

19

Republic of the Philippines
PROVINCE OF LEYTE

Item No.: 19
Date: 28 OCT 2022

PROVINCIAL LEGAL OFFICE

SP Records
10/7/22
740

2nd Indorsement
October 6, 2022

Province of Leyte
Legal Office
Date: 10.12.22

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 22-05 and 22-06 of the SB of Inopacan, Leyte, recommending to declare its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447 (3), (vi), of the Code. "to regulate the operation of tricycles," necessary, appropriate, or incidental for its efficient and effective governance, authorized under Section 16 of the Code.

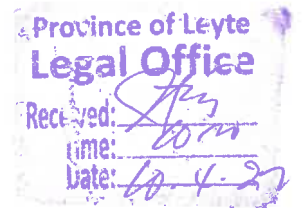
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer



Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City
-0-




SANGGUNIANG PANLALAWIGAN OFFICE



1ST ENDORSEMENT
03 October 2022

Respectfully endorsed to the Provincial Legal Office the herein
ORDINANCE No. 22-05, for comments and recommendations.


FLORINDA J. UYVICO
Secretary to the Sanggunian

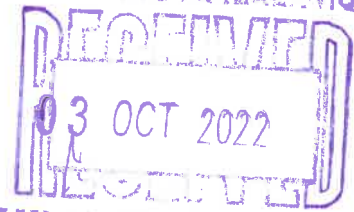
SP Records
/V10322



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN



PROVINCE OF LEYTE

3 October 2022

Honorable Leonardo Javier Jr.
Vice Governor/Presiding Officer
Sangguniang Panlalawigan of Leyte
Provincial Government Complex
Campetic, Palo, Leyte

Thru:

Ms. Florinda Jill S. Uyvico
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Provincial Government Complex
Campetic, Palo, Leyte

Honorable Javier Jr.:

Forwarding herewith copies of the following Ordinance, of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, for consideration by the Sangguniang Panlalawigan of Leyte, to wit:


- 1) Ordinance No. 22-03, "AN ORDINANCE IMPOSING FEE ON THE USE OF FIVE-MILLION COMFORT ROOM LOCATED AT NEW PUBLIC MARKET BARANGAY POBLACION OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE";
- 2) Ordinance No. 22-05, "AN ORDINANCE PRESCRIBING A UNIFORM COLOR FOR ALL PUBLIC UTILITY TRICYCLES (PUTs) OPERATING WITHIN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE";
- 3) Ordinance No. 22-06, "AN ORDINANCE PRESCRIBING A UNIFORM COLOR FOR ALL PUBLIC UTILITY TRANSPORT VEHICLE AND PROVIDING PENALTY FOR VIOLATION THEREOF";



- 4) Ordinance No. 22-07, "AN ORDINANCE DESIGNATING THE NEW PUBLIC MARKET TERMINAL LOCATED AT THE BAYWALK AREA OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE, AS THE LOADING AND UNLOADING AREA FOR PASSENGERS AND CARGOES OF PUBLIC UTILITY TRICYCLES (PUTs) AND SINGLE FOR HIRE MOTORCYCLES AND IMPOSING FEES THEREOF";
- 5) Ordinance No. 22-08, "AN ORDINANCE RECLASSIFYING PORTION OF CAD. LOT NO. 1640 OF BARANGAY CONALUM, INOPACAN, LEYTE FROM AGRICULTURAL LAND TO INSTITUTIONAL LAND FOR ITS PROPOSED TWO STOREY SCHOOL BUILDING";
- 6) Ordinance No. 22-09, "AN ORDINANCE MANDATING ALL MEAT AND FISH VENDORS TO DISPLAY AND SELL THEIR GOODS OR PRODUCTS ONLY AT THE DESIGNATED AREA AT THE NEW PUBLIC MARKET IN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES";

Attached herewith are the Certification of Posting, Minutes of Public Hearing and Certification of Public Hearing.

Sincerely,


MELANIE M. MATIN-AO
Secretary to the Sanggunian



Republic of the Philippines
 Province of Leyte
 Municipality of Inopacan
 -000-

15TH SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN



PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
 15th SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON
 SEPTEMBER 20, 2022 AT THE SB SESSION HALL

PRESENT:

- | | |
|---------------------------|---------------------------------|
| Hon. Sanders C. Lumarda | - Vice Mayor, Presiding Officer |
| Hon. Fernando B. Rulete | - SB Member |
| Hon. Andrew B. Dedal | - SB Member |
| Hon. Joel D. Bernales | - SB Member |
| Hon. Alfie Jian B. Yamson | - SB Member |
| Hon. Daria D. Malanguis | - SB Member |
| Hon. Rowena K. Madrazo | - SB Member |
| Hon. Diosdado P. Siao | - SB Member |
| Hon. Arnilo J. Polo | - SB Member (LnB Pres) |
| Hon. Marianne B. Boldios | - SB Member (PSK Pres.) |

ABSENT:

- | | |
|-------------------------------|-------------|
| Hon. Zenaida G. de los Santos | - SB Member |
|-------------------------------|-------------|

