



Office of the Sangguniang Panlungsod

DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councillor

HON. MICHAEL E. SOLIS
City Councillor

HON. ADRIELITO G. GAWARAN
City Councillor

HON. VICTORIO L. GUERRERO, JR.
City Councillor

HON. ALEJANDRO F. GUTIERREZ
City Councillor

HON. LEVY M. TELA
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HON. ALDE JOSELITO F. PAGULAYAN
City Councillor

HON. SIMPLICIO G. DOMINGUEZ
City Councillor

HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President
SICK LEAVE

HON. PALM ANGEL S. BUNCIO
SK Federation President

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

Certified by:
HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:
HON. STRIKE R. REVILLA
City Mayor

CITY ORDINANCE NO. 405-2024
Series of 2024

AN ORDINANCE ESTABLISHING THE BACOR TRAFFIC MANAGEMENT SPECIAL ACCOUNT FUND, AUTHORIZING THE GRANT OF SPECIAL BACOOREÑO RECOGNITION (SBR) AWARDS TO DESERVING TRAFFIC LAW ENFORCERS AND OTHER PERSONNEL OF THE BACOR TRAFFIC MANAGEMENT DEPARTMENT (BTMD), AND REVISING SECTION 56 OF CITY ORDINANCE NO. 2013-047 (THE "REVISED TRAFFIC CODE OF THE CITY OF BACOR") AS AMENDED.

Sponsored by:
Hon. Robert L. Advincula

Co-Sponsored by:
Hon. Simplicio G. Dominguez, Hon. Catherine S. Evaristo, Hon. Reynaldo M. Fabian, Hon. Randy C. Francisco, Hon. Adrielito G. Gawaran, Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, Hon. Alde Joselito F. Pagulyan, Hon. Reynaldo D. Palabrica, Hon. Michael E. Solis, and Hon. Levy M. Tela.

WHEREAS, the Revised Traffic Code of the City of Bacoor first came into being with the approval by the Sangguniang Panlungsod of City Ordinance No. 2013-047 on 7 October 2013. The Revised Traffic Code of the City of Bacoor has been amended several times since its conception due to various reasons all of which were rooted in the commitment of the City Government to improve traffic management in the City.

WHEREAS, among the noteworthy provisions of the Revised Bacoor Traffic Code was the creation of the Bacoor Traffic Management Fund which was intended to augment the meager income of traffic law enforcers, curb graft and corruption, incentivize good work performance, and provide the Bacoor Traffic Management Department (BTMD) the wherewithal to maintain its equipment and various traffic management solutions.

WHEREAS, the Bacoor Traffic Management Fund was abolished by the Sangguniang Panlungsod on 11 September 2023 with the approval of City Ordinance No. 308-2023 upon the



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recommendation of the City Local Finance Committee (CLFC) so as "to increase the utilization of funds in order to provide quality and efficient service" to the residents of the City of Bacoor.

WHEREAS, the Sangguniang Panlungsod has the power to review the legislative measures it passed and determine if it conforms not only with the letter of the law but also with the spirit of the law.

WHEREAS, the creation of the Bacoor Traffic Management Fund and its subsequent abolition were animated by two central goals: to provide excellent public service and to improve the performance of the BTMD. A review of the impact of City Ordinance No. 308-2023 revealed that it failed to achieve both goals.

WHEREAS, due to the abolition of the Bacoor Traffic Management Fund, traffic law enforcers — who have to work long hours exposed to the searing sun, to heavy downpours, to the poisonous fumes being emitted by dilapidated motor vehicles, and to the recklessness of some motorists — now barely make both ends meet due to their meager salaries. Consequently, the quality of their work performance noticeably dipped which prompted the officer-in-charge of the BTMD, Ms. Leslie Morales, to formally request the Sangguniang Panlungsod to pass an ordinance amending the Revised Traffic Code of the City of Bacoor and authorize the grant of an "augmentation pay" for BTMD personnel.

WHEREAS, as much as the Sangguniang Panlungsod would like to grant the hardworking personnel of the BTMD the "augmentation pay" requested by its officer-in-charge, the fact that all of the traffic law enforcers of the BTMD were hired on "job order" basis negates the grant of any type of benefits to them due to the absence of an "employer-employee relationship" between the said personnel and the City Government pursuant to Section 1, Rule XI of CSC Memorandum Circular (MC) No. 40-98 (or the "Revised Omnibus Rules on Appointments and Other Personnel Actions") which provides in part that "the employees involved in the contract or job order do not enjoy the benefits enjoyed by government employees, such as PERA, ACA and RATA".

