

- d. Speed Competition- Any vehicle participating in an illegal drag racing shall be impounded in the Philippine National Police (PNP) station as evidence in violation of existing national laws.
- e. Traffic Signs- At strategic locations corners or spots, traffic signs of "NO ENTRY" , "ONE WAY", "NO PARKING", "LOADING AND UNLOADING ONLY" and the like as may be appropriate shall be posted and notices on traffic rules shall be displayed on billboards or signage or any device to inform the public of the traffic rules, regulations and ordinances;
- f. Removal of Traffic Signs- It is hereby prohibited to obliterate, destroy, remove, unlawfully transfer and or deface any traffic sign and or notice as provided in the immediately preceding section.

SECTION 5. POSTING OF TRAFFIC ENFORCERS- The Head of the Municipal Traffic Management Unit shall post or assign enforcers at any strategic point or location to inform, monitor, guide, and apprehend traffic violators.

SECTION 6. CENTER LINES- Center Lines shall be drawn at the center along the stretch of the main street of Poblacion area to ensure the smooth traffic flow as the Head of the Municipal Traffic Management Unit may determine.

SECTION 7. ROAD WORTHINESS- There shall be required from all tricycle operators a clearance from the Head, Municipal Traffic Management Unit certifying the tricycle's road worthiness before the same be issued a permit to operate within the territorial jurisdiction of Prosperidad. This certification shall be issued only after the deputized officer or member of the Municipal Traffic Management Unit issuing the same shall inspect the tricycle.

SECTION 8. DEFECTIVE UNITS- Operators whose tricycles are found operating without the required road worthiness certificate shall be fined in the amount of ₱1,000.00. Further, operators whose tricycles are found with defective safety accessories after being issued an MTOP shall be fined in the amount of ₱100.00 per deficiency.

SECTION 9. TOLL FEE FOR TRANSIENT TRICYCLES- Transient tricycles without a Motorized Tricycle Operator's Permit (MTOP) issued by the Municipality of Prosperidad shall be collected the amount of PhP 50.00 per entry in the territorial jurisdiction of this municipality.

COMMON PROVISIONS

SECTION 10. RANDOM CHECK- Traffic enforcers and policemen may flag down or stop any vehicle under the following circumstances:

- a. When there is a clear indication that the driver has committed a violation of this code;
- b. When there is a reasonable ground to suspect that the driver is under the influence of intoxicating liquor or prohibited drugs;
- c. When there is a reasonable ground to suspect that the driver is a minor and has no driver's license;
- d. When there is a reasonable ground that the vehicle is involved in an accident or a subject of a crime and the driver is a fugitive of the law;
- e. When the tricycle has no or is carrying an expired Motorized Tricycle Operator's Permit (MTO) or Motorcycle Tag (if single).

SECTION 11. ADOPTION OF NATIONAL TRAFFIC LAW- For purposes of this ordinance, national traffic rules and regulations are hereby adopted and the penalties provided therein shall be imposed without prejudice to the provision of this ordinance if the same is applicable.

SECTION 12. GARAGE- No municipal, provincial, and national roads in the Poblacion area shall be utilized as a garage for knocked down units. For purposes of this section the owner shall have twenty four (24) hours within which to remove the unit unless, by necessity, the head and/or his designated Officer-in-Charge of the Municipal Traffic Management Unit may grant for a shorter period.

SECTION 13. IMPOUNDING AND/OR TIRE LOCKING- At the cost of the owner, any violation of the immediately preceding section shall cause the impounding and/or tire locking of the vehicle and the payment of ₱ 100 impounding and/or tire locking fee per day and the unit shall constitute a lien on all the charges.

SECTION 14. TRAFFIC CITATION TICKET (TCT). A TCT shall be issued to the erring drivers indicating therein the violation/s. It will automatically serve as impounding receipt to those impoundable violations. The TCT shall be in effect for Seventy-Two (72) hours; hence, driver can still convey passenger/s within said hours. Driver/operator shall pay the corresponding fine at the Office of the Municipal Treasurer during weekdays within Seventy-Two (72) hours from the date of apprehension. All TCT's, Driver's License and impounded Tricycles for hire and other impounded vehicles shall be turned over to the Municipal Traffic Management Unit (MTMU) for appropriate disposition as provided for by law.

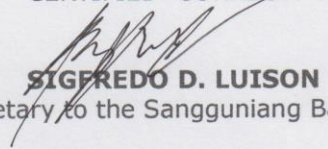
SECTION 15. PENALTY CLAUSE- Unless otherwise penalized elsewhere in this code any violations of the provisions hereof shall cause the perpetrator to suffer the penalty of fine of not less than;

- | | | |
|----|--|-----------|
| a. | For the 1 st time offenders - | ₱ 500.00 |
| b. | 2 nd time offenders - | ₱1,500.00 |
| c. | 3 rd time offenders - | ₱2,500.00 |

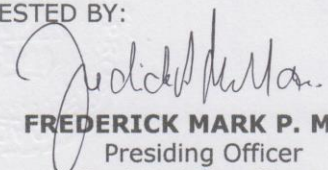
SECTION 16. REPEALING CLAUSE- This code repeals, modifies, amends any existing ordinance inconsistent herewith otherwise the same shall remain in full force and effect.