AUTHOR: HON. DIOSDADO P. SIAO
CO-AUTHORS: HON. FERNANDO B. RULETE
HON. ANDREW B. DEDAL
HON. JOEL D. BERNALES
HON. ALFIE JIAN YAMSON

WHEREAS, the Local Government Unit of Inopacan has an approved ordinance allowing public utility tricycle to traverse portions of the national highway due to the absence of an alternative routes;

WHEREAS, the Inopacan Tricycle Owner and Driver Association (ITODA) and Inopacan Mara-o Transport Group, Inc. (IMTRANSGI) are plying their respective routes from Barangay Poblacion up to Barangay Guadalupe, and from Barangay Poblacion up to Barangay Mara-o;

WHEREAS, implementing color coding scheme will help regulate and identify the public utility tricycles which are plying outside their designated route as well as the colorum unit;

NOW, THEREFORE, on motion of Honorable Diosdado P. Siao, duly seconded by Honorable Joel D. Bernales, be it

RESOLVED, as it is hereby RESOLVED, to enact the following:

ORDINANCE NO. 22-05

AN ORDINANCE PRESCRIBING A UNIFORM COLOR FOR ALL PUBLIC UTILITY TRICYCLES (PUTs) OPERATING WITHIN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE

BE IT ORDAINED by the Sangguniang Bayan of Inopacan, Leyte that;

SECTION 1. This ordinance shall be known as "Color Coding System of All Public Utility Tricycles (PUTs) Ordinance".



(ordinance no. 22-05 of the sangguniang bayan of inopacan, leyte dated september 20, 2022, continued)

SECTION 2. Definition of terms – As used in this ordinance, these terms shall have the following meaning:

- a. Public Utility Tricycle – a tricycle for public use, used to carry, transport and convey passengers or goods from one place to another for a fee.
- b. Color Code – the assigning of a specific color for Public Utility Tricycles (PUTs) travelling their respective routes or point of destination.
- c. Route – the assigned route given specifically to each Public Utility Tricycles (PUTs) travelling in and out of the terminal.
- d. Colorum - a public utility tricycle operating without a franchise from the Local Government Unit of Inopacan.
- e. TET – Traffic Enforcement Team.
- f. Special Permit – permit issued by the Traffic Enforcement Team duly approved by the Municipal Mayor.

SECTION 3. Color Codes –

- a. Orange - is the color assigned specifically to PUTs with assigned route from Poblacion up to Barangay Guadalupe and vice versa.
- b. Blue with white (rebeta) - is the color assigned specifically to PUTs with assigned route from Poblacion up to Barangay Mara-o and vice versa.

SECTION 4. Prohibited Acts –

- a. The plying of PUTs outside from their color-coded route.
- b. Soliciting of passengers or cargoes by motorized tricycles without any color code.

SECTION 5. Penalties. The following administrative penalties shall be imposed to the operators and/or drivers for violation of this ordinance:

- a. 1st Offense - a fine of Php 500.00
- b. 2nd Offense - a fine of Php 1,000.00
- c. 3rd Offense - a fine of Php 1,500.00
- d. 4th Offense - a fine of Php 2,500.00 and revocation of tricycle franchise and Impoundment of tricycle unit

The person liable for the penalty specified above are as follows;

- a. The registered owner or operator of the PUT if the said tricycle is not painted with the color prescribed.
- b. The driver if the said tricycle plies an area outside of his route/ jurisdiction without a special permit issued by the Traffic Enforcement Team duly approved by the Municipal Mayor.

SECTION 6. Impoundment – Impounded public utility tricycle shall be kept temporarily at any available municipal lot and should be claimed by the owner only after payment of the corresponding fines.

Section 7. The Traffic Enforcement Team (TET) under the Office of the Municipal Mayor shall determine if the public utility tricycle has a valid or unexpired franchise as well as updated MTOP.



(ordinance no. 22-05 of the sangguniang bayan of inopacan, leyte dated september 20, 2022, continued)

SECTION 8. Color Code Effectivity – The change of colors for the PUTs shall take effect eighteen (18) months after the enactment of this Ordinance.

SECTION 9. Compromise Penalty- The Municipal Treasurer is hereby authorized to enter into a compromise settlement fee as maybe mutually agreed upon by both parties.

SECTION 10. Repealing Clause – All ordinances, resolutions, orders and/or rules and regulations inconsistent herewith are hereby repealed and modified accordingly.

SECTION 11. Separability Clause – If any section or provision of this ordinance is declared void or unconstitutional, the remaining section or provision thereof shall not be affected by such declaration.

SECTION 12. Effectivity Clause- This ordinance shall take effect after three (3) consecutive weeks of publication by way of posting copies in conspicuous place in the municipal building, public market area and in all the barangay halls of Inopacan.

ENACTED this 20th day of September 2022 at Inopacan, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance and that the same was enacted on the date above stated.

