



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

Municipal Ordinance No. 3  
 Series of 2009

**AN ORDINANCE CREATING THE  
 "BACOOR TRANSPORTATION  
 FRANCHISING AND FARE REGULATORY  
 BOARD" AND PROVIDING FUNDS  
 THEREFORE.**

Sponsored by Councilor Avelino Solis

*[Signature]*  
 ROLANDO S. REMULLA  
 Councilor

*[Signature]*  
 AVELINO B. SOLIS  
 Councilor

*[Signature]*  
 HUBERT V. GERVACIO  
 Councilor

*[Signature]*  
 REYNALDO M. FABIAN  
 Councilor

*[Signature]*  
 NORMITA D. CELESTINO  
 Councilor

*[Signature]*  
 AVELINO S. DE CASTRO  
 Councilor

*[Signature]*  
 MIGUEL M. BAUTISTA  
 Councilor

*[Signature]*  
 BAYANI M. DE LEON  
 Councilor

*[Signature]*  
 CATHERINE H. BARINO  
 Councilor - Interim President

*[Signature]*  
 GIANNE LOUISE A. OLEGARIO  
 Councilor - SK President

Attested by:

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

Certified by:

*[Signature]*  
 ROSETTE MIRANDA FERNANDO  
 Municipal Vice Mayor/Presiding Officer

Approved by:

*[Signature]*  
 STRIKE REVILLA  
 Municipal Mayor

WHEREAS, pursuant to Article 447 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", every local government unit has the power to regulate all businesses and professions being conducted within the respective territorial jurisdictions of the said local government units;

WHEREAS, one of the businesses that the Municipal Government of Bacoor seeks to regulate is the operation of pedicabs and tricycles within the Municipality of Bacoor.

**NOW, THEREFORE:**

Be it ordained by the Sangguniang Bayan of Bacoor, Cavite in regular session assembled that:

**ARTICLE I**

**INITIAL PROVISIONS**

**Section 1. Title** - This Ordinance shall be known as the "**BACOOR TRANSPORTATION FRANCHISING AND FARE REGULATORY BOARD CODE**".

**Section 2. Declaration of Policy** - It shall be the policy of the Municipal Government of Bacoor to improve the quality of public transportation in Bacoor, Cavite, regulate the fares being charged by the various forms of public conveyances that falls under the regulatory powers of the Municipality of Bacoor, and regulate the activities and operations of



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*[Signature]*  
 ROLANDO S. REMULLA  
 Councilor

*[Signature]*  
 AVELINO B. SOLIS  
 Councilor

*[Signature]*  
 HUBERT V. GERVACIO  
 Councilor

*[Signature]*  
 REY WALDO M. PATTAN  
 Councilor

*[Signature]*  
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*[Signature]*  
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*[Signature]*  
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 Councilor

*[Signature]*  
 BAYANI M. DE LEON  
 Councilor

*[Signature]*  
 CATHERINE H. SARINO  
 Councilor - *SK President*

GIANNE LOUISE A. OLEGARIO  
 Councilor - *SK President*

*[Signature]*  
 Attested by:  
 ATTY. KHALID A. ATEGA JR.  
 Secretary to the Sanggunian

*[Signature]*  
 Certified by:  
 ROSETTE MIRANDA FERNANDO  
 Municipal Vice Mayor/Presiding Officer

*[Signature]*  
 Approved by:  
 STRINE REVILLA  
 Municipal Mayor

- g. **Operator** - refers to the owner of the public conveyances covered by this Ordinance;
- h. **Transport Operators and Drivers Association (TODA)** - refers to the associations of operators and drivers of jeepneys, taxis, pedicabs and tricycles operating within Municipality of Bacoor;
- i. **TODA Federation** - association of all the TODAs operating within the Municipality of Bacoor.

**Section 5. Construction** - Any conflict in the interpretation of any provision under this Ordinance shall be strictly construed in favor of the Municipal Government and of the people of Bacoor.

**Section 6. Creation of the "Transportation Franchising and Fare Regulatory Board"** - A collegiate body to be known as the **Bacoor Transportation Franchising and Fare Regulatory Board** is hereby created.

The Franchising Regulatory Board referred to in Article II, Section 2 of Municipal Ordinance 4-C, Series of 2008, otherwise known as the Bacoor Traffic Code, shall henceforth be known as **Bacoor Transportation Franchising and Fare Regulatory Board** (to be referred to as "the Board" for brevity).

**Section 7. Composition/Term of Office** - The Board shall be composed of six (6) members. Provided, that, for purposes of continuity and to preserve the independence of the Board, the terms of office of the six (6) members of the Board shall be as follows, unless sooner terminated for cause.