SECTION 17. EFFECTIVITY- This ordinance shall take effect 15 days after posting in conspicuous places in this municipality.

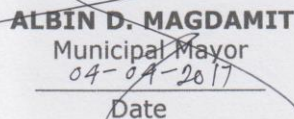
CERTIFIED CORRECT:


SIGFREDO D. LUISON
Secretary to the Sangguniang Bayan

ATTESTED BY:


FREDERICK MARK P. MELLANA
Presiding Officer
Municipal Vice Mayor

APPROVED BY:


ALBIN D. MAGDAMIT
Municipal Mayor
04-09-2017
Date

Republic of the Philippines
Province of Agusan del Sur
MUNICIPALITY OF PROSPERIDAD

17th SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 29TH REGULAR SESSION OF THE 17TH SANGGUNIANG BAYAN OF PROSPERIDAD, AGUSAN DEL SUR HELD IN ITS SESSION HALL ON FEBRUARY 28, 2017 AT 10:00 A.M.

INTRODUCED BY: MUNICIPAL VICE MAYOR FREDERICK MARK P. MELLANA
COUNCILOR SAMSON L. AUXTERO

PRESENT:

Hon. Frederick Mark P. Mellana	Mun. Vice Mayor/Presiding Officer
Hon. Jesusimo L. Ronquillo	Sangguniang Bayan Member
Hon. Cesar M. Romero, Jr.	Sangguniang Bayan Member
Hon. Emedita A. Jagonia	Sangguniang Bayan Member
Hon. Samson L. Auxtero	Sangguniang Bayan Member
Hon. Richel B. Tumalak	Sangguniang Bayan Member
Hon. Benecio A. Manliguez	ABC President
Hawudon Lumadnon	
Victorico C. Mondejar, Jr.	Indigenous People Representative

ON OFFICIAL BUSINESS

Hon. Gina A. Ceballos	Sangguniang Bayan Member
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EXCUSED

Hon. Roland D. Magdamit	Sangguniang Bayan Member
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ON LEAVE

Hon. Alicia S. Demecillo	Sangguniang Bayan Member
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MUNICIPAL ORDINANCE NO. 01
Series of 2017

**AN ORDINANCE ENACTING THE TRAFFIC CODE OF THE
MUNICIPALITY OF PROSPERIDAD PROVINCE OF AGUSAN DEL SUR**

BE IT ORDAINED by the Seventeenth Sangguniang Bayan of Prosperidad, in session assembled, that;

SECTION 1. TITLE. This Ordinance shall be known as " THE TRAFFIC CODE OF THE MUNICIPALITY OF PROSPERIDAD PROVINCE OF AGUSAN DEL SUR"

SECTION 2. DEFINITION OF TERMS. For purposes of this code, the following terms shall mean:

- a. Tricycle - a three-wheeled vehicle that is composed of a motorcycle and a cab.
- b. Owner/Operator - is a person or a corporation that engages in renting out any motorized vehicle.
- c. Driver - is a person that drives a vehicle.
- d. Motorcycle - a two-wheeled vehicle that is powered by a motor.
- e. Multicab/Jeepney - is a four-wheeled vehicle that is usually used as public transport.
- f. Traffic Citation Ticket - is a document issued by the Traffic Officer to erring driver for violating any provisions of an ordinance relative to traffic.
- g. Safety Accessories- shall refer to the side mirrors, fully function horn, headlight, park light, signal light, brake light and tail light.

SECTION 3. MUNICIPAL TRAFFIC MANAGEMENT UNIT. The Local Chief Executive shall be given the authority and power to create a Municipal Traffic Management Unit and to promulgate the rules and regulations relative thereto;

SECTION 4. FLOW OF TRAFFIC AND PARKING.

- a. No Parking Zones- No vehicles such as Motorcycles, Tricycles, Jeeps, vans, multicabs, Service Utility Vehicles (SUVs), Buses, and 10 wheelers truck loaded with falcate shall park along the roads within the territorial jurisdiction of the Municipality of Prosperidad, Agusan del Sur other than the designated area located within the perimeters.
- b. Stopping Area- No passenger vehicle and other common carriers shall be allowed to operate and establish their own loading and unloading zones other than the area prescribed/allocated by the Municipal Traffic Management Unit.
- c. Speed Limit- All types of vehicles shall not exceed a speed of thirty (30) kph within the Poblacion area and all barangays proper of Prosperidad along the highway as provided under the National Traffic Code.