Minan
MINERVA M. BISNAR
Temporary Secretary to the Sanggunian

ATTESTED:


HON. SANDERS C. LUMARDA
Vice-Mayor
Presiding Officer

APPROVED:


HON. ROGELIO D. PUA, JR.
Municipal Mayor
Date 9/30/22

Minan
f
P
cu



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

CERTIFICATION OF PUBLIC HEARING


TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that on August 18, 2022, a public hearing had been conducted on the proposed Ordinances of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, to wit:

- 1) "AN ORDINANCE IMPOSING FEE ON THE USE OF FIVE-MILLION COMFORT ROOM LOCATED AT NEW PUBLIC MARKET BARANGAY POBLACION OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE";
- 2) "AN ORDINANCE PRESCRIBING A UNIFORM COLOR FOR ALL PUBLIC UTILITY TRICYCLES (PUTs) OPERATING WITHIN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE";
- 3) "AN ORDINANCE PRESCRIBING A UNIFORM COLOR FOR ALL PUBLIC UTILITY TRANSPORT VEHICLE AND PROVIDING PENALTY FOR VIOLATION THEREOF";
- 4) "AN ORDINANCE DESIGNATING THE NEW PUBLIC MARKET TERMINAL LOCATED AT THE BAYWALK AREA OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE, AS THE LOADING AND UNLOADING AREA FOR PASSENGERS AND CARGOES OF PUBLIC UTILITY TRICYCLES (PUTs) AND SINGLE FOR HIRE MOTORCYCLES AND IMPOSING FEES THEREOF";

This Certification is being made to facilitate consideration of the aforementioned Municipal Ordinance by the Sangguniang Panlalawigan of Leyte.

Done this 3rd day of October 2022, at Inopacan, Leyte.


MELANIE M. MATIN-AO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Inopacan
-000-
15th Sangguniang Bayan

MINUTES OF THE PUBLIC HEARING OF THE PROPOSED MUNICIPAL ORDINANCE OF THE 15TH SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON AUGUST 18, 2022 AT THE SB SESSION HALL, NEW TOWN HALL, INOPACAN, LEYTE

1 **PRESENT:** (Please see attached Attendance Sheet, also attached are the lists of
2 personalities invited)
3

4 The proposed Ordinances submitted for public hearing are the following:
5

- 6 1) "An Ordinance Imposing Fee on the Use of Public Comfort Room located at the
7 New Public Market, Barangay Poblacion of the Municipality of Inopacan,
8 Province of Leyte"
9 2) "An Ordinance Prescribing a Uniform Color for all Public Utility Tricycles
10 (PUTs) Operating within the Municipality of Inopacan, Province of Leyte"
11 3) "An Ordinance Prescribing a Uniform Color for all Public Utility Transport
12 Vehicle and Providing Penalty for Violation Thereof"
13 4) "An Ordinance Designating the New Public Market Terminal Located at the
14 Baywalk Area of the Municipality of Inopacan, Province of Leyte as the
15 Loading and Unloading Area for Passengers and Cargoes of Public Utility
16 Tricycles (PUTs) and Single for Hire Motorcycles and Imposing Fees Thereof"
17 5) "An Ordinance Designating the V-Terminal located at cor. San Roque and Sto.
18 Nifo Streets of the Municipality of Inopacan as the Loading and Unloading
19 Area for Passengers and Cargoes of the Modernized Public Utility Vehicles
20 (PUVs) and Public Utility Tricycles (PUTs)"
21

22 The public hearing started at 1:30 in the afternoon with an opening prayer through
23 computer audio and was immediately followed by the singing of the national anthem
24 synchronized with the computer audio.

25 The Secretary introduced to the participants the SB Members who are the Authors of
26 the above Ordinances - Honorable Andrew B. Dedal and Honorable Diosdado P. Siao, and all
27 the SB Members who attended the public hearing namely: Honorable Fernando B. Rulete,
28 Honorable Zenaida G. de los Santos, Honorable Joel D. Bernales, Honorable Daria D.
29 Malanguis, Honorable Rowena K. Madrazo, Honorable Arnilo J. Polo and Honorable
30 Marianne B. Boldios. She also acknowledged the presence of the Municipal Administrator,
31 Engr. Francis Jonathan B. Phua. The Secretary then thanked the participants for attending
32 the public hearing and welcomed Honorable Rulete for the introduction of the said activity.
33

34 Honorable Rulete, as one of the co-Authors of the above Ordinances thanked the
35 participants once more and gave his introduction by presenting the 5 Ordinances to be
36 deliberated. He also encouraged the participants to reserve their questions/queries and
37 participate during the open forum a little later.
38

39 The Secretary acknowledged each attendee – the presidents and the officers of the
40 invited POs and all the participants representing the LGU's involved/concerned offices. She
41 also highlighted that during the open forum, everyone is encouraged to raise their
42 questions and clarifications and prior to that, to introduce themselves for recording purposes
43 and so that their concerns and queries will be noted and well-taken.
44

45 Honorable Dedal, the Author of the Ordinance entitled "An Ordinance Imposing
46 Fee on the Use of Public Comfort Room located at the New Public Market, Barangay
47 Poblacion of the Municipality of Inopacan, Province of Leyte" began his discussion by
48 informing the participants that the Ordinance has been proposed because of the newly
49 established public market which aimed to be an income generating project for the
50 municipality. He also stressed that prior to collection of fees, an ordinance must undergo a



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on July 22, 2022, continued)

