

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SESSION HALL, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON MARCH 5, 2008 AT 2:00 P.M..

- PRESENT:

HON. ROEL T. JARINA,

HON. SUZETTE MARIE HILADO-BANNO,

HON. AGATON O. TUMABOTABO,

HON. MARLON R. TERUÑEZ,

HON. NORBERTO T. TURALBA,

HON. JOSE T. TAVARRO, JR.,

HON. LORETA LUNGAY-ARIAS,

HON. ELMER T. TORRATO,

HON. LEA E. TORREFLORES,

Vice Mayor & Presiding Officer

Councilor

Councilor

Councilor

Councilor

Councilor

Councilor

Councilor

SKMF President
- ABSENT:

HON. SUZETTE TENEFRANCIA-ALQUISADA,

HON. ORVILLO T. TANGENTE,

Councilor

(Special Privilege Leave)

Pres., Liga ng mga Brgy.

(Sick Leave)

Municipal Ordinance No. 2008-003

AN ORDINANCE REGULATING THE USE OF MUNICIPAL PROPERTY VEHICLE ASSIGNED AT THE SANGGUNIANG BAYAN OFFICE, MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO.

- SPONSORED BY:

HON. MARLON R. TERUNEZ,

Chairman, Committee on Infrastructure and General Services
- SECONDED BY:

Hon. Suzette Marie Hilado-Banno, Hon. Jose Tavarro Jr.,

Hon. Norberto Turalba, Hon. Loreta Arias and Hon. Lea Torreflores

WHEREAS, Article 100 of Republic Act No. 7160 states that the Sangguniang Bayan as the Legislative Body of the Municipality, shall enact ordinances and pass resolutions necessary for an efficient and effective municipal government and in this connection shall provide a mechanism to ensure the safety and protection of all municipal government property;

WHEREAS, Article 440 of Republic Act No 7160 further states that the person(s) in actual physical possession of or entrusted with the custody or control of supplies or property shall be responsible for the proper use and care of the same and shall exercise due diligence in the utilization and safekeeping thereof.

WHEREAS, it is important to enact ordinance to regulate the use of the municipal property to provide proper procedure on the use and care of the property and for transparency of transactions made in the utilization of government property;

NOW THEREFORE, be it ordained, as it is hereby ordained, by the Sangguniang Bayan of Tigbauan, Province of Iloilo, that:

Section 1. Title – This ordinance shall be known as the ORDINANCE REGULATING THE USE OF MUNICIPAL PROPERTY VEHICLE ASSIGNED AT THE SANGGUNIAN BAYAN OFFICE, MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO.

Section 2. Declaration of Policy – It is declared policy of the Municipality of Tigbauan to promote accountability in the use of government property and to promote transparency on the utilization of municipal property vehicle (s).

Section 3. Governing Principles On The Use Of The Municipal Property Vehicle Assigned at the Sangguniang Bayan Office, Municipality of Tigbauan, Province of Iloilo. The use of municipal property vehicle shall be governed by these principles:

- a.) System of accountability where both the public officials directly or indirectly involved in the use of the municipal property vehicle cause by their duties and the private parties that may use the municipal property vehicle are, when warranted by circumstances, be investigated and held liable for their actions relative thereto;
- b.) Transparency in the use of the municipal property vehicle for the implementation and application of functions and duties of the Sangguniang Bayan Members.

Section 4. Scope and Application. This ordinance shall apply to the use of the municipal property vehicle assigned at the Sangguniang Bayan Office, Municipality of Tigbauan for the implementation and applications of duties and functions of the Sangguniang Bayan members and for other public and private persons or entities who wish to use the municipal property vehicle.

Section 5. Definition of Terms – As used in this Ordinance, the following terms shall mean:

1. Officers-o-the-Day - refers to members of the Sangguniang Bayan assigned as person-in-charge at the SB office on that certain day
2. Official Business – transactions that are related to the functions of being a municipal official or employee
3. Official Driver – refers to the designated driver(s) from the Sangguniang Bayan office
4. Social functions- refers to the appearance of the SB members to induction programs, benefit dances, coronation programs, presence in vigils or burials, and any other related activities at the municipal perimeter
5. Municipality- refer to the Municipality of Tigbauan
6. Barangay – refer to the 52 barangays situated in the Municipality of Tigbauan
7. Private person/entities – refers to persons or entities during the request not belonging or attached to any branch of the government. Municipal officials and employees who will request for the use of the municipal property vehicle in their private capacity shall be considered as private person or entities for this purpose.
8. Other government agencies – refer to local government units, government agencies and instrumentalities other than the Municipality of Tigbauan and the 52 barangays situated in the Municipality of Tigbauan.

