



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 99-049

AN ORDINANCE PROHIBITING THE SALE, MORTGAGE, CONVEYANCE OR ANY OTHER MODE OF TRANSFER OF TRICYCLE FRANCHISE BETWEEN PRIVATE INDIVIDUALS OR ENTITIES, AMENDING FOR THE PURPOSE SECTION 112 OF ORDINANCE NO. 93-049, OTHERWISE KNOWN AS THE TRANSPORT AND TRAFFIC CODE OF NAGA CITY, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF:-

Author: Hon. Mila Raquid-Arroyo/ Hon. Rodolfo Fortuno

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - PURPOSE. - The purpose of this Ordinance is to curtail the nefarious practice among tricycle franchise holders of transferring at exorbitant fees the tricycle franchise granted to them by the City of Naga.

SECTION 2. - NATURE OF TRICYCLE FRANCHISE. - The operation of tricycle as a public utility is an undertaking affected with public interest. The tricycle franchise is therefore a privilege the granting of which must be strictly regulated to protect the public.

SECTION 3. - NON-TRANSFERABILITY OF TRICYCLE FRANCHISE. - A tricycle franchise, being a privilege, is hereby declared non-transferable; Provided, however, that transfers made to legitimate spouse, parents, children, brother/sister, or when the franchise holder is a cooperative and the transferee is a member thereof, shall be recognized by the City of Naga subject to the requirements and qualifications imposed under Ordinance No. 93-049, as amended.

SECTION 4. - SURRENDER OF FRANCHISE. - Franchise holders who decide to cease from tricycle operation shall surrender their Franchise back to the City of Naga.

SECTION 5. - OTHER TRANSFERS OF UNITS. - Transfers of units made contrary to the provisions of this ordinance are deemed null and void; Provided, that the approval of those transfers which were submitted for the approval of the Sangguniang Panlungsod on or before June 30, 1999 shall be recognized.

SECTION 6. - PENALTIES. - A fine of not less than Three Thousand (P3,000.00) Pesos but not more than Five Thousand (P5,000.00) pesos and imprisonment of not less than three (3) months but not more than six (6) months shall be imposed upon any person, natural or juridical, found to have violated the provisions of this Ordinance.

SECTION 7. - REPEALING CLAUSE. - All ordinances, orders, rules and regulations or parts thereof contrary to or inconsistent with any of the provisions of this Ordinance are hereby amended or repealed.

SECTION 8. - SEPARABILITY CLAUSE. - If any provisions of this Ordinance are held invalid, the other provisions not so declared shall not be affected and will continue to be effective.

SECTION 9. – EFFECTIVITY. - This ordinance shall take effect immediately upon its approval.

ENACTED: July 14, 1999.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
Secretary to the
Sangguniang Panlungsod

GABRIEL H. BORDADO, JR.
Acting City Vice Mayor & Presiding Officer

APPROVED:

SULPICIO S. ROCO JR.
City Mayor