51 public hearing. Honorable Dedal discussed the entirety of the above ordinance in detail –
52 the Whereases, Title, and the Sections. He emphasized that the highlight of said Measure is
53 the *Imposition of Fess (Section 2): to urinate with corresponding fee of Php 5.00 per use,*
54 defecate with Php 10.00 fee per use and taking a bath with Php 15.00 per use which he
55 emphasized that the limit of bathing is 15 minutes to reduce the water waste, hence
56 reducing cost. For Section 3 (Mode of Payment), Honorable Dedal explained that LGU
57 personnel will be deployed for the collection of fees thru issuance of cash tickets. Section 4
58 is about the fines of not less than Php 100.00 but not more than Php 200.00 when a person
59 is found guilty of violating the Ordinance. Towards the end of going through the Ordinance,
60 Honorable Dedal informed the participants on the status of the same which is on the Second
61 Reading and its effectivity depends on the suggestions, reactions and recommendations of
62 the participants/concerned/involved groups, that will be incorporated to this Ordinance, prior
63 to Third and Final Reading, ready for its enactment. After the discussion, Honorable Dedal
64 together with the SB Members present entertain questions from the participants.
65

66 Mr. Pamfilo Piamonte, President of Inopacan Mara-o Transport Group Inc.
67 (IMTRANSGI), asked on the time of its operation, the time the CR will be opened and closed
68 considering the transients, which he presented the previous experience/observations and
69 scenarios on the CR of the old public market when transients wanted to use the CR but it
70 was closed since its beyond 5PM. Honorable Dedal replied that the usual opening time is
71 8AM and closing time is past 5PM. Honorable de los Santos manifested that the old CR
72 near the new public market is still open and the key custodian/incharge is Trudes with the
73 instruction that she will turn over the key to someone in the public market if she is not on
74 duty. Honorable Rulete manifested also to discuss the concern with the committee if there is
75 a possibility for a 24-hour operation.
76

77 Mr. Rogelio Bisnar, President of Inopacan Tabu-an Vendors Association (ITVA),
78 brought up the same concern with Mr. Pamfilo Piamonte, on the part for the vendors.
79 Honorable Dedal and Honorable Rulete were appreciative of the concerns raised for the
80 Sanggunian to deliberate said concerns in the next session, to come up with solutions.
81 Honorable de los Santos asked the participants if they all okay with the charges/fees and
82 the participants were amenable of the same. Since there being no more questions raised,
83 Honorable Dedal gave the floor to Honorable Siao for the discussion of the following four (4)
84 Ordinances.
85

86 Honorable Siao firstly gave an introduction on the four (4) proposed Ordinances he
87 Sponsored, that it is the initiative of the Municipal Mayor who endorsed a communication
88 letter to the Sangguniang Bayan, with emphasis on the urgency of the same. For the
89 Ordinance entitled "An Ordinance Prescribing a Uniform Color for all Public Utility
90 Tricycles (PUTs) Operating within the Municipality of Inopacan, Province of Leyte",
91 Honorable Siao directly discussed Section 3 (Color Codes) which he initially assigned a
92 uniform color but subject to changes upon the preference of the PUTs, Section 4 (Prohibited
93 Acts) which includes plying of PUTs outside from their color-coded route and soliciting
94 passengers or cargoes by motorized tricycles without any color code. Section 5 (Penalties)
95 were also explained by honorable Siao in detail wherein aside from the specified penalties
96 corresponding to 1st, 2nd, 3rd and 4th offense, a special permit duly approved by the Mayor is
97 required for PUTs plying to areas outside the assigned route/jurisdiction. He also discussed
98 Section 6 (Impoundment) and Section 7 (Traffic Enforcement Team).
99

100 Mr. Pamfilo Piamonte asked if the color code is to be printed on the whole body of
101 the tricycle unit and Honorable Siao replied, just the side car unit, excluding the motorcycle.
102 Mr. Piamonte manifested that the proposal is okay, in fairness, but he is just concerned with
103 those just having a new side car which to him, is impractical to immediately repaint their
104 units considering the cost which is more or less Php 30,000.00, especially the center cab.
105 To this, he presented a suggestion that it might be better if the unit will just have the panel
106 route either at the side or in front of the side car, for this entails a much lower cost. To this,
107 Honorable Siao assured that the suggestion is well noted, and emphasized that it is for this
108 reason that a public hearing is being conducted.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on July 22, 2022, continued)

109 Mr. Rodrigo D. Danieles, President of Inopacan Tricycle Operators and Drivers
110 Association (ITODA) agreed with the suggestion of Mr. Piamonte taking into considerations
111 also the new members of the ITODA which in fact, he was worried the moment he received
112 the Notice of Public Hearing, hence he immediately called up a meeting with his members to
113 also get their sentiments about the proposed Ordinance. Per his members, they were not
114 against it but same concern on the cost for re-painting of their units, especially their income
115 is lesser at the moment due to the mini buses going to Baybay. Honorable Siao thanked
116 them for the feedback.
117

