



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 77

12TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the twenty-fourth day of August, Two Thousand Twenty-Three

ORDINANCE NO. 8984

AN ORDINANCE EXPRESSLY REPEALING ORDINANCE NO. 7966, ENTITLED: "AN ORDINANCE FURTHER AMENDING SECTION 2-A OF ORDINANCE NOS. 7914, 7928, 7936 AND 7944 BY INCLUDING THEREIN THE TRICYCLE TERMINAL OF THE BASECO-DIVISORIA-INTRAMUROS TRICYCLE OPERATORS ASSOCIATION, INC. (BASECOTODA); AND SECTION 2 OF ORDINANCE NO. 7871, AS AMENDED BY ORDINANCE NOS. 7914, 7936 AND 7944 BY INCLUDING THEREIN A ROUTE MEASURE CAPACITY FOR BASECOTODA", ENACTED ON APRIL 29, 1999 AND APPROVED BY THE MAYOR ON JUNE 21, 1999

PRINCIPAL AUTHORS: **HON. RAYMUNDO R. YUPANGCO, HON. ROBERTO S. ESPIRITU II, HON. RICARDO "Boy" A. ISIP, JR., HON. CHARRY R. ORTEGA, HON. BENNY FOG T. ABANTE III, HON. IRMA C. ALFONSO-JUSON, HON. TERRENCE F. ALIBARBAR, HON. ARLENE MAILE I. ATIENZA, HON. KRYSTLE MARIE C. BACANI, HON. RUBEN F. BUENAVENTURA, HON. LOUISITO N. CHUA, HON. NIÑO M. DELA CRUZ, HON. PAMELA "Fa" G. FUGOSO-PASCUAL, HON. MARTIN V. ISIDRO, JR., HON. RODOLFO N. LACSAMANA, HON. MACARIO M. LACSON, HON. SALVADOR PHILIP H. LACUNA, HON. JOHANNA MAUREEN C. NIETO-RODRIGUEZ, HON. ERICK IAN O. NIEVA, HON. ELMER M. PAR, HON. SCIENCE A. REYES, HON. DARWIN B. SIA, HON. LUCIANO M. VELOSO, HON. JOEL "JTV" VILLANUEVA, HON. TIMOTHY OLIVER I. ZARCAL, HON. LEILANI MARIE H. LACUNA, HON. ERNESTO C. ISIP, JR., Majority Floor Leader and HON. JOHN MARVIN C. "Yul Servo" NIETO, Vice-Mayor and Presiding Officer**



EXPLANATORY NOTE

On May 17, 