Section 6. Prioritization of the Use of the Municipal Property Vehicle. The use of the municipal property vehicle shall be according to the following priorities:

1. Official Business of the Sangguniang Bayan Members, will be in the top priority on the utilization of the vehicle, specially the Officers of the Day.
2. Other private/entities, government agencies or personnel could avail services of the municipal vehicle through a written request submitted to the office of the SB Secretariat.

Section 7. Use of Municipal Property Vehicle by the Sangguniang Bayan Members and Other Departments/Entities:

The use of the municipal property vehicle is for the application and implementation to the SB official functions shall be free of charge.

In case of other departments/entities requesting for the use of the municipal property vehicle the official driver shall operate the vehicle. The requesting personnel shall provide fuel and shall be held liable for any damage during the use of the vehicle. Any amount equivalent to the damage shall be paid to the Treasurer's Office, Municipality of Tigbauan.

Section 8(a). Use of Municipal Property Vehicle In Other Cases. For Humanitarian reasons such as assistance during school activities, emergency/medical attentions (in cases the municipal ambulance and the police patrol car are not available) and other related activities, maybe allowed subject to the discretion of the Vice-Mayor or the Officers-of-the-Day.

Section 8(b). Municipal Vehicle could be requested only during office hours and official days (Monday to Friday/ 8:00 A.M. to 5:00 P.M.) only.

Section 8(c). Municipal Vehicle charge rates:

1. P300.00 as regular rates (50 kilometers-radius used)
2. Additional rates: P50.00 for every 10 kilometers

Section 8(d). Collected charges shall be in custody of the Sangguniang Bayan Secretariat and shall be used as trust fund of the SB office.

Section 9. Management of Municipal Property Vehicle. The municipal property vehicle shall be under the care and management of the Sangguniang Bayan Office, of this municipality. Scheduling of the use of the Municipal Property vehicle shall be the responsibility of the Sangguniang Bayan Secretariat in coordination with the Sangguniang Bayan Members.

Section 10. Procedure in Requesting for the Use of the Municipal Property Vehicle. The following is the procedure to be followed in requesting for the use of Municipal Property Vehicle:

1. A request form (see attached outline of Requisition Form) will to filled-in by the Requesting Personnel (Officer-of-the-Day), SB Members, barangay, private or public entities) with the SB Secretariat. The SB Secretariat shall be responsible to follow up for the approval/disapproval thereof.
2. If the request is approved, the person requesting shall be informed and a trip ticket shall be filed for driver's use and for documentation.
3. If the request is disapproved, there shall be a written explanation as to the reason of the disapproval thereof.
4. Upon compliance of all required documents, the SB Secretariat shall release the papers and the municipal property vehicle for the use of the requesting person.
5. After the use of the municipal property vehicle, the designated driver shall report/assess about the condition of the vehicle. If upon inspection and there are damages, assessed amount of damage shall be paid by the requesting person to the Municipal Treasurer the amount thereof.

Section 11. Repealing Clause. All previous ordinances, rules and regulations or parts thereof which are inconsistent with the Ordinance are repealed or modified accordingly.

Section 12. Separability Clause. If for any reason or reasons any portion or provisions of this Ordinance is declared unconstitutional or invalid, the other portions or provisions hereof which are not affected, thereby, shall continue to be in full force and effect.

Section 13. Effectivity. This Ordinance shall take effect ten (10) days after a copy thereof is posted in a bulletin board at the entrance and in at least two (2) conspicuous places of the municipal building.

APPROVED.

I HEREBY CERTIFY that the foregoing Municipal Ordinance No. 2008-002 was approved by the Sangguniang Bayan.

CERTIFIED CORRECT:

MARLENE T. NAVA
S.B. Secretary

ATTESTED:

ROEL T. JARINA
Vice Mayor & Presiding Officer

APPROVED:

JAMES EXCELSIOR M. TORRES
Municipal Mayor