118 As discussion developed, Honorable Bernales manifested asking the ITODA and the
119 IMTRANSGI if they are still accepting new members of their associations. He further
120 explained that this Ordinance initiated by the Mayor aims to have a uniform color for all
121 PUTs, might as well if new members will be accepted, the color of their units will then be
122 patterned to the designated/assigned color, and for the old ones when deciding to repaint,
123 until such time that uniform color will be achieved. Mr. Danieles replied that their
124 membership is closed only up to 70 since the administration of former Mayor Lumarda but
125 when members left the association, his assigned number will be assigned to his
126 replacement (operator). Hence, the ITODA maintains at 70 members (total). Honorable
127 Bernales is amenable that for the concerned operators, the cost really matters, however, to
128 him, it would be much better to identify the color so that whenever one decides to repaint a
129 unit, the color will be patterned to the designated route color. Taking into consideration also
130 that as time passes by, there come a time that as paints seemed fading, one will decide to
131 re-paint his unit while others decide changing their unit into new ones. Further, Honorable
132 Bernales also gives credit to the discretion of Honorable Siao as the author of the Ordinance
133 if the latter would be amenable to his idea. And he also presented to the concerned
134 operators the hope of having possible sponsors for some assistance like the paints and the
135 like, if ever, just to pursue this ordinance. Mr. Danieles was so much delighted to the idea of
136 Honorable Bernales. To this, Honorable Siao thanked Honorable Bernales. The latter then
137 recommend to identify the color assignment and Mr. Danieles have chosen color red for
138 ITODA. While Mr. Piamonte decided to choose color blue and white (*rebeté*) for the
139 IMTRANSGI. Honorable suggested for only one (1) color since white will be automatically
140 for the portions that need to be labelled (names and numbers). Towards the end, Honorable
141 Siao recapped the agreement, in preparation for the enactment of the Ordinance, to wit: red
142 for ITODA, blue with white (*rebeté*) for IMTRANSGI. He further explained that the Ordinance
143 will take effect a year or two (2), after its approval (to be stipulated under Section 11 –
144 Effectivity Clause), to give ample time for the operators to comply with the Ordinance taking
145 into consideration the idea of Honorable Bernales to lobby for financial assistance for the
146 repainting matters. He then mentioned that in some other municipalities, spray paints had
147 been used, for compliance but the desired objectives have been achieved, which Honorable
148 Malanguis also agreed with it. Also, this aims for easy identification for the *colorum* units.
149 And he elaborated with sample scenarios relative to securing with the special permit from
150 the Traffic Enforcement Team (TET), duly approved by the Municipal Mayor and this
151 answers the query of Mr. Gavino Abenoja, _____ who presented the scenario of
152 having a passenger from hilongos (from Cebu). On the other hand, relative to the query of
153 Mrs. Virginia Bisnar, OSCA Chairperson relative to the minimum senior citizens' fare,
154 Honorable Siao explained that it is not being covered by the proposed Ordinance but the
155 LGU is waiting for the proposed fare adjustment (if any) from the TODAs to act for it
156 accordingly, but to date, no submitted proposals yet. Views and opinions on fare rates were
157 aired.
158

159 As to the manifestation of Honorable de los Santos regarding the operators/drivers'
160 uniform. Honorable Siao suggested to leave it to the association, for as long as they will be
161 discouraged wearing *sando* and the like.
162

163 For the Ordinance entitled "An Ordinance Prescribing a Uniform Color for all
164 Public Utility Transport Vehicle and Providing Penalty for Violation Thereof",
165 Honorable Siao thoroughly discussed Section 2 (Definition of Terms), Section 3 (Color



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on July 22, 2022, continued)

166 Code) which the Public Utility Transport Vehicle operators/drivers have the option to select
167 their preferred uniform color; Section 4 (Registration and Membership) which permit to
168 operate must be secured and must be a member of the ITODA; Section 4 (Prohibited Acts),
169 Section 5 (Penalties), Section 6 (Compromise Penalty) which stipulates that a violator may
170 negotiate to the Municipal Treasurer into a compromise settlement fee. To this, Mr. Elmer
171 Ardeña, President of Inopacan Potpot Owners and Drivers Association (INPODA) had
172 chosen color blue as their uniform color and according to him, this is the color agreed by his
173 members as he has solicited suggestions from his members on this, well in fact, some
174 INPODA members are now having their units in color blue.
175

176 On the other hand, Mr. Ardeña took the opportunity and brought up his concerns to
177 those who do not secure the permit to operate (license) but still transporting passengers.
178 Honorable Siao gave the floor to the Head of the Traffic Enforcement Team (TET) – Mr.
179 Ernesto Gutierrez, for the response of the concern presented. Mr. Gutierrez responded that
180 they could not identify those *colorums* hence requested the INPODA president to give them
181 a sort of tip as to who are they (*colorums*) for them to act accordingly. Mr. Ardeña expressed
182 his sentiments that as INPODA president, he has nothing to do with those who really
183 refused to secure the permits and all he wished for, as well as his members, is to have the
184 *colorums* be penalized for the violation so that they will be enforced of securing the permit.
185 And he is willing to provide the TET the list of *colorums* for this purpose. Honorable Siao
186 emphasized that only those *colorums* who are transporting passengers will be penalized.
187 According to Mr. Gutierrez, the motorpots already agreed to operate beyond 5PM but on the
188 contrary, Mr. Ardeña insisted that some do operate within 8AM and some other times
189 beyond the agreed time of operation. To this, Honorable Siao recommend that said
190 agreement will be put it into writing (black and white and not just a verbal agreement), duly
191 signed by both parties and provide a copy to the TET Head for them to respond accordingly.
192 Views and opinions were aired.
193

