

ORDINANCE NO. 36

AN ORDINANCE GRANTING THE EXCLUSIVE PRIVILEGE TO OPERATE FERRY IN KABURAYAN RIVER, THIS MUNICIPALITY, TO THE HIGHEST BIDDER IN PUBLIC AUCTION OF THE SAME

Sponsored by: Hon. Dolores S. Bago

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that:

SECTION 1. Exclusive privilege to operate ferry in Kaburayan River, Poblacion, Bulalacao, Oriental Mindoro shall be awarded to the highest bidder in public auction to be conducted by a committee, hereinafter designated;

a) Public Auction Committee. There is hereby created a committee to conduct the public auction, to be constituted as follows:

1. The Mayor or his duly authorized representative;
2. Two (2) members designated by the Sangguniang Bayan, and
3. The Municipal Treasurer

b) Conduct of Public Auction. The committee shall advertise for sealed bids for the leasing of right to ferry in Kaburayan River, Poblacion, Bulalacao, in public auction for one (1) week in the bulliten board of the municipal hall. If no bids are received within one (1) week, such office shall be posted for another one week. If after said notices for the grant of exclusive right to ferry through public auction, there are no interested bidders, the committee shall grant the right to any interested individual, upon payment of the necessary fees and charges;

The notice advertising the call for bids shall indicate the date and the time when such bids shall be filed with the Municipal Treasurer.

At the time and place designated in the notice, the committee sitting en banc, shall open all the bids and award the lease to the qualified bidder offering the highest bid. The lease should be executed within ten (10) days after the award is made by the committee and should the successful bidder refuse, fail or neglect to execute the lease within such time, his deposit shall be forfeited to the municipal government. In such case, another bidding shall be held in the manner hereinabove prescribed.

c) Person eligible for fishing privilege. The following are eligible for ferrying privileges:

- 1) Citizen of the Philippines;
- 2) Cooperative partnerships, any association or corporation duly registered or incorporated under the laws of the Philippines; and authorized to transact under the business of the Philippines, and at least sixty percentum (60%) of whose capital stock belong wholly to citizen of the Philippines.

It shall be unlawful for any person, cooperative, partnerships, association or corporation not qualified by laws and this Ordinance to engage personally or through other person, in the ferrying of people and goods in Kaburayan River.

SECTION 2. Duration of lease. The grant of lease of exclusive right to ferry in Kaburayan River, through public suction shall be for a period of one (1) year;

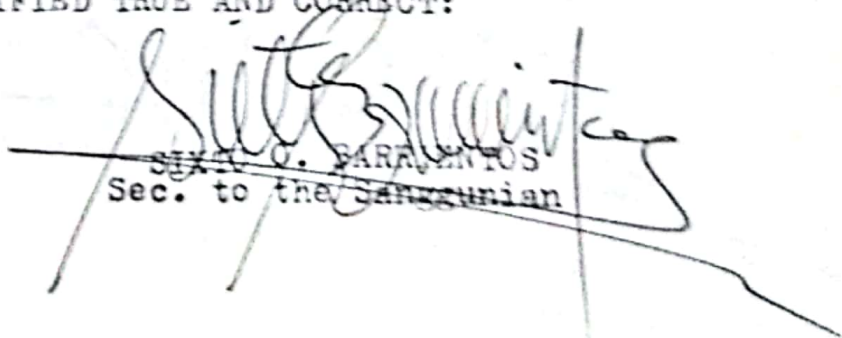
SECTION 3. Any violation of the provisions of this Ordinance shall be punished by a fine of not less than One Thousand Pesos (P1,000.00) but not more than Two Thousand and Five Hundred Pesos (P2,500.00) or imprisonment of not less than one (1) month but not more than six (6) months or both such fine and imprisonment at the discretion of the Court;

SECTION 4. All Ordinance inconsistent hereof are hereby repealed, modified accordingly;

SECTION 5. This Ordinance shall take effect immediately.

ENACTED this 1st day of March 1993.

CERTIFIED TRUE AND CORRECT:


SIXTO O. BARRALENTO
Sec. to the Sanggunian