

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

MUNICIPAL ORDINANCE NO. 01-S-2011

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

Sponsored by *Hon. Avelino B. Solis, Reynaldo M. Fabian, Venus D. De Castro, Janairo C. San Miguel, Reynaldo D. Palabrica, Jaime A. Sapanghila, Bayani M. De Leon, Maria Eliza H. Bautista, and Catherine H. 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:

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:

Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...
"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:



[Signature]
EDWIN G. GAWARAN
Counselor, Acting Presiding Officer

[Signature]
AVELINO B. SOLIS
Counselor

[Signature]
REYNALDO M. FABIAN
Counselor

[Signature]
ATTY. VENUS D. DE CASTRO
Counselor

[Signature]
JANAIRO C. SAN MIGUEL
Counselor

[Signature]
REYNALDO D. PALABRICA
Counselor

[Signature]
JAIME A. SAPANGHILA
Counselor

[Signature]
BAYANI M. DE LEON
Counselor

[Signature]
CATHERINE H. SARINO
Counselor, A.C. President

[Signature]
MARIA ELIZA H. BAUTISTA
Counselor, S.K. President

Attested by:
[Signature]

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

Certified by:
On Leave
ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:
[Signature]

STRIKE REVILLA
Municipal Mayor



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Office of the Sangguniang Bayan

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[Signature]
 EDWIN G. GAWARAN
 Councilor, Acting Promoting Officer

[Signature]
 AVELINO B. SOLIS
 Councilor

[Signature]
 REYNALDO M. PABIAN
 Councilor

[Signature]
 ATTY. VENUS D. DE CASTRO
 Councilor

[Signature]
 JANAIRO C. SAN MIGUEL
 Councilor

[Signature]
 REYNALDO D. PALABRICA
 Councilor

[Signature]
 JAMES A. SAPANGHILA
 Councilor

[Signature]
 BAYANI M. DE LEON
 Councilor

[Signature]
 CATHERINE H. SARINO
 Councilor, IBC President

[Signature]
 MA. ELZA H. BAUTISTA
 Councilor, IBC President

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

Certified by:
 On Leave
 ROSETTE MIRANDA FERNANDO
 Municipal Vice Mayor/Promoting Officer

Approved by:
[Signature]
 STRIKE REVILLA
 Municipal Mayor

“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. 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.

Section 5. Exemption/Exemption Fees— Owners of trucks affected by this Ordinance may apply for exemption herefrom by paying the following fees with the Office of the Mayor once a year, to wit:

- For truck owners who reside/operate in Bacoor, Cavite: P250.00
- For truck owners who reside/operate outside of Bacoor, Cavite: P500.00

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.

BACONG BACOOR!
 Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

PASSED and ENACTED unanimously on third and final reading by the Sangguniang Bayan in regular session assembled this 10th day of January 2011 at Bacoor, Cavite.



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I hereby certify that the foregoing ordinance is true and correct and that it was passed and enacted on third and final reading by the Sangguniang Bayan of Bacoor, Cavite on the 10th day of January 2011.

Certified by:

HON. EDWIN G. GAWARAN
Councilor/ Acting Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Secretary to the Sangguniang Bayan

Approved by:

HON. STRIKE B. REVILLA
Municipal Mayor

EDWIN G. GAWARAN
Councilor/ Acting Presiding Officer

AVELINO B. SOLIS
Councilor

REYNALDO M. FABIAN
Councilor

ATTY. VENUS D. DE CASTRO
Councilor

JANAIRO C. SAN MIGUEL
Councilor

REYNALDO D. PALABRICA
Councilor

JAMIE A. SAPANGHILA
Councilor

BAYANI M. DE LEON
Councilor

CATHERINE T. SARINO
Councilor - Vice President

MA. ELIZA H. BAUTISTA
Councilor - Sr. President

Attested by:

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

Certified by:

On Leave

ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:

STRIKE REVILLA
Municipal Mayor

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