194 Honorable Bernales advised Mr. Gutierrez to report to the PNP relative to
195 conflicts/fights (*sinumbagay* issues) that the latter had mentioned. Mr. Gutierrez replied there
196 was one time that he did it and the police asked for the list of names involved, but seemed
197 no action on the said incident. To this, Honorable Bernales suggested to inform the Mayor if
198 the same scenario would happen for the Mayor to call the attention of the PNP for
199 appropriate action, though they were not under the LGU but at least they will be informed.
200 Furthermore, Honorable Bernales advised to avoid fight incidents, as much as possible.
201 Towards the end, Honorable Siao assured that the concerns are well taken and noted.
202

203 For the Ordinance entitled “An Ordinance Designating the New Public Market
204 Terminal Located at the Baywalk Area of the Municipality of Inopacan, Province of
205 Leyte as the Loading and Unloading Area for Passengers and Cargoes of Public
206 Utility Tricycles (PUTs) and Single for Hire Motorcycles and Imposing Fees Thereof”,
207 Honorable Siao discussed in detail Section 3 (Definition of Terms), Section 5 (Imposition of
208 Fees) which the current fees collected for Public Utility Tricycles (PUTs) is Php 10.00 per
209 day. While for single for hire, the proposed fee is Php 10.00 or Php 5.00 that needs to be
210 agreed if it is per trip or per day; Section 6 (Manner of Payment), Section 7 (Penalties) and
211 Section 8 (Compromise Penalty).
212

213 Meanwhile, Honorable Siao informed the single for hire operators/drivers that the
214 Municipal Mayor advised them that standing by the street corners will not be allowed. He
215 also cited that passengers from the upland barangays will be dropped by at the preferred
216 location of the passengers then the *habal-habal* will stand by at the new terminal until such
217 time that passenger will inform them to pick them up with their cargoes for instance, but
218 never to stand by at the street corners. As to the clarificatory question of Mr. Ruel Dedal,
219 Honorable Dedal recommend that the passengers will still be at the terminal and inform the
220 drivers for pick up of the cargoes.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on July 22, 2022, continued)

221 Mr. Ruel Dedal from ISMODA raised his concern wherein some cases, their
222 passengers will be riding to private motorcycles especially if they're relatives and this will be
223 their problem when their station will be at the new terminal. Honorable Siao posed a solution
224 to the concern which is to deploy a traffic enforcer at Bacong-bacong, Linao to collect the
225 tickets. With the question on the working time of the deployed enforcer at the designated
226 station, Honorable Dedal replied 7AM-11AM, 8AM-12NN, 9AM-6PM, deployed enforcers are
227 assigned alternately. Honorable Siao recommend the drivers to set the route number/code
228 to their units for identification purposes. For Mr. Dedal's part, he is amenable as to the ticket
229 provided there always an enforcer at the exit area (Bacong-bacong). As to the question of
230 Honorable de los Santos, Mr. Dedal replied that those private motorcycles (who are also
231 collecting fare fees) are everywhere and some passengers preferred to ride considering also
232 most of them are relatives. Mr. Piamonte also added that some motorcycles are registered
233 but no driver's license and this has been a perennial problem. Mr. Rodrigo Danieles,
234 presented the same concern relative to the tricycles and multicabs with route to Plaridel-
235 Baybay especially during Sundays and to this, he suggested to also deploy an enforcer at
236 the tabu-an area. To this, Honorable Siao emphasized the importance of the route
237 number/code. Honorable de los Santos assured that the concern is well noted. Honorable
238 Siao informed all the concerned participants that the implementation of Ordinance relative to
239 the minors who are driving without license is on-going as well as the *bura-bura*. As to
240 violators, Honorable Siao gave the floor to Mr. Ernesto Gutierrez, TET Head. The latter
241 explained that he needs some tips/list of who are those violators because he is not familiar
242 as to who they are. Honorable Siao is amenable to it considering the TET is also new. As to
243 the query of Honorable Boldios, Honorable Siao replied that for as long as no fare has been
244 collected, it is also the right of the concerned motorcycle owner/driver for a free ride.
245

246 As discussions developed, Honorable Siao mentioned that in the Ordinance of the
247 City of Baybay, Php 3.00 per trip has been collected in the year 1997 and he don't have the
248 idea as to the current fee that Baybay is implementing now. He gave the discretion to the
249 single for hire operators/drivers as to their preferred fee. As recapped, the Php 3.00 or Php
250 5.00 per trip is okay for as long as an enforcer is deployed to collect the tickets.
251

252 For the Ordinance entitled "An Ordinance Designating the V-Terminal located at
253 cor. San Roque and Sto. Niño Streets of the Municipality of Inopacan as the Loading
254 and Unloading Area for Passengers and Cargoes of the Modernized Public Utility
255 Vehicles (PUVs) and Public Utility Tricycles (PUTs)", Honorable Siao explained that the
256 ordinance is just designating the V-Terminal and there is nothing more to discuss about it.
257