WHEREAS, it behooves the Sangguniang Panlungsod to find an acceptable middle ground between its duty to adhere to existing civil service regulations and its duty to formulate policy that will incentivize good work performance which will in turn lead to better traffic management in the City of Bacoor pursuant to Section



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Approved by:
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City Mayor

16 of Republic Act No. 7160 (the "Local Government Code of 1991").

WHEREAS, Section 63 of Commission on Audit Circular No. 92-382 provides that "(l)ocal government units shall maintain special accounts in the General Fund for public utilities and other economic enterprises; loans, interests, bond issues, and other contributions for specific purposes; and development projects funded form the share of the local government unit concerned in the internal revenue allotment and such other special accounts which may be created by law or ordinance."

NOW THEREFORE, be it ordained by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite that:

Section 1. Revision of Section 56 of City Ordinance No. 2013-047 as amended by City Ordinance No. 11-2019 and by City Ordinance No. 308-2023. Section 56 of City Ordinance No. 2013-047 as amended by City Ordinance No. 11-2019 and City Ordinance No. 308-2023, is hereby revised and shall henceforth read as follows:

"Section 56. **Creation of the Bacoor Traffic Management Special Account Fund; Authority to Grant Special Bacooreño Recognition (SBR) Awards.** - There is hereby created a Bacoor Traffic Management Special Account Fund to be generated from **thirty (30) percent** of all receipts from fines and surcharges as set forth in this Ordinance, including parking charges, terminal fees, towing fees, income derived from the auction of impounded motor vehicles, storage fees and similar impositions for specific services rendered by the BTMD or by any of its personnel.

All payments and collections related to the fines, fees, surcharges and similar impositions mentioned above shall be directly remitted to the Office of the City Treasurer while the City Accountant shall keep and maintain a special account therefor. All records related thereto shall likewise be in the custody of the City Accountant.

The City Mayor, with the assistance of the BTMD and the Human Resources Development and Management Department (HRDMD) is hereby authorized to grant a monthly **Special Bacooreño Recognition (SBR) Award** to all traffic law enforcers and personnel of the BTMD who have done exemplary work characterized by the professional, courteous, and honest implementation of this Code, other city ordinances, and to laws related to traffic management. The SBR Awards shall be taken from



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Sangguniang Panlungsod Secretary

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City Vice Mayor

Approved by
HON. STRIKE B. REVILLA
City Mayor

the Trust Fund at the end of each month and shall be given to the following at the end of each month in recognition of their devotion to their sworn duty:

a) Five per cent (5%) to the Traffic Law Enforcer/s or Traffic Law Enforcement Volunteer/s who did the apprehension; and

b) Twenty per cent (20%) of the total accumulated amount in the Special Account Fund to be shared equally by all the Units under the BTMD before the end of the fiscal year subject to compliance with all relevant government rules and policies.

The remainder of the Special Account Fund shall be disbursed only to finance the operational expenses of the BTMD including the purchase, maintenance, and/or repair of equipment, motor vehicles, uniforms and traffic control devices/signaling systems. Any unused balance in the Trust Fund at the end of the fiscal year in excess of twenty-five percent (25%) of the previous year's expenditures shall revert to the City Government's General Fund.

Section 56-A. The Special Bacooreño Recognition (SBR) Award. The Special Bacooreño Recognition (SBR) Award is a merit based award to be accorded on a monthly basis exclusively in favor of personnel of the Bacoor Traffic Management Department (BTMD) who shall meet the following criteria as determined by the BTMD and the Human Resources Development and Management Department (HRDMD):

- The awardee must be assigned to the BTMD and must have actually worked under the said department for not less than six (6) months prior to the grant of the award;
- The awardee must not have been civilly, criminally, or administratively charged within six (6) months prior to the grant of the award before any office, board, or committee within the City Government;
- The awardee must have worn the body camera issued to him/her by the BTMD and must have complied with the pertinent provisions of City Ordinance No. 19-2016 (the "Bacoor C.R.I.M.E.L.E.S.S. Program Ordinance of 2016"); and
- The awardee must have complied with all of the directives of his/her direct superiors at the BTMD and of the City Mayor."

Section 2. Implementing Guidelines for the SBR Awards. The BTMD and the HRDMD, in coordination with the City Accounting Office, the City Treasurer's Office, the City Budget Office, and the City Legal Services Office, shall formulate the implementing guidelines of the SBR Awards for the approval of the



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SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

City Mayor not later than sixty (60) working days following the date of effectivity of this Ordinance.

Section 3. Repeal Clause. The provisions of all ordinances inconsistent with this Ordinance are hereby repealed and/or modified accordingly.

Section 4. Effectivity. This Ordinance shall take effect immediately after copies thereof has been posted on at least three (3) conspicuous public places within the City of Bacoor, Cavite and after a copy thereof has been submitted to the University of the Philippines-Office of the National Administrative Register pursuant to Section 3, Book VII of the Administrative Code of 1987 (Executive Order No. 292).

