

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan

Office of the Sangguniang Bayan

Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
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EXCERPT FROM THE MINUTES OF THE 6TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON FEBRUARY 15, 2017 AT 2:10 IN THE AFTERNOON

PRESENT:

HON. VIRGILIO T. TERUEL,	-	Vice Mayor & Presiding Officer
HON. JOHN GERSHWIN C. TUERES	-	S.B. Member & Temp. Presiding Officer
HON. DENNIS T. VALENCIA	-	S.B. Member
HON. SUZETTE MARIE HILADO-BANNO	-	S.B. Member
HON. NERI T. CAMIÑA	-	S.B. Member
HON. JULIUS T. LEDESMA	-	S.B. Member
HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO	-	S.B. Member
HON. JERRY T. TUARES	-	S.B. Member
HON. RONNIE T. PAGUNTALAN	-	Liga President

ABSENT:

HON. ARIEL I. BERNARDO	-	S.B. Member (<i>Spec. Priv. Leave</i>)
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Municipal Ordinance No. 2017-004

AN ORDINANCE REGULATING THE USE OF NAMOCON TO TIGBAUAN NATIONAL HIGH SCHOOL TOURISM ROAD.

SPONSORED BY: Atty. VIRGILIO TERUEL, Vice Mayor & Chairman, Committee on Rules, Ordinances, Resolutions and Legal Matters

SECONDED BY: Hon. Dennis T. Valencia, Hon. Suzette Marie Hilado-Banno, Hon. Neri T. Camina, Hon. Julius T. Ledesma, Hon. Ma. Gerrylin Santuyo-Camposagrado, Hon. Jerry Tuares and Hon. Ronnie T. Paguntalan;

WHEREAS, Section 447 of the Local Government Code of 1991 mandates that the Sangguniang Bayan as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants;

WHEREAS, Section 16 of the same Code provides that the Local Government Unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary and appropriate incidental for its efficient and effective governance essential to the promotion of the general welfare;

WHEREAS, it is the responsibility of the municipal government to protect and manage government owned properties and facilities in order to promote proper usage and preserve the comfort and convenience of its inhabitants;

WHEREAS, the Namocon to Tigbauan National High School road was originally a feeder road of the National Irrigation Administration (NIA) which was later assumed by the Municipality of Tigbauan as a municipal road when the surrounding areas could no longer be reached by irrigation services;

WHEREAS, the Namocon to Tigbauan National High School road traverses (1) the farmland of the Zayco Family where the 1st Sugar Mill in Panay Island was established and its remnants remain to this date, (2) the Learning Site of Organic Farming in Western Visayas also at the Zayco farmland, (3) the Milk Processing Plant of the National Dairy Authority, Department of Agriculture, and (4) the site of the Tigbauan National High School at Barangay 4, which regularly attract visitors and tourists;

WHEREAS, there is a need to develop said area in order to attract more visitors and tourists to visit this Municipality;

WHEREAS, the concreting of Namocon to Tigbauan National High School Tourism Road (hereafter called the "Tourism Road"), the funding of which is sourced from the convergence of the Department of Tourism (DOT) and Department of Public Works and Highways (DPWH) through the efforts of Congressman Richard S. Garin, aims to promote tourism in the Municipality of Tigbauan, Iloilo;

WHEREAS, prior to the concreting of the Tourism Road, it has been observed that heavy vehicles such as, but not limited to, dump trucks, quarry trucks, heavy equipments, and passenger buses pass through this road

which caused damage thereon such as holes, depressions and erosions that necessitated constant repair and maintenance at the expense of this Municipality;

NOW, THEREFORE, Be it enacted by the Sangguniang Bayan that:

Section 1. This Ordinance shall be known as an Ordinance Regulating the Use of Namocon to Tigbauan National High School Tourism Road ("Tourism Road");

Section 2. Definition of Terms:

- a. Tourist/s - someone who visits a place for pleasure and interest, usually while on holiday;
- b. Tourist bus - is a bus service that takes tourists and visitors on sightseeing, with routes around tourist attractions;
- c. Six (6)-wheeled truck or vehicle – a truck or any vehicle having six (6) wheels;
- d. Heavy Equipment – refers to heavy-duty vehicles, especially designed for executing construction task, most frequently ones involving earthwork operations, such as but not limited to bulldozer, grader, compact excavator and loader;

Section 3. Prohibited Acts. (a) The following vehicles are strictly prohibited from passing through the Tourism Road: Dump trucks, quarry trucks, heavy equipment, private or passenger buses and all other motor vehicles with six (6) or more wheels, *except* fire trucks and vehicle responders during emergencies, calamities and disasters, and trucks for hauling construction materials in the area, such as but not limited to sand and gravel not exceeding five (5) cubic meters; and (b) No vehicle allowed to use the Tourism Road shall exceed the speed limit of 40 KPH (Kilometer Per Hour), except during emergencies and other situations when public order or safety requires otherwise;

Section 4. Tourist buses or those used for educational field trips or travel by students or visitors shall be allowed to use this Tourism Road, provided that permit from the Office of the Municipal Mayor has been secured for its purpose;

Section 5. Penalty. Any violation of the provisions of this Ordinance shall be punished by a fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than thirty (30) days, or both fine and imprisonment, at the discretion of the Court;

Section 6. It shall be the duty and responsibility of the traffic enforcers of Barangay Namocon and Barangay 4 (Poblacion), with the assistance of the Philippine National Police, Tigbauan Municipal Police Station, to implement the provisions of this Ordinance in their respective jurisdiction. As incentives, fines collected for violations hereof shall be apportioned as follows:

- a. Fifty percent (50)% - to the Barangay Namocon/Barangay 4 (Poblacion) where the apprehension was made;
- b. Fifty Percent (50%) - to the Municipal Government

The whole proceeds from the operations shall be turned over to the Municipal Treasurer as income of the Municipal Government while the incentives of the Barangay shall be released to them following the COA rules and regulation.


Section 6. Separability Clause - If, for any reason, any provision, section or part of this Ordinance is declared not valid by a court of competent jurisdiction or suspended or revoked by the authorities concerned, the other sections or parts hereof which are not affected thereby shall continue to be in full force and effect.

Section 7. Repealing Clause – All provisions of any and all prior Ordinance/s which are incompatible or inconsistent with the provisions of this Ordinance are hereby modified accordingly or repealed as the case may be.

Section 8. Effectivity Clause - This Ordinance shall take effect after complying with the requirements as to posting and publication as provided for under Section 59 of RA 7160.

APPROVED.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:

JOHN GERSHWIN C. TUERES
S.B. Member & Temporary Presiding Officer

APPROVED:

SUZETTE TENEFRANCIA-ALQUISADA
Municipal Mayor

(Date signed)

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia	Hon. Suzette Marie Hilado-Banno, <i>M.D.</i>	Hon. Ma. Gerrylin Santuyo-Camposagrado, <i>LLB,MPA</i>
Hon. John Gershwin C. Tueres, <i>LLB</i>	Hon. Neri T. Camiña	Hon. Jerry T. Tuares, <i>Civil Engineer</i>
Hon. Ariel I. Bernardo	Hon. Julius T. Ledesma, <i>O.D.</i>	Hon. Ronnie T. Paguntalan (LnB-Pres.)

“Public office is a public trust. Public Officials must at all times be accountable to the people.”