258 OTHER MATTERS:

259 Mr. Rodrigo Danieles took the opportunity asking the potpot drivers as to their route
260 since sometimes he noticed they're having passengers to Conalum and Jubasan. Mr. Elmer
261 Ardeña replied that some passengers are requesting for a ride going to Maljo and
262 Esperanza considering also they have the permits. As to the question of Honorable de los
263 Santos of the fare rate, Mr. Ardeña replied, depending on the agreed fare between the
264 passenger and them.
265

266 To this, Honorable Siao explained that potpot and even the tricycles are not anymore
267 allowed, however, the SB considered it through an ordinance taking into consideration also
268 their livelihood source. The Ordinance is allowing the potpot up to Brgy. Tao-Taon and
269 Bacung-bacung. Mr. Danieles also clarified that he is not complaining, instead, inquiring.
270
271

272 Mr. Rogelio Bisnar, lobbied to the SB Members that, if possible, there will be an
273 enforcer to be deployed earlier at tabu-an area to facilitate the parking, loading and
274 unloading particularly during Sundays after the first Holy Mass. To this, Honorable Siao let
275 the TET Head response the concern. Mr. Gutierrez informed that the regular working time
276 for the enforcers is 7AM but he will assign an enforcer to report earlier at the Tabu-an every
277 Sunday. Honorable Siao is amenable to the recommendation of Mr. Gutierrez to address the



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on July 22, 2022, continued)

278 concern of Mr. Bisnar considering the volume of vehicles at the mentioned time and he is
279 hoping that in the coming Sundays, the concerns will be addressed. Views and opinions on
280 loading and unloading were aired.
281

282 Honorable Siao added a detailed information addressed to the IMTRANSGI to
283 properly park their tricycles while waiting for passengers to avoid traffic.
284

285 Mr. Piamonte took the opportunity and raised the concerns of the PUTs relative to
286 the damaged bridged in Brgy. Linao wherein they found it prone to accident due to a
287 stepped slope, hence, he is hopeful for the solution of the same. Honorable Siao gave the
288 floor to Honorable Bernales, the Committee Chair on Infrastructure who explained the back
289 filling and the plan of the Governor for the proposed box culvert which will be in higher
290 elevation than the existing one. Mr. Piamonte negotiated for a solution, for the meantime
291 while waiting for the project from the Governor. Honorable Bernales assured that it will be
292 remedied once the backhoe is available and explained the scenario in detail. Honorable
293 Siao recommend also to let the Municipal Engineer survey the area and for this, he
294 requested the Municipal Administrator, Engr. Francis Jonathan Phua to facilitate the same.
295 Views and opinions were aired.
296


297 On the other hand, Honorable Rulete addressed a concern to the TET Head, Mr.
298 Gutierrez relative to the V-Terminal which half of it served as the parking area of vehicles.
299 The latter replied he will facilitate the area to be a no parking place.
300

301 Since there being no more other questions, the public hearing ended at 3:00 o'clock
302 in the afternoon.
303

I HEREBY CERTIFY TO THE CORRECTNESS
OF THE FOREGOING:


MELANIE M. MATIN-AO
Secretary to the Sanggunian

304
305
306
307
308
309
310
311
312
313 NOTED:


HON. ANDREW B. DEDAL
SB Member
Author


HON. DIOSDADO P. SIAO
SB Member
Author

314
315
316
317
318
319



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15th Sangguniang Bayan

Public Hearing

Date: August 18, 2022
Place: SB Hall
Time: 1:00 P.M.

ATTENDANCE SHEET

NAME	DESIGNATION	SIGNATURE
1. <u>Marianne Maldios</u>	<u>SB Member - SK Fed Pres</u>	
2. <u>Stania R. Malanganin</u>	<u>SB Member</u>	
3. <u>DIOSDADO P. SIMO</u>	<u>SPBM</u>	
4. <u>Rogelio A. Bisnar</u>	<u>(ITVA)</u>	
5. <u>EDGAR MALANGUIS</u>	<u>ITVA</u>	
6. <u>EDGAR NAPAI</u>	<u>ITODA</u>	
7. <u>Rodrigo Daniels</u>	<u>ITODA</u>	
8. <u>Carlo M. Cortes</u>	<u>ITODA</u>	
9. <u>TRINIDAD GUTIERREZ JR</u>	<u>TRATC ENTORON</u>	
10. <u>PANFILO P. MONTE</u>	<u>PRESIDENT</u>	
11. <u>VIRGINIA D. BISNAR</u>	<u>OSCA</u>	
12. <u>ROSA ROSA</u>	<u>BRM</u>	
13. <u>RUEL DETAN</u>	<u>ISMODA / HANNAH?</u>	
14. <u>ROLANDO RECORIO</u>	<u>ISMODA / HANNAH?</u>	
15. <u>Alan B. Bata</u>	<u>INPODA</u>	
16. <u>Jimmy Abenosa</u>	<u>INPODA</u>	
17. <u>JANIS RITA</u>	<u>INPODA</u>	
18. <u>BAKY BACNO</u>	<u>FISH VENDOR</u>	
19. <u>CAVINO J. ABENOSA</u>	<u>MITODA</u>	
20. <u>KYRON BATA</u>	<u>SPM</u>	
21. <u>Fredy Sule</u>	<u>RBM</u>	
22. <u>ARNILLO J. POLO</u>	<u>APSC-PRES.</u>	
23. <u>ROBERTA K. MARIANO</u>	<u>SPM</u>	
24. <u>JOSUE BONNARIS</u>	<u>SPM</u>	



