



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON AUGUST 19, 2019 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

Hon. Ramon G. Magbanua	Municipal Vice Mayor/Presiding Officer
Hon. Dexter R. Gonzales	Sangguniang Bayan Member
Hon. Dennes M. Faner	Sangguniang Bayan Member
Hon. Edezer F. Acheron	Sangguniang Bayan Member
Hon. German S. Acosta	Sangguniang Bayan Member
Hon. Kieven E. Cantos	Sangguniang Bayan Member
Hon. Jess V. Sapungan	Sangguniang Bayan Member
Hon. Elpidio N. Contreras, Jr	Sangguniang Bayan Member
Hon. Edwin C. Acheron	Sangguniang Bayan Member
Hon. Enrico C. Villas	Pangulo, Liga ng mga Barangay

ABSENT:

Hon. Tulay M. Caring	IPM Representative
Hon. Kim Jonh Elco E. Cantos	SK Federation President

x-----x

MUNICIPAL ORDINANCE NO. 19-08-238

AN ORDINANCE PROHIBITING ALL KINDS OF TRUCKS, TRAILERS, HEAVY EQUIPMENT, AND FARM EQUIPMENT TO TRAVERSE ROADS WITHIN THE TOWN PROPER OF BULALACAO, ORIENTAL MINDORO

Sponsor and Author:

Sangguniang Bayan Member DEXTER R. GONZALES
Chairperson
Committee on Education, Arts, and Culture
Committee on Banks, Financial Institutions, and Commerce
Committee on Finance, Budget, and Appropriation

Sponsor:

Sangguniang Bayan Member GERMAN S. ACOSTA
Chairperson
Committee on Public Order, Public Safety, Dangerous Drugs, and Public Utilities and Facilities

Co-Sponsors

Sangguniang Bayan Member ELPIDIO N. CONTRERAS, JR.
Sangguniang Bayan Member EDWIN C. ACERON

WHEREAS, Republic Act 7160 or the Local Government Code of 1991 mandates the local government units to promote peace and order, public safety, and general welfare for the benefit of its constituents and of the public in general;

(Handwritten signatures and initials)

WHEREAS, traffic and use of roads must be administered properly in order to facilitate mobility of people, products, goods, and services; to prevent accidents and death; and to promote and instill public discipline;

WHEREAS, decongested roads promote business and commerce, facilitate easy access to health and education services, and help avoid sluggish economy and development;

WHEREAS, the new bypass road traversing parts of Barangays Campaasan and Poblacion in Bulalacao, Oriental Mindoro presents an alternate route that will surely prevent traffic congestion in built-up areas of said barangays;

WHEREAS, there is a need to update traffic regulations in order to keep upbreast with present situation and development.

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that:

Section 1. Short Title. This ordinance shall be also known as the "2019 Traffic Decongestion Ordinance of Bulalacao".

Section 2. Statement of Policy. It is the policy of the Local Government Unit of Bulalacao, Oriental Mindoro (LGU of Bulalacao) to optimize the use of roads to facilitate and sustain development and public order and safety.

Section 3. Definition of Terms. As used in this ordinance, the following terms shall mean:

- a. **Bypass road** is the new two-way road from Sitio Talisay, Barangay Campaasan to Sitio Kaw-ayan, Barangay Poblacion and vice versa, constructed to reduce congestion, to improve road safety, and to facilitate development in areas traversed by such road;
- b. **Farm equipment** is any kind of machinery used in farming;
- c. **Heavy equipment** refers to heavy-duty vehicles or equipment, specifically designed for executing construction tasks, most frequently ones involving earthwork operations;
- d. **Trailer** is an unpowered vehicle towed by another;
- e. **Traffic ordinance** refers to Ordinance No. 07-11-75 entitled "An Ordinance Regulating The Traffic Rules And Regulations And Providing Penalties For Any Traffic Infractions That May Be Committed Within The Municipality of Bulalacao";
- f. **Truck** is any of various forms of vehicle for carrying goods, materials, or even equipment, usually consisting of a single self-propelled unit;

Section 4. Prohibition. The following vehicles or equipment shall be prohibited to traverse roads within the town proper of Bulalacao:

- a. Any vehicle carrying livestock;
- b. Closed vans;

The bottom of the page contains several handwritten signatures and a circular official stamp. The signatures are in black ink and appear to be of various individuals. The stamp is partially obscured by the signatures and is mostly illegible.

- c. Equipment or other vehicles which practically have no necessity to enter town proper;
- d. Farm equipment – baler, combine, cultivator, fertilizer spreader, harrow, harvester, plow or plough, seeder, tractor, tresher, and the like;
- e. Heavy equipment - backhoe, bulldozer, cement mixer, compactor, dragline excavator, excavator, feller buncher, grader, loader, paver, pile driving machine, telehandler, trencher, tunnel boring machine, wheel tractor scraper, and the like
- f. Trailers - ATV, beverage, car and motorcycle carrier, cargo, chemical, chipper, and equipment trailer; and
- g. Trucks - boom, box, delivery, dump, flatbed, fire, fuel tanker, log carrier, mobile or tower crane, tank, and tow truck, and the like.

These vehicles or equipment shall instead take the bypass road at all times.

Section 5. Exemption. Exemptions to the prohibition shall include the following:

- a. In case of emergency or calamity or when public safety and/or welfare shall so demand;
- b. In case of public works or private construction project, provided, locational clearance, and building and other permits shall have been secured;
- c. In case of delivery of goods, livestock, products, or services practically needing entrance to the town proper;
- d. In case of very heavy loads making it so hard for a vehicle or an equipment to traverse the bypass road; and
- e. In case of rerouting resulting from temporary closure of bypass road.

All equipment and vehicles that might need to enter town proper shall conform to the provisions of the traffic ordinance and other ordinances of Bulalacao. Violations thereof shall be penalized pursuant to the same ordinance/s.

Section 6. Penalty and Administrative Provision. (a) The driver's license of driver or operator or the plate number of vehicle or equipment violating this Ordinance shall be confiscated by the apprehending person who shall be a barangay tanod of Poblacion or Campaasan, or a traffic enforcer of the LGU of Bulalacao, or a police officer. In no case such license or plate number shall remain in custody once the penalty or penalties shall have been already paid and/or served.

(b) An outpost with visible signage bearing important provisions of this Ordinance shall be erected and maintained in Talisay and in Kaw-ayan at the entrance points to both bypass road and town proper, so that the apprehending person/s shall have permanent and all-season posts to ensure strict compliance to this local law. Municipal Engineering Office shall attend to this concern within thirty (30) working days after the approval of this Ordinance;

(c) Violation of the prohibited act shall be punishable by a fine of two thousand five hundred pesos (PhP 2,500.00) or community service of at least forty (40) hours, or both.

(d) The fine collected for violation hereof shall be apportioned as follows:
One thousand pesos (PhP 1,000.00) to apprehending person/s;
One thousand five hundred pesos (PhP 1,500.00) to the LGU of Bulalacao.

A series of handwritten signatures and initials in black ink, including a large signature on the left, several smaller initials in the middle, and a large signature on the right.

(e) Payment of fine shall be done in the Municipal Treasury Office (MTO) which shall issue official receipt of such amount. The MTO shall grant the incentive fraction to the apprehending person/s within seventy two (72) hours after the receipt of the fine, following the usual accounting rules and regulations.

(f) Within one (1) month after the approval of this Ordinance, the Municipal Administrator or any person the Municipal Mayor may assign, shall coordinate with the concerned agencies, groups, or persons for effective implementation of this local law. The Secretary to the Sangguniang Bayan and the sponsors shall orient the concerned employees and stakeholders regarding this Ordinance during the Legislative Forum which shall be held every last Wednesday of the month. These efforts shall try to minimize incidents of violation.

(g) Any officer or employee of the LGU of Bulalacao who shall disregard or neglect the implementation of this Ordinance shall be administratively dealt with and such shall be a ground for suspension or dismissal subject to pertinent provisions of the Civil Service laws and rules.

Section 7. Repealing Clause. Any ordinance inconsistent with the provisions of this Ordinance is hereby repealed or modified accordingly.

Section 8. Separability Clause. If any provision of this Ordinance is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect. Higher laws or policies inconsistent with the provisions of this Ordinance shall prevail.

Section 9. Effectivity. This Ordinance shall take effect immediately after fifteen (15) days of posting in bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.

ENACTED this 19th day of August 2019 Bulalacao, Oriental Mindoro.

HON. DEXTER R. GONZALES
SB Member

HON. DENNIS M. FANER
SB Member

HON. EDEZER F. ACERON
SB Member

HON. GERMAN S. ACOSTA
SB Member

HON. KIEVEN E. CANTOS
SB Member

HON. JESS V. SAPUNGAN
SB Member

HON. ELPIDIO N. CONTRERAS, JR.
SB Member

HON. EDWIN C. ACERON
SB Member

HON. ENRICO C. VILLAS
Pangulo, Liga ng mga Barangay

CERTIFIED TRUE AND CORRECT:

PERLITA L. PAZ
Secretary to the Sanggunian

ATTESTED:

HON. RAMON G. MAGBANUA
Municipal Vice Mayor/Presiding Officer

APPROVED:

ENGR. ERNELO C. VILLAS
Municipal Mayor
Date Signed: 09-16-19