



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 09-081

AN ORDINANCE AMENDING ORDINANCE NO. 08-070 ENTITLED, "AN ORDINANCE AMENDING SECTION 130 OF ORDINANCE NO. 04-022, OTHERWISE KNOWN AS THE MUNTINLUPA CITY TRAFFIC CODE SUBJECT TO ALL LAWS AND EXISTING RULES AND REGULATIONS.

- Sponsored by: *Hon. Coun. Francis Ian T. Bagatsing*
- Co-sponsored: *Hon. Coun. Allen F. Ampaya*
- Hon. Coun. Allan Rey A. Camilon*
- Hon. Coun. Ma. Luisa Babaran-Echavez, MD*
- Hon. Coun. Melchor R. Teves*
- Hon. Coun. Atty. Icasiano M. dela Rea*
- Hon. Coun. Ermie S. Espeleta*
- Hon. Coun. Marita Deang-Calalang, DMD*
- Hon. Coun. Joselito V. Arevalo*
- Hon. Coun. Luvi P. Constantino*
- Hon. Coun. Engr. Marissa Cole-Rongavilla*
- Hon. Coun. Engr. Mamerto T. Sevilla, Jr.*
- Hon. Coun. Vergel C. Ulanday*
- Hon. Coun. Robert A. Abas*
- Hon. Coun. Atty. Rey E. Bulay*
- Hon. Coun. Dann Henry G. Teves*

WHEREAS, there have been reports of abuse committed in the implementation of **City Traffic Ordinance** by traffic enforcers in apprehending traffic ordinance violators, prioritizing their personal interest to avail the **twenty percent (20%)** incentives accrued to them by the said ordinance which resulted to the prejudice of the rights and interest of the motorist public;

WHEREAS, to effectively discourage and deter the commission of abuses in apprehending traffic ordinance violators, and to prevent loss of confidence of the people and protect their rights and interest, it is necessary that the **twenty percent (20%)** incentives accrued to them **be removed**;

WHEREAS, the reported abuse in the implementation of the Traffic Ordinance committee by traffic enforcers in apprehending traffic ordinance violators has been settled by the MTMB through the enforcement of new strict guidelines and policies;

WHEREAS, the City of Muntinlupa, as a highly-urbanized city, is in need of an effective traffic management in order to alleviate traffic congestion problem;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 5th Sangguniang Panlungsod of Muntinlupa in session assembled that:

SECTION 1. *Section 130 of Ordinance No. 08-070 to be amended read as follows:*

[Handwritten signatures of council members]

City Hall of Muntinlupa Tel. Nos.: 543-0766 * 861-1557



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Section 130. Creation of Traffic Development Trust Fund.

There is hereby created a Traffic Development Trust Fund generated from all receipts from franchising, supervisory regulatory fees, fines and surcharges as set forth in this ordinance.

All collections for violations of any section or provision of this ordinance shall accrue to the Trust Fund of the City Government of Muntinlupa. The City Accountant shall keep and maintain a special account and all records related thereto.

Parking charges, terminal fees, towing fees, and similar imposition for specific services rendered shall accrue to the Traffic Development Trust Fund.

The fund shall be disbursed only for traffic improvement and other activities and requirement of TPMO by including maintenance of facilities and traffic control devices but excluding salaries, allowance, honorarium, or other form of remuneration of personnel.

Section 130 of Ordinance No. 04-022 as amended by Ordinance No. 08-070 shall now be read as follows:

There is hereby created a Traffic Development Trust Fund generated from all receipts from franchising, supervisory regulatory fees, fines and surcharges as set forth in this ordinance.

All collections for violations of any section or provision of this ordinance shall accrue to the Trust Fund of the City Government of Muntinlupa. The City Accountant shall keep and maintain a special account and all records related thereto.

For the collected fines, it shall be given to the following:

- a) **Fifteen percent (15%)** to the Traffic Enforcers concerned which shall be allotted: One Thousand Pesos (Php1,000.00) for their monthly hazard pay, overtime pay, and other benefits.
- b) **Five percent (5%)** to Traffic Enforcement Unit that can generate traffic fines in the amount of Fifty Thousand Pesos (Php50,000.00) and above.
- c) **Five percent (5%)** to minor traffic facilities improvements and activities.

Parking charges, terminal fees, towing fees, and similar imposition for specific services rendered shall accrue to the Traffic Development Trust Fund.



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The fund shall be disbursed only for major traffic improvement and other activities and requirement of TPMO, including maintenance of facilities and traffic control devices but excluding salaries, allowance, honorarium, or other form of remuneration of personnel. Any unused balance at the end of the fiscal year in excess of Twenty Five Percent (25%) of the previous year's expenditures shall revert back to the General Fund.

SECTION 2. Separability Clause – If, for any reason or reasons any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 3. Effectivity Clause – This Ordinance shall take effect upon its approval.

ENACTED, by the 5th Sangguniang Panlungsod of Muntinlupa this 23rd day of February 2009, on its 67th Regular Session.

CONCURRED:

DISTRICT I:

COUN. ALLEN F. AMPAYA
Member

COUN. ALLAN REYA CAMILON
Member

COUN. MA. LUISA BABARAN-ECHAVEZ, MD
Member

COUN. MELCHOR R. TEVES
Member

COUN. ATTY. IGASIANO M. DELA REA
Member

COUN. ERMIE S. ESPELETA
Member

COUN. MARITA DEANG CALALANG, DMD
Member



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DISTRICT II:


COUN. FRANCIS IAN T. BAGATSING
Member


COUN. JOSELITO V. AREVALO
Member


COUN. LUVI P. CONSTANTINO
Member


COUN. ENGR. MARISSA COLE-RONGAVILLA
Member


COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member


COUN. VERGEL C. ULANDAY
Member


COUN. ROBERT A. ABAS
Member



COUN. ATTY. REY E. BULAY
Member

COUN. DANN HENRY G. TEVES
President
Sectoral Representative
Federation of Sangguniang Kabataan

ABSENT:

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


LEONORA M. MARCELO
Legislative Staff Officer IV



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Norie/

ATTESTED:

ARTEMIO A. SIMUNDAC
Vice-Mayor/Presiding Officer

APPROVED:

ALDRIN L. SAN PEDRO
City Mayor
Date: _____