(attendance sheet of the public hearing of the 15th sangguniang bayan of Inopacan, leyte dated august 18, 2022, continued)

25.	<u>MAEWIN D. SIMO</u>	MMD	
26.	<u>REYNOLDO L. NORA</u>	INFS.	
27.	<u>Gerturdes DEDA</u>	IN O	
28.	<u>DANNY ANDRADO</u>	FR	
29.	<u>JOEL JOHN NARVAZ</u>	EBM	
30.	<u>JOHN ANDRADA</u>	HODR	
31.	<u>FRANCIS J. PHUA</u>	ADMIN	
32.	<u>ZENAIDA G. DE LOS ANJOS</u>	SB MEMBER	
33.	<u>MINEEVA M. BUNAE</u>	SB STAFF	
34.	<u>ANGEL O. PAZO</u>	PERO UTIFF	
35.	<u>JIMENEY B. XILLO</u>	SB STAFF	
36.	<u>JERJEN DANIELES</u>	JO-Admin	
37.	<u>SABY LYN DARGANTES</u>	JO-ADMIN	
38.	<u>Raffy Deda</u>	MMD-STAFF	
39.	<u>REY KUODRA</u>	MMD-Staff	
40.	<u>ISABO BENJAMIN DE LOS ANJOS</u>	MMD	
41.	<u>Jeah TAMSI</u>	JO	
42.	<u>MICHELLE G. DE LOS ANJOS</u>	PO II	
43.	<u>CAROLINA M. COMBENAN</u>	MAY. PROKURTOR	
44.	<u>AIRREN X. DE LA CRONA</u>	TREASURER / POBUCION	
45.	<u>LIZA M. ASMOVO</u>	SK CHAIRPERSON	
46.	<u>CLYDE C. MATILIM</u>	TREASURER / MALJU	
47.	<u>ELLA MARIE L. VILLARBA</u>	PRGY. TRASUMBU/SERANZA	
48.	<u>HELYN P. PERAS</u>	TREASURER / PRGY. GUMANGA-AK	
49.	<u>CHRISTINE O. GARCIA</u>	PRGY. CLERK	
50.	<u>MELANIE M. MATIN-AD</u>	SB Secretary	
51.	<u>ALLEN C. REPOLLO</u>	SB STAFF	



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

CERTIFICATE OF POSTING


TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that right after the approval by the Municipal Mayor, copies of the Municipal Ordinances hereunder have been posted in the bulletin board in the municipal hall/building and in conspicuous place in the public terminals and the same will be posted also in all the Barangay Halls of this Municipality, to wit:

- 1) Ordinance No. 22-03, "AN ORDINANCE IMPOSING FEE ON THE USE OF FIVE-MILLION COMFORT ROOM LOCATED AT NEW PUBLIC MARKET BARANGAY POBLACION OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE";
- 2) Ordinance No. 22-05, "AN ORDINANCE PRESCRIBING A UNIFORM COLOR FOR ALL PUBLIC UTILITY TRICYCLES (PUTs) OPERATING WITHIN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE";
- 3) Ordinance No. 22-06, "AN ORDINANCE PRESCRIBING A UNIFORM COLOR FOR ALL PUBLIC UTILITY TRANSPORT VEHICLE AND PROVIDING PENALTY FOR VIOLATION THEREOF";
- 4) Ordinance No. 22-07, "AN ORDINANCE DESIGNATING THE NEW PUBLIC MARKET TERMINAL LOCATED AT THE BAYWALK AREA OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE, AS THE LOADING AND UNLOADING AREA FOR PASSENGERS AND CARGOES OF PUBLIC UTILITY TRICYCLES (PUTs) AND SINGLE FOR HIRE MOTORCYCLES AND IMPOSING FEES THEREOF";
- 5) Ordinance No. 22-08, "AN ORDINANCE RECLASSIFYING PORTION OF CAD. LOT NO. 1640 OF BARANGAY CONALUM, INOPACAN, LEYTE FROM AGRICULTURAL LAND TO INSTITUTIONAL LAND FOR ITS PROPOSED TWO STOREY SCHOOL BUILDING";
- 6) Ordinance No. 22-09, "AN ORDINANCE MANDATING ALL MEAT AND FISH VENDORS TO DISPLAY AND SELL THEIR GOODS OR PRODUCTS ONLY AT THE DESIGNATED AREA AT THE NEW PUBLIC MARKET IN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES";

This Certification is being made to facilitate consideration of the above-mentioned Municipal OrdinanceS by the Sangguniang Panlalawigan of Leyte.

Done this 3rd day of October 2022, at Inopacan, Leyte.


MELANIE M. MATIN-AO
Secretary to the Sanggunian