MIGUEL N. BAUTISTA
 Councilor

[Signature]
 BAYANI M. DE LEON
 Councilor

[Signature]
 CATHERINE H. SARINO
 Councilor - President

[Signature]
 GIANNIE LOUISE A. OLEGARIO
 Councilor - SK President

Attested by:

[Signature]
 ATTY. KHALID A. ATEGA JR.
 Secretary to the Sanggunian

Certified by:

ROSETTE MIRANDA FERNANDO
 Municipal Vice Mayor/Presiding Officer

Approved by:

STRIKE REVILLA
 Municipal Mayor

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 2-S-2007 ENTITLED: "AN ORDINANCE IMPOSING A TRUCK BAN ALONG EVANGELISTA ROAD, BACoor, CAVITE FROM 5:00 A.M. TO 9:00 A.M. AND 5:00 P.M. TO 9:00 P.M."

Introduced by *Hon. Rosette M. Fernando*

Sponsored by *Hon. Rolando S. Remulla, Avelino B. Solis, Hubert V. Gervacio, Reynaldo M. Fabian, Normita D. Celestino, Miguel N. Bautista, Avelino S. De Castro, Bayani M. De Leon, Giannie Louise Olegario, and Catherine Sarino.*

WHEREAS, the Sangguniang Bayan passed Municipal Ordinance No. 2-S-2007 on 06 August 2007 entitled: "*An Ordinance Imposing a Truck Ban along Evangelista Road, Bacoor, Cavite from 5:00 a.m. to 9:00 a.m. and 5:00 p.m. to 9:00 p.m.*"

WHEREAS, there is a need to amend the said ordinance because of the following reasons, to wit: (a) in accordance with pertinent provisions and Implementing Rules and Regulations of RA 4136, otherwise known as the Land Transportation Act of the Philippines, the term "cargo trucks" refers to vehicles having a gross capacity weight of over 4,500 kilograms which differs from the definition of the same term under Municipal Ordinance No. 2-S-2007 which provide that cargo trucks are vehicles having a gross capacity weight of over 4,000 kilograms. However, the municipal government lack the necessary heavy duty weighing scales used to determine the weight of trucks thereby making the implementation of the said ordinance difficult, (b) the imposition of a truck ban along Evangelista Road did not alleviate the municipality's traffic problem because trucks can still use other roads not covered by the said ordinance, and (c) the penalties imposed in Municipal Ordinance No. 2-S-2007 is difficult to implement considering that the municipality does not have the capacity to determine how many violations an offender already made in the past.

NOW, THEREFORE, upon the unanimous vote of the Sangguniang Bayan in regular session assembled, **BE IT ORDAINED AS IT IS HEREBY ORDAINED** to enact this Ordinance, to wit:
 Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

Section 1. Coverage-- Section 2 of Municipal Ordinance No. 2-S-2007 is hereby amended, and as so amended, shall now read in full, as follows:



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ROLANDO S. REMULLA
Councillor


AVELINO B. SOLIS
Councillor


HUBERT V. GERVACIO
Councillor


REYNALDO M. FABIAN
Councillor

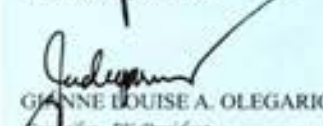

NORMITA D. CELESTINO
Councillor


AVELINO S. DE CASTRO
Councillor



MIGUEL N. BAUTISTA
Councillor


BAYANI M. DE LEON
Councillor


CATHERINE D. SARINO
Councillor - A/C President


JEANNE LOUISE A. OLEGARIO
Councillor - SK President

Attested by:


ATTY. KHALID A. ATEGA JR.
Secretary to the Sanggunian

Certified by:

ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:

STRIKE REVILLA
Municipal Mayor

"Section 2. Coverage.— No cargo truck shall be allowed to travel or pass along Evangelista Road, R-1 Extension Road Aguinaldo Highway, Zapote-Molino-Salawag Road, Daang Hari, Molino Boulevard, Marcos Alvarez and Tirona Highway within the territorial jurisdiction of Bacoor, Cavite from 5:00 a.m. to 9:00 a.m. and from 5:00 p.m. to 9:00 p.m. everyday except Saturdays, Sundays and Holidays.

Section 2. Definition of Cargo Trucks—Section 3 of Municipal Ordinance No. 2-S-2007 is hereby amended, and as so amended, shall now read in full, as follows:

"Sec. 2. Definition of Cargo Trucks. The term "cargo trucks" shall be understood to mean motor vehicles principally intended for carrying cargo and having license plates of the following classifications: "S", "T", "TC", "TH", "TRLB", "HHB", and "TRJ", to include other vehicles such as lorries, vans, tankers, or other delivery vehicles, whether loaded or empty, having six wheels or more. Provided, that trucks owned and operated by the national government and its various instrumentalities including the municipal government, and/or privately-owned and operated trucks being leased by the municipal government are exempted from the coverage of this Ordinance."

Section 3. Penalty.— Section 4 of Municipal Ordinance No. 2-S-2007 is hereby amended, and as so amended, shall now read in full, as follows:

"Sec. 4. Violation and Penalty.— Any person who violates the provisions of this Ordinance shall be punished with a fine not to exceed One Thousand Pesos (PhP 1,000.00). "

Section 4. Exemptions – The Municipal Mayor is hereby granted the power to exempt privately owned trucks used or engaged in urgent economic activities, infrastructure projects, relief/rescue operations, and in any other analogous activities. Provided, that a person applying for such exemption must pay Two Hundred Fifty Pesos (Php 250.00) with the Municipal Treasurer's Office and should display a specially-designed exemption sticker on the windshield of the truck/s to be exempted.

Section 5. Separability Clause— Should any provision hereof be declared void by any competent court of law, the other provisions of this Ordinance that are not affected thereby shall retain their legal force and effect.



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 Councilor

[Signature]
 CATHERINE B. SARINO
 Councilor - 1st President

[Signature]
 GLAUCINE LOUISE A. OLEGARIO
 Councilor - 2nd President

Attested by:

ATTY. KHALID A. ATEGA JR.
 Secretary to the Sanggunian

Certified by:

ROSETTE MIRANDA FERNANDO
 Municipal Vice Mayor/Presiding Officer

Approved by:

STRIKE REVILLA
 Municipal Mayor

Section 6. Effectivity-- This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the Province of Cavite.

PASSED and ENACTED unanimously on third and final reading by the Sangguniang Bayan in regular session assembled this 23rd day of November 2009 at Bacoor, Cavite.

I hereby certify that the foregoing ordinance was passed and enacted on third and final reading by the Sangguniang Bayan of Bacoor, Cavite on the 23rd day of November 2009.

Certified by:

HON. ROSETTE M. FERNANDO
 Municipal Vice-Mayor/ Presiding Officer

Attested by:

[Signature]
ATTY. KHALID A. ATEGA JR.
 Secretary to the Sangguniang Bayan

BAGONG BACoor!
 Approved by:
 Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

HON. STRIKE B. REVILLA
 Municipal Mayor