APPROVED this 21st day of October 2024 at the City of Bacoor, Cavite by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was duly approved by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite in accordance with law.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Date of Approval: 18 NOV 2024



Republic of the Philippines

CITY OF BACOOR

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OFFICE OF THE SANGGUNIANG PANGUNGSD

PRESENT:

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Presiding Officer

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City Councilor

HON. LEANDRO A. DE LEON

City Councilor

HON. ROBERTO R. JAVIER

City Councilor

HON. MA. ELIZA H. BAUTISTA

City Councilor SKF Pres.

HON. VICTORIO L. GUERRERO, JR.

City Councilor ABC Pres.

ABSENT:

HON. REYNALDO D. PALABRICA

City Councilor

CITY ORDINANCE NO. 2013-047

AN ORDINANCE AMENDING CITY ORDINANCE NO. 2013-2, SERIES OF 2013, OTHERWISE KNOWN AS THE REVISED TRAFFIC CODE OF THE CITY OF BACOOR

Sponsored by: Hon. Hernando C. Gutierrez

Co-sponsored: Hon. Miguel N. Bautista, Hon. Ma. Eliza H. Bautista, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Roberto R. Javier, Hon. Rowena M. Bautista-Mendiola, Hon. Gaudencio P. Nolasco, and Hon. Avelino B. Solis

WHEREAS: the Office of the City Mayor has proposed some amendments to City Ordinance No. 2013-2 Series of 2013, otherwise known as the Revised Traffic Code of the City of Bacoor, in order to incorporate additional terms and conditions that will make the said Code even more comprehensive and effective

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 City Councilor - SKF Pres.
 HON. VICTORIO L. GUERRERO, JR.
 City Councilor - ABC Pres.

Atty. KHALID A. XTEGA, JR.
 Sangguniang Panglungsod Secretary

Certified by:
 HON. CATHERINE H. EVARISTO
 City Vice Mayor/Presiding Officer

Approved by:
 HON. SIRKE B. REVILLA
 City Fiscal





Republic of the Philippines

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Province of Cavite

OFFICE OF THE SANGGUNIANG PANLUNGSOD

RULE X

Bacoor Traffic Management Trust Fund

Section 56. Creation of the Bacoor Traffic Management Trust Fund. - There is hereby created a Bacoor Traffic Development Trust Fund generated from all receipts from franchising, supervisory and regulatory fees, fines and surcharges as set forth in this Ordinance, including parking charges, terminal fees, towing fees, and similar imposition for specific services rendered.

All payments and collections shall be directly remitted to the Office of the City Treasurer and the City Accountant shall keep and maintain a special account therefor. All records related thereto shall likewise be in the custody of the City Accountant.

The following incentives to be taken from all the collected fines, shall be given to the following at the end of each quarter:

- a) Five per cent (5%) to the Traffic Law Enforcer/s or Traffic Law Enforcement Volunteer/s who did the apprehension; and
- b) Twenty per cent (20%) of the total accumulated amount in the Trust Fund to be shared equally by all the Units under the BTMD before the end of the fiscal year subject to compliance with all relevant government rules and policies.

The remainder of the Trust Fund shall be shared equally by the BTMD and the BCTFB and shall be disbursed only to finance traffic improvement projects in the City of Bacoor and the operational expenses of the BTMD and the BCTFB, including maintenance of facilities and traffic control devices. The honoraria of the BCTFB members, as approved by the City Mayor, shall be taken from the Fund while the salaries of BTMD personnel shall be derived directly from the City Government's General Fund. Any unused balance at the end of the fiscal year in excess of twenty-five percent (25%) of the previous year's expenditures shall revert to the City Government's General Fund.

RULE XI

Pedestrians

Section 57. Subject to traffic regulations and Obedience to Traffic Authorities. - The orderly, safe, and unimpeded flow of pedestrian traffic on sidewalks shall be maintained at all times.

Pedestrians shall be subject to traffic-control signals and to the direction of traffic authorities. Willful failure or refusal to comply with any lawful order of any peace officer, or any duly authorized traffic enforcer who is at the time discharging the duty of regulating and directing traffic shall be liable to pay a fine of Five Hundred Pesos (Php500.00), without prejudice to the filing of a criminal complaint, if warranted.

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HON. ANA LITA M. BALUSTIA
City Councilor - Sp. Pres.

HON. VICTORIO L. GUERRERO, JR.
City Councilor - A&C Pres.

Attested by:

ATTY. KHALID K. ATEGA, JR.
Legislative Councilor Secretary

Certified by:

HON. CARMEN S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

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City Mayor