



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH CITY COUNCIL HELD AT THE SESSION HALL ON JULY 21, 2020.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Ralph Walter R. Lubiano
Hon. Franco Eric O. Ravanilla
Hon. Joven G. Laura

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Erwin J. Duana
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

Hon. Ma. Teresa D. Perdigon
Hon. Lorenz S. Abenion

ABSENT:

Hon. Melchor P. Atutubo
Hon. Hilario D. Dioneda
Hon. Mary Ellen D. Jamisola-on official business
Hon. Fernando David H. Duran, III- on leave

Resolution No. 177, Series of 2020

(Author: Hon. Mark Eric C. Dioneda)

RESOLUTION AUTHORIZING THE TRANSFER OF TRICYCLE FRANCHISE UNTIL NOVEMBER 30, 2020 WITH THE GOVERNING POLICIES AND GUIDELINES AS HEREIN PROVIDED FOR THE PURPOSE

WHEREAS, the Sangguniang Panlungsod, by virtue of provisions under RA 7160, otherwise known as the Local Government Code of 1991, subject to the guidelines prescribed by the Department of Transportation and Communications has the power to regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the city.(RA 7160, Sec.458 (3)(vi));

WHEREAS, Republic Act 9485 otherwise known as the Anti-Red Tape Law (ARTA) of 2007 mandates all government offices to simplify frontline service procedures, formulate service standards to observe in every transaction and make known these standards to their clients;

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WHEREAS, it is the policy of the City Government to ensure the comfort, safety and wellbeing of the general public using tricycles as mode of transportation and shall seek the highest transport safety standards that are reasonably practicable to improve the safety of tricycles as a mode of public transport and to provide the constituents with safe, roadworthy, recognized, environment friendly and convenient mode of transportation and ensure a free flow of traffic in the commercial district and its adjacent areas whose drivers and operators are responsible, disciplined and shall comply with the conditions for the grant thereof;

WHEREAS, the Sangguniang Panlungsod has the power to promulgate rules and regulations that shall govern the issuance of policies, procedures, and other regulatory measures as may be necessary in the effective administration, maintenance and operation of the tricycle for hire and manage tricycle transport in a manner which supports sustainability by seeking to provide its share of public transport trips in proportion to all transport trips in the City;

WHEREAS, various requests for the transfer or change of possession and proprietorship of some tricycle franchise were received and brought out before the Sangguniang Panlungsod;

WHEREAS, this measure shall be limited to the transfer of possession and proprietary characteristic of tricycle franchise from the original grantee to another or his/her beneficiary due to death and other causes that render the franchise inoperable;

WHEREAS, considering the economic adversities confronting every families in the community due to Covid 19 Pandemic, it is therefore right, just and proper to grant the request of the herein individuals and provide them the opportunity and venue to at least uplift their family economic standing;

WHEREAS, the following policies and guidelines shall govern the application and approval of the transfer or change of possession and proprietorship of tricycle franchise, to wit:

GENERAL POLICIES:

A. TRANSFER IN CASE OF DEATH OF THE FRANCHISE HOLDER:

- In case of death of the franchise holder, transfer or change of possession and proprietorship shall be made to legitimate spouse who must be a bonafide and actual resident, registered voter of the city of Sorsogon City and have not been convicted/penalized for violation of any city ordinance.
- In the absence of the surviving legitimate spouse, to any of the children who must likewise be a bonafide and actual resident, registered voter of the city of Sorsogon City and have not been convicted/penalized for violation of any city ordinance.
- In the absence of the aforesaid beneficiaries, the franchise shall be forfeited in favor of the city government of Sorsogon.
- No application shall be entertained or accepted after November 13, 2020. Tricycle Franchise of the holder thereof, who died after November 13, 2020, shall be forfeited in favor of the city government.

B. TRANSFER MADE TO STRANGERS:

- Transfer or change of possession and proprietorship made to strangers shall undergo stringent evaluation, validation and approval by the Sangguniang Panlungsod, through its Committee on Tricycle Franchise and Office of the City Vice Mayor.
- No transfer of possession and proprietorship made after December 31, 2019 shall be entertained or accepted for the purpose.
- Transferee shall be a bonafide and actual resident, registered voter of the city of Sorsogon City and have not been convicted/penalized for violation of any city ordinance.
- Transferee shall have no existing tricycle franchise issued in his/her name.

GENERAL GUIDELINES:

A. TRANSFER IN CASE OF DEATH OF THE FRANCHISE HOLDER:

- The applicant shall submit a letter of intent addressed to the City Vice Mayor thru the Chairman of the Committee on Tricycle Franchise of the Sangguniang Panlungsod stating thereof the intent of the beneficiary to transfer or change of possession and proprietorship of the deceased Tricycle Franchise Holder.
- Submit a certified true copy of Death Certificate of the Tricycle Franchise Holder.
- Submit a certified true copy of Marriage Contract in case the legitimate spouse is the applicant.
- Submit a certified true copy of Birth Certificate in case the child or any of the children is the applicant.
- In case any of the children is the applicant, an Affidavit of the remaining children shall be submitted, waiving their right to apply and designating or endorsing the applicant as the rightful beneficiary thereof.
- Submit a certified true copy of the Registration/Certificate of Registration of the motorcycle.
- Physical presentation of motorcycle with sidecar.
- Certificate of Roadworthiness.
- Submit the previously issued Certificate of Tricycle Franchise.
- Submit 2 copies of 2'x2' picture ID of the applicant and driver.
- Documentary requirements shall be submitted in one (1) original and two (2) sets of photocopies.

B. TRANSFER MADE TO STRANGERS:

- The applicant shall submit a letter of intent addressed to the City Vice Mayor thru the Chairman of the Committee on Tricycle Franchise of the Sangguniang Panlungsod stating thereof the intent of the beneficiary to transfer or change of possession and proprietorship of the a particular Tricycle Franchise.
- Deed of Sale or Deed of Donation of Motorcycle with sidecar
- Submit a certified true copy of the Registration/Certificate of Registration of the motorcycle.
- Physical presentation of motorcycle with sidecar.
- Certificate of Roadworthiness.

- Submit 2 copies of 2'x2' picture ID of the applicant and driver.
- Documentary requirements shall be submitted in one (1) original and two (2) sets of photocopies.

WHEREAS, every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom; as well as powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, improve public morals, enhance economic prosperity and social justice, maintain peace and order and preserve the comfort and convenience of their inhabitants;

NOW THEREFORE, on motion of **City Councilor Nestor J. Baldon**, duly seconded by **City Councilor Rebecca D. Aquino**, resolved as it is hereby resolve to authorize the transfer of tricycle franchise until November 30, 2020 with the governing policies and guidelines as herein provided for the purpose.

RESOLVED FURTHER, resolved further that copies of this resolution be furnished to all concerned for their information and guidance.

DATE APPROVED: July 21, 2020

I HEREBY CERTIFY to the correctness of the foregoing resolution.



DAN G. ALCALA

Acting Secretary to the Sangguniang Panlungsod

Attested:



MARK ERIC C. DIONEDA

City Vice Mayor/Presiding Officer