First Member	Three (3) years
Second Member	Two (2) years
Third Member	One (1) year
Fourth Member	One (1) year

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*[Signature]*  
 ROLANDO S. REMULLA  
 Councilor

*[Signature]*  
 AVELINO B. SOLIS  
 Councilor

*[Signature]*  
 HUBERT V. GERVAÑO  
 Councilor

*[Signature]*  
 REYNALDO M. FABIAN  
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*[Signature]*  
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*[Signature]*  
 AVELINO S. DE CASTRO  
 Councilor

*[Signature]*  
 MIGUEL N. BAUTISTA  
 Councilor

*[Signature]*  
 BAYAN M. DE LEON  
 Councilor

*[Signature]*  
 CATHERINE H. SARINO  
 Councilor/President

*[Signature]*  
 GIANNE LOUISE A. OLEGARIO  
 Councilor - SK President

Attested by:

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

Certified by:

*[Signature]*  
 ROSETTE MIRANDA FERNANDO  
 Municipal Vice Mayor/Presiding Officer

Approved by:

*[Signature]*  
 STRIKE REVILLA  
 Municipal Mayor

Fifth Member	One (1) year
Sixth Member	Three (3) years or remainder of one elective term

Any interruption in the terms of office of any member of the Board shall empower the Municipal Mayor to appoint a replacement provided, however, that the newly-appointed member shall only serve the remainder of the term of the member he/she replaced.

Any member of the Board who is proven, after due process, to have abetted any violation of this Ordinance shall be held administratively accountable by the Municipal Government and shall lose his position as member of the Board.

**Section 8. Qualifications/Position** - The First Member shall be a Filipino, of legal age, with good moral character, with a college degree from any reputable college or university, and a member of the Bacoor business community preferably a businessman well known for his/her fair dealings. The First Member shall be the Chairman of the Board. The First Member shall not be an operator or driver of any public conveyance operating within Bacoor and should not be related by consanguinity or affinity to any such driver or operator up to the third degree.

The Second Member shall be a Filipino, of legal age, with good moral character, a member of the Philippine bar, and a resident of Bacoor for at least five (5) years prior to the date of his appointment. The Second Member shall be the Vice Chairman and Secretary of the Board.

The Third Member shall be a Filipino, of legal age, with good moral character, a priest or minister of any reputable religious organization, or a president of a non-government organization and a resident of Bacoor—and has been working in Bacoor—for at least five (5) years prior to his appointment.

The Fourth Member shall be a Filipino, of legal age, with good moral character, and the duly elected President of the Federation of Tricycle Operators and Drivers Associations of Bacoor, Cavite.

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ROLANDO S. REMULLA

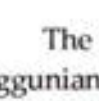
Councilor

  
AVELINO B. SOLIS

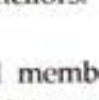
Councilor

  
HUBERT V. GERVACIO

Councilor

  
REYNALDO M. FABIAN

Councilor

  
NORMITA D. CELESTINO

Councilor

  
AVELINO S. DE CASTRO

Councilor

  
MIGUEL N. BAUTISTA

Councilor

  
BAYANI M. DE LEON

Councilor

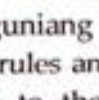
  
CATHERINE H. SARINO

Councilor - President

GIANNE LOUISE A. OLEGARIO

Councilor - 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

The Fifth Member shall be a Filipino, of legal age, with good moral character, and the duly elected President of the Federation of Pedicab Operators and Drivers Association in Bacoor, Cavite.

The Sixth Member shall be an incumbent member of the Sangguniang Bayan of Bacoor, Cavite who shall be appointed by a majority of the councilors.

All members should not have been previously convicted of any crime involving moral turpitude.

**Section 9. Powers** - The Board shall have the following powers:

- a. Make its own rules of procedure as well as the Implementing Rules and Regulations of this Ordinance subject to the approval of the Sangguniang Bayan of Bacoor;
- b. Renew/grant the franchises to operate of any tricycle, or pedicab operating within the territorial jurisdiction of Bacoor, Cavite, subject to the approval of Municipal Mayor;
- c. Set conditions and qualifications for the renewal or granting of any franchise to any tricycle or pedicab operating within Bacoor;
- d. Revoke the franchise of any tricycle or pedicab operator within Bacoor who violates this Ordinance, any related ordinance/s passed by the Sangguniang Bayan or by the national legislature, or any of the rules and/or guidelines to be passed by the Board, subject to the approval of the Municipal Mayor;
- e. Determine the fees to be imposed on tricycle or pedicab operators/drivers in order to qualify to operate/drive any of the conveyances mentioned above;  
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- f. Recommend to the Municipal Mayor the appointment of necessary personnel needed for the operation of the Board including the appointment of the Executive Director who shall be responsible for the day-to-day operation of the Board;



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*[Signature]*  
 ROLANDO S. REMULLA  
 Councilor

*[Signature]*  
 AVELINO B. SOLIS  
 Councilor

*[Signature]*  
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 Councilor

*[Signature]*  
 MIGUEL N. BAUTISTA  
 Councilor

*[Signature]*  
 BAYANEM DE LEON  
 Councilor

*[Signature]*  
 CATHERINE H. SARINO  
 Councilor - A.C. President

*[Signature]*  
 GIANNE LOUISE A. OLEGARIO  
 Councilor - SK President

Attested by:  
*[Signature]*  
 ATTY. KHALID A. ATEGA, JR.  
 Secretary to the Sanggunian

Certified by:  
*[Signature]*  
 ROSETTE MIRANDA FERNANDO  
 Municipal Vice Mayor/Presiding Officer

Approved by:  
*[Signature]*  
 STRIKY REVILLA  
 Municipal Mayor

- g. Discipline, train, and supervise all personnel of the Board subject to the approval of the Municipal Mayor;
- h. Determine the reasonable transport fare to be imposed by operators of tricycles or pedicabs on the riding public as well as the adjustment of the same. Any decision of the Board on the determination of the reasonable fare may be appealed to the Sangguniang Bayan of Bacoor;
- i. Determine the location of the terminals of all TODA's operating within Bacoor as well as the terminal fees to be imposed by the TODA's on their individual members, the manner of operation of the said terminals, and the manner of treatment of passengers using the said terminals. Provided, that such power shall also include the power to regulate the operation, construction, and location of terminals of all jeepneys, taxis, FX taxis, and buses operating and located within Bacoor;
- j. Order the closure of any terminal violating this Ordinance or any of the rules and/or guidelines of the Board;
- k. Determine the routes to be used by each TODA;
- l. Submit recommendations to the Sangguniang Bayan on the penalties and fines that should be imposed on drivers and operators of tricycles and pedicabs found violating the Bacoor Traffic Code, this Ordinance, and other related ordinance or law;
- m. Fix the honoraria of the members of the Board which in no case shall exceed one percent (1%) of its operating funds; and,
- n. Any other power that may be vested upon the Board by the Sangguniang Bayan of Bacoor, Cavite.

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ROLANDO S. REMULLA  
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 Councilor - 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:  
 STRINE REVILLA  
 Municipal Mayor

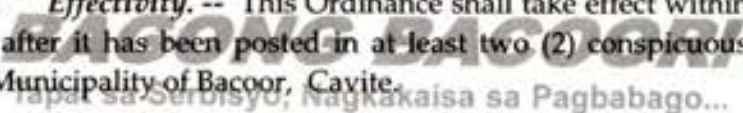
**Section 10. Initial Funding/Additional Funding** – The Municipal Mayor shall provide the initial funding for the Board subject to the availability of funds. The Board shall use ten (10) percent of all fees collected from the regulation of the operation of all public transports and terminals covered under this Ordinance for its operational expenses.

**Section 11. Transitory Provisions.**– The Board shall temporarily hold office at the office/s of the Tricycle Franchise and Regulatory Unit (TFRU) of Bacoor. All office personnel of the TFRU are hereby absorbed by the Board subject to the approval of the Municipal Mayor. All clerical/administrative personnel to be assigned to the Board shall be considered employees of the Municipal Government of Bacoor. However, the members of the Board shall not be deemed employees of the municipal government though they may receive such benefits or allowances as the Sangguniang Bayan may deem proper. The Municipal Mayor shall have thirty (30) days from the effectivity date of this Ordinance within which to appoint the members of the Board.

**Section 12. Oversight Powers.**– The Sangguniang Bayan shall have the power to affirm, modify, reverse, or revoke any of the orders, decisions, rules, or guidelines of the Board. Provided, that the oversight powers of the Sangguniang Bayan shall not include the power to review the actions or decisions of the Municipal Mayor with regard the appointment of the Members or personnel of the Board who are within his power to appoint and the disciplining of the said members or personnel.

**Section 13. Separability Clause.**– Any judicial declaration invalidating any provision of this Ordinance shall not affect the other provisions hereof not affected by such declaration.

**Section 14. Effectivity.** -- This Ordinance shall take effect within fifteen (15) days after it has been posted in at least two (2) conspicuous places within the Municipality of Bacoor, Cavite.





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**Section 15. Repealing Clause.** – Any ordinance in conflict with this Ordinance is hereby repealed and/or modified. The Franchising Regulatory Board of Bacoor referred to in Article III, Section 2 of Municipal Ordinance no. 4-C, series of 2008, otherwise known as the Bacoor Traffic Code

**ENACTED** by the Sangguniang Bayan of Bacoor, Province of Cavite this 23<sup>rd</sup> day of February 2009.

*I hereby certify that the foregoing Ordinance is true and correct.*

Certified by:

*Rosette M. Fernando*  
**HON. ROSETTE M. FERNANDO**  
*Vice Mayor/Presiding Officer*

Prepared by:

*Khalid A. Atega Jr.*  
**ATTY. KHALID A. ATEGA JR.**  
*Secretary to the Sangguniang Bayan*

Approved by:

*Strike B. Revilla* 03/09  
**HON. STRIKE B. REVILLA**  
*Municipal Mayor*

**BAGONG BACOORI!**  
Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

**ROLANDO S. REMULLA**  
*Councilor*

**AVELINO B. SOLIS**  
*Councilor*

**HUBERT V. GERVACIO**  
*Councilor*

**REYNALDO M. PABIAN**  
*Councilor*

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*Councilor*

**MIGUEL N. BAUTISTA**  
*Councilor*

**BAYANI M. DE LEON**  
*Councilor*

**CATHERINE H. SARINO**  
*Councilor - Bay President*

**GIANNE LOUISE A. OLEGARIO**  
*Councilor - 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*