

ORDINANCE NO. SP-1693, S-2006  
(PO2006-77)

AN ORDINANCE PROHIBITING MALL OPERATORS WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY FROM ALLOWING "COLORUM" PUBLIC CONVEYANCES FROM USING THEIR TERMINALS WHEREIN LEGITIMATE PUBLIC UTILITY VEHICLES BOARD AND UNBOARD PASSENGERS, AND PROVIDING PENALTY FOR VIOLATION THEREFOR.

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*Introduced by Councilors EDCEL B. LAGMAN, JR., ELIZABETH A. DELARMENTE, ROMMEL R. ABESAMIS, JOSEPH P. JUICO, WINSTON "Winnie" T. CASTELO, RAMON P. MEDALLA, VOLTAIRE GODOFREDO L. LIBAN III, ERIC Z. MEDINA, JORGE B. BANAL, JR., WENCEROM BENEDICT C. LAGUMBAY, DIORELLA MARIA SOTTO-DE LEON, ANTONIO E. INTON, JR. and RESTITUTO B. MALAÑGEN.*

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*WHEREAS, Republic Act 7160, Section 16 thereof also known as the General Welfare Clause of the "Local Government Code of the Philippines" states that, "every local government unit xxx shall within their respective territorial jurisdictions xxx promote health and safety xxx maintain peace and order, preserve the comfort and convenience of their inhabitants."*

*WHEREAS, there is an upswing of verifiable reports wherein "colorum" public conveyances use the terminals and/or the parking bays of malls within the territorial jurisdiction of Quezon City in boarding and unboarding passengers.*



WHEREAS, this pernicious practice is one which can be prevented by the administrators of malls by employing stricter measures such as but not limited to periodic checks on public utility vehicles with the end in view of determining as to whether or not they are legitimate public utility vehicles or "colorum" public conveyances;

WHEREAS, the commuting public will be damaged and prejudiced should this pernicious practice persist in cases wherein accidents and unfortunate incidents occur resulting in loss of lives and/or damage to limbs because of the absence of third party liability insurance of "colorum" public conveyances;

WHEREAS, mall operators find themselves in a position to contribute to the Land Transportation Franchising and Regulatory Board's (LTFRB) mandate to rid the transport sector of "colorum" public conveyances by instituting stringent measures in preventing these illegal "common carriers" from using their terminals and or parking bays;

WHEREAS, it is the goal of Quezon City government to eradicate "colorum" public conveyances within its territorial jurisdiction by ensuring that all mall operators cooperate in institutionalizing means and measures to prevent these illegal "common carriers" from plying their trade to the detriment of the commuting public.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

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SECTION 1 - The term "Public Conveyance" or "Common Carrier" for purposes of this ordinance means a person, corporation, firm or association engaged in the business of carrying or transporting passengers by land for compensation, offering its services to the public.

It is one who offers services of transportation to the public, being provided with a certificate of public convenience.

SECTION 2. Mall operators within the territorial jurisdiction of Quezon City are prohibited from allowing "colorum" public conveyances from using their terminals wherein legitimate public utility vehicles board and unboard passengers.

SECTION 3. Mall operators that allow the use of terminals and/or parking bays within their premises must require all public conveyances to produce a certificate of public convenience to show proof that they are not "colorum" so that the riding public may be given the protection that the law provides.

SECTION 4. Any mall operator which shall allow "colorum" public conveyances from using its terminal wherein legitimate public utility vehicles board and unboard passengers in violation of this ordinance shall suffer the penalty of a fine of not less than Two Thousand Pesos (P2,000.00) nor more than Five Thousand Pesos (P5,000.00).

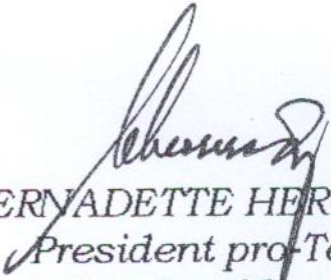
SECTION 5. All laws, decrees, orders, rules and regulations or part thereof inconsistent with this ordinance are hereby repealed or amended, accordingly.

SECTION 6. In the event that any provision of this ordinance is declared unconstitutional or otherwise, invalid, all other provisions which could stand independently thereof shall remain in force.

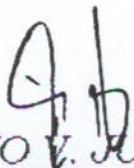


SECTION 7. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation

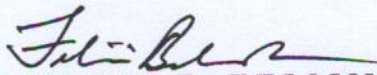
ENACTED: June 5, 2006.

  
BERNADETTE HERRERA-DY  
President pro Tempore  
Acting Presiding Officer

ATTESTED:

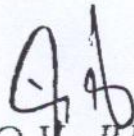
  
EUGENIO V. JURILLA  
City Secretary

APPROVED: June 28, 2006

  
FELICIANO R. BELMONTE, JR.  
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on June 5, 2006, was finally PASSED on Third/Final Reading by the City Council under Suspended Rules on the same date.

  
EUGENIO V. JURILLA  
City Secretary

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