

Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
20th City Council

PO20CC-193

28th Regular Session

ORDINANCE NO. SP- **2589**, S-2017

AN ORDINANCE PRESCRIBING CONDITIONS ON THE ISSUANCE OF SPECIAL USE PERMIT FOR TRANSPORT TERMINAL AND/OR GARAGE IN QUEZON CITY.

Introduced by Councilor OLIVIERE T. BELMONTE.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Roderick M. Paulate, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Kate Abigael G. Coseteng, Jose Mario Don S. De Leon, Franz S. Pumaren, Eufemio C. Lagumbay, Marvin C. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Ivy Xenia L. Lagman, Marra C. Suntay, Hero Clarence M. Bautista, Jose A. Visaya, Karl Edgar C. Castelo, Julianne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, Eric Z. Medina and Ricardo B. Corpuz.

WHEREAS, the Sangguniang Panlungsod of Quezon City, pursuant to the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, has the power to enact Laws and Ordinances as maybe necessary to discharge the responsibilities conferred upon it by Law or Ordinance, and to promote the general welfare of the inhabitants therein;

WHEREAS, pursuant to the above mentioned provisions of the said Local Government Code of 1991, Section 2, Article VII of Ordinance No. SP-918, S-2000, otherwise known as the Quezon City Comprehensive Zoning Ordinance, as amended, and its Implementing Rules and Regulations, was enacted, which pertains to Special Use Permit;

QUEZON CITY PUBLIC LINKAN

28th Regular Session

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WHEREAS, due to the existing traffic crisis in Metro Manila, the Metro Manila Development Authority (MMDA) has implemented a course of action, specifically, A Resolution Rationalizing the Operations of Provincial Buses and its Terminals along EDSA, particularly Section 2 of the said resolution states that "Provincial bus drivers are directed to strictly observe the Nose In, Nose Out Policy when entering and exiting their terminals along EDSA.";

WHEREAS, in order to complement the actions taken by the MMDA and to address the concern, as well as to protect the interest, public safety and general welfare of the commuting public, there is a need to prescribe certain conditions in the authority granted by the Quezon City Council for the issuance of Special Use Permits to transport companies operating transport terminals and/or garages in Quezon City;

WHEREAS, the Sangguniang Panlungsod of Quezon City, is empowered by the fundamental law of the land, autonomy to enact positive and effective measures for prevention or redress of a wrong. Thus, comes this Ordinance to attain the said purpose.

NOW, THEREFORE,

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

SECTION 1. DEFINITION OF TERMS – For the purpose of this Ordinance, the following terms are hereby defined as follows:

- a. Garage – a garage where automobiles and other vehicles are housed, cared for, equipped, repaired or kept for remuneration, hire or sale, other than services permitted at filling station and shall refer to any building or facility constructed primarily for the purpose of parking and maintaining public utility vehicles and which conforms with the standards set forth by the LTFRB for the operation thereof. X

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- b. *Special Use Permit – a permit issued to transport companies operating transport terminals and/or garages by the Quezon City Council for a use not inherently allowed by the district regulations and subject to special review by the Zoning Official of the city.*
- c. *Transport Terminal - shall include all facilities which provide for the loading/unloading of passengers or the delivery, receipt and/or temporary storage of cargo as well as those which serve as temporary garage of the vehicles including maintenance and servicing.*

SECTION 2. ISSUANCE OF SPECIAL USE PERMIT – *The Sangguniang Panlungsod shall issue a Special Use Permit to owners/ operators of transport terminals and/or garages of public utility vehicles through an approved resolution.*

SECTION 3. CONDITIONS ON THE SPECIAL USE PERMIT – *All Special Use Permits adopted or will be adopted by the Sangguniang Panlungsod shall be subject to the following conditions and restrictions:*

- a. *That only public utility vehicles owned by the transport company shall use the transport terminal and/or the garage subject of the Special Use Permit;*
- b. *That the public utility vehicles shall have the appropriate body markings of the transport company owning them together with the address of the garage.*
- c. *That the transport company shall not park any of its public utility vehicles outside its terminal and/or garage, nor on any public streets; ✓*

- d. That the transport company shall not make use of the said terminal or garage for any other activity other than its intended purpose.
- e. That in case the transport company is sold, the new owner shall apply for a new Special Use Permit to operate the transport terminals and/or garage it has inherited from the former operator; and
- f. That the Special Use Permit shall be automatically revoked upon the enactment of a law or issuance of an Executive Order prohibiting the existence of a terminal or garage in the subject area.

SECTION 4. AUTHORITY OF THE QUEZON CITY COUNCIL TO REVOKE SPECIAL USE PERMIT - The Sangguniang Panlungsod reserves the right to revoke any Special Use Permit it has issued for habitual or gross violation of traffic laws, rules and regulations committed by the transport company or its drivers as recommended by the Metro Manila Development Authority (MMDA), Quezon City Police District Traffic Bureau or the Department of Public Order and Safety (DPOS).

Special Use Permit shall also be annulled, by operation of law, in case the Land Transportation and Franchising Regulatory Board revokes the franchise of the transport company.

SECTION 5. EFFECTIVITY OF THE SPECIAL USE PERMIT - The Special Use Permit shall be effective for a period of three (3) years from the adoption of the said resolution, and can be renewed upon its expiration for another three (3) years subject to the above provisions imposed by this ordinance.

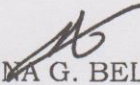
SECTION 6. SEPARABILITY CLAUSE - If for any reason, any part, section or provision of this Ordinance shall be held invalid or unconstitutional, other provisions or parts thereof not affected thereby shall remain in full force and effect. ✕

Handwritten marks: a checkmark, a signature, and a large stylized mark resembling a 'D' or 'G'.

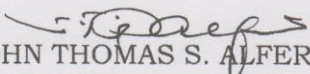
SECTION 7. REPEALING CLAUSE – All other Ordinances, Executive Orders, Rules and Regulations or parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY CLAUSE – This Ordinance shall take effect thirty (30) days after its publication in a newspaper of general circulation.

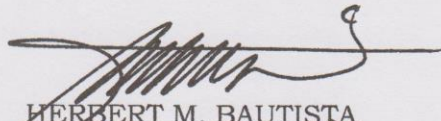
ENACTED: May 29, 2017.


MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

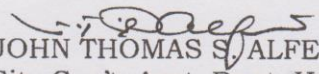
APPROVED: 29 JUL 2017


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on May 29, 2017 and was PASSED on Third/Final Reading June 13, 2017.

ORZUN CITY PUBLIC LIBRARY
LAW RESEARCH


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

