CITY RESOLUTION NO. CR 2016-003
Series of 2016


WHEREAS, City Ordinance No. 2013-2 entitled "An Ordinance Enacting The Revised Traffic Code of the City of Bacoor" (the "Revised Traffic Code") was approved by the Sangguniang Panlungsod on 28 January 2013. The said ordinance took effect on 27 March 2013.

WHEREAS, the Sangguniang Panlungsod unanimously passed City Ordinance No. CO57-2015 on 7 December 2015 amending certain provisions of the Revised Traffic Code related to the application and grant of franchises to tricycle and pedicab operators doing business in the City of Bacoor.

WHEREAS, one of the provisions of the Revised Traffic Code amended by virtue of City Ordinance No. CO57-2015 was Section 53 which outlined the procedures for the application and grant of franchises to tricycle and pedicab operators doing business in the City of Bacoor.

WHEREAS, the Bacoor City Transportation Board ("BCTB") submitted a letter to the Sangguniang Panlungsod requesting the temporary suspension of the implementation of certain provisions of Section 53 of the Revised Traffic Code as amended by City Ordinance No. CO57-2015 due to the lack of the required laboratory equipment by the City Health Office sufficient to meet the needs of applicants for new franchises – a matter that was only brought before the attention of the BCTB and the Sanggunian after City Ordinance No. CO57-2015 was approved.

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WHEREAS, the BCTB also requested that applicants for franchises be also temporarily exempted from securing Police Clearances from the Bacoor PNP due to humanitarian reasons as tricycle and pedicab drivers are still reeling from the adverse impact of inflation on their daily income.

WHEREAS, in reaction to the said request and pursuant to its power to review existing city ordinances, the Sangguniang Panlunsod consulted with various stakeholders and concluded that the request made by the BCTB is meritorious and should be approved.

NOW, THEREFORE, be it RESOLVED by the Sangguniang Panlunsod of the City Government of Bacoor, Cavite in regular session assembled, that:

Section 1. Temporary Suspension of Certain Provisions of Section 53 of City Ordinance No. 2013-2 (Otherwise Known As “The Revised Traffic Code Of The City Of Bacoor”) As Amended By City Ordinance No. CO 57-2015 Related To The Issuance of Medical Clearance Certificates and Police Clearances To Franchise Applicants.

The implementation of the following underscored provisions of Section 53 of City Ordinance No. 2013-2 as amended by City Ordinance No. CO57-2015 related to the application for a Medical Clearance Certificate from the City Health Office and a Police Clearance from the Bacoor PNP as a requirement for the grant of new tricycle and pedicab franchises are hereby temporarily suspended until further reinstated by the Sangguniang Panlunsod:

xxx

“Section 53. Franchising regulation/procedures. - All public utility transport, including school buses, operating within the city shall be required to secure a legitimate franchise decision for the approved route where they intend to operate. Public Utility Tricycles and Pedicabs shall be required to secure their franchise decision from the Bacoor City Transportation Board. The procedure for securing such a franchise shall be as follows:

Step 1: The tricycle operator must secure and fill up a Franchise Application Form (BCTB Form 001) from the BCTB. (Please refer to Appendix “2” of this Ordinance.)

Step 2: The applicant must submit the following documents to the BCTB: [a] photocopy of valid OR/CR issued by the

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LTO covering the vehicle subject of the franchise application, [b] photocopy of valid driver’s license, [c] current and valid Community Tax Certificate or Special Bacoor Resident (SBR) ID card, [d] Medical Clearance Certificate of the drivers working for him issued by the City Health Officer, [e] Mayor’s Permit, and [f] official receipt issued by the City Treasurer’s Office evidencing payment of the following fees:

- Body Number/Sticker Fee - P100.00
- Franchise Fee - P325.00
- Validation Fee - P100.00

The operator shall only pay the said fees once every two (2) years beginning on 1 January 2016. No other fees shall be charged or collected from the operator by the BTMD or by any other department or unit of the city government from the operator while the franchise remains effective within the said two-year period.

Step 3: The BCTB must either approve or disapprove the application within two (2) working days from the date of submission of all the documents mentioned above. The failure of the BCTB to approve the said application within the period mentioned above without any justifiable reason shall automatically result in the approval of the said permit by the City Mayor. Beginning on 1 January 2016, all Franchises to be approved by the BCTB shall remain effective for two (2) consecutive years. However, tricycle drivers shall still be required to apply for a Mayor’s Permit and Medical Clearance Certificate every year.
Section 53-A: Procedure for the Issuance of Medical Clearance Certificate. - The City Health Office shall strictly enforce the following procedures in the issuance of Medical Clearance Certificates in relation to Section 53 hereof:

Step 1: The tricycle driver must secure and fill up a Medical Clearance Application Form (CHO Form 001) from the City Health Office (CHO). (Please refer to Appendix "3" of this Ordinance.)

Step 2: The CHO shall conduct the necessary medical check-up and laboratory procedures on the applicant within two (2) working hours after receipt of the application. If the application is received after 4:00 pm, the check-up and/or laboratory procedure shall be conducted on the next working day. If the driver is a registered voter of the City of Bacoor or the holder of a valid SBR ID Card, the driver shall no longer be required to pay any fee for the said check-up or laboratory procedure.

Step 3: If the applicant passes the medical check-up and the laboratory procedure, the CHO shall issue the Medical Clearance Certificate within one (1) working day after the results of the check-up or laboratory procedure is completed. If the applicant is found to be suffering from either Hepatitis A, tuberculosis, or any other communicable diseases - the application shall be denied by the CHO. If the applicant suffers from a communicable yet curable disease, he/she shall be treated by the CHO free of charge. Once fully cured as certified by the CHO, the applicant shall file a new application which shall be immediately approved by the CHO upon receipt thereof.
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Office that the applicant is a registered voter of the City of Bacoor, [c] photocopy of the applicant’s professional driver’s license, [d] Police Clearance, and [e] original copy of the official receipts issued by the City Treasurer’s Office evidencing payment of the foregoing fees mentioned in Step 2.

Step 4: The Mayor’s Office or Office of the City Administrator shall approve the Mayor’s Permit Application Form within two (2) working days from its submission. The failure of the City Administrator or the City Mayor to approve the said application within the period mentioned above without any justifiable reason shall automatically result in the approval of the said permit.

Section 53-C: Procedures for the Application and Issuance of Pedicab Franchises. – The Board shall strictly enforce the following procedures for the application and issuance of pedicab franchises:

Step 1: The applicant must secure and fill up a Franchise Application Form (BCTB Form 001) from the BCTB. (Please refer to Appendix “2” of this Ordinance.)

Step 2: If the applicant is an operator, he/she must submit the following documents to the BCTB: [a] current and valid Community Tax Certificate or Special Bacoor Resident (SBR) ID card, [b] Medical Clearance Certificate of the drivers working for him issued by the City Health Officer, [c] Mayor’s Permit, and [d] official receipt issued by the City Treasurer’s Office evidencing payment of the following fees:

Body Number/Sticker Fee - P100.00

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Franchise Fee - P125.00
Validation Fee - P100.00

The operator shall only pay the said fees once every two (2) years beginning on 1 January 2016. No other fees shall be charged or collected from the operator by the BTMD or by any other department or unit of the city government from the operator while the franchise remains effective within the said two-year period.

Step 3: The BCTB must either approve or disapprove the application within two (2) working days from the date of submission of all the documents mentioned above. The failure of the BCTB to approve the said application within the period mentioned above without any justifiable reason shall automatically result in the approval of the said permit by the City Mayor. Beginning on 1 January 2016, all Franchises to be approved by the BCTB shall remain effective for two (2) consecutive years. However, pedicab drivers shall still be required to apply for a Mayor’s Permit and Medical Clearance Certificate every year.

Section 53-D: Procedures for the Issuance of Medical Clearance Certificate for Pedicab Drivers.
- The City Health Office shall strictly enforce the following procedures in the issuance of Medical Clearance Certificates for pedicab drivers:

Step 1: The pedicab driver must secure and fill up a Medical Clearance Application Form (CHO Form 001) from the City Health Office (CHO). (Please refer to Appendix “3” of this Ordinance.)

Attested by:
ATTY. KAINDO A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Approved by:
HON. AVELINO B. SOLIS
Acting City Mayor
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Step 2: The CHO shall conduct the necessary medical check-up and laboratory procedures on the applicant within two (2) working hours after receipt of the application. If the application is received after 4:00 pm, the check-up and/or laboratory procedure shall be conducted on the next working day. If the driver is a registered voter of the City of Bacoor or the holder of a valid SBR ID Card, the driver shall no longer be required to pay any fee for the said check-up or laboratory procedure.

Step 3: If the applicant passes the medical check-up and the laboratory procedure, the CHO shall issue the Medical Clearance Certificate within one (1) working day after the results of the check-up or laboratory procedure is completed. If the applicant is found to be suffering from either Hepatitis A, tuberculosis, or any other communicable diseases – the application shall be denied by the CHO. If the applicant suffers from a communicable yet curable disease, he/she shall be treated by the CHO free of charge. Once fully cured as certified by the CHO, the applicant shall file a new application which shall be immediately approved by the CHO upon receipt thereof.

If the applicant suffers from a contagious and incurable disease, the application shall not be approved.

If the driver suffers from hypertension, the application shall not be approved unless the applicant submits a medical certificate from his cardiologist or from a physician under the employ of the city government that he/she is not a danger...
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to himself or to the public as a consequence of his/her disease.

Section 53-E. Procedures for the Issuance of a Mayor’s Permit for Pedicab Drivers. - The following procedures shall be enforced by the Mayor’s Office in the issuance of the Mayor’s Permit in favor of pedicab drivers:

Step 1: The applicant shall secure and fill up a Mayor’s Permit Application Form (QM Form 001) from the Strike Action Center, the BCTB, the City Administrator’s Office, the BTMD, or from the reception desk of the Mayor’s Office.

Step 2: The applicant shall pay the following fees with the City Treasurer’s Office:

- Mayor’s Permit: ₱50.00
- Medical Clearance Fee: ₱50.00
- Police Clearance Fee: ₱50.00

Step 3: The applicant shall submit the duly accomplished Mayor’s Permit Application Form to the Mayor’s Office or to the Office of the City Administrator together with the following: [a] Medical Clearance Certificate, [b] photocopy of SBR ID Card, Voter’s ID, or certification from the local Commission on Elections Office that the applicant is a registered voter of the City of Bacoor, [c] Police Clearance, and [d] original copy of the official receipts issued by the City Treasurer’s Office evidencing payment of the foregoing fees mentioned in Step 2.

Step 4: The Mayor’s Office or Office of the City Administrator shall approve the Mayor’s Permit Application Form within
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two (2) working days from its submission. The failure of the City Administrator or the City Mayor to approve the said application within the period mentioned above without any justifiable reason shall automatically result in the approval of the said permit.

Section 2. Directive to the City Treasurer Not To Charge or to Collect Fees for the Issuance of Medical Clearance Certificates and Police Clearances from Applicants for Tricycle and Pedicab Franchises Beginning on 4 January 2016. — The City Treasurer and all personnel under her office are hereby directed to refrain and desist from charging or collecting fees related to the issuance of Medical Clearance Certificates and Police Clearances in favor of applicants for tricycle and pedicab franchises beginning on 4 January 2016. Provided that: the charging and collection of other fees (such as Mayor’s Permit Fee, Franchise Fee, and the like) not related to the issuance of Medical Clearance Certificates and Police Clearances in favor of applicants for tricycle and pedicab franchises shall continue.

Section 3. Continuing Implementation of Other Provisions of Section 53 of the Revised Traffic Code as Amended. All the other provisions of Section 53 of the Revised Traffic Code as amended and its various subsections not related to the issuance of Medical Clearance Certificates and Police Clearances in favor of applicants for tricycle and pedicab franchises shall continue to be implemented.

Section 4. Harmonization of All Conflicting Ordinances, Resolutions, Memoranda, Orders, or Policies. — All ordinances, resolutions, memoranda, executive orders, or policies issued by the Sangguniang Panlungsod or by any office, department, or official of the city government that are in conflict with this Resolution shall be implemented with the end view of harmonizing them in order to achieve the above stated goals of the Sangguniang Panlungsod in passing this Resolution.

Section 5. Separability Clause. — If any court of competent jurisdiction adjudges any part or provision of this Resolution --or the application hereof to any person or circumstances -- invalid, such judgment shall be limited to its application to the part, provision or application directly involved in the controversy in which the judgment shall be rendered. It shall not affect or impair the validity and continued

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Approved by:
HON. AVELINO B. SOLIS
Acting City Mayor
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enforcement of any other parts of provisions of this Resolution or the application of them to other persons or circumstances.

Section 9. Date of Effectivity. - This Resolution shall take effect immediately after it has been published at least once in a newspaper of general circulation in the Province of Cavite and after it has been posted in at least three (3) conspicuous places in the City of Bacoor.

APPROVED by the Sangguniang Panlunsod of Bacoor, Province of Cavite this 4th day of January 2016.

I hereby certify that the foregoing City Resolution are true and correct and the same were duly approved in accordance with law.

Certified by:

HON. REYNALDO D. PALABRICA
Acting Presiding Officer

Attested by:

HON. REYNALDO D. PALABRICA
Acting Presiding Officer / President Pro-Tempore

HON. AVELINO B. SOLIS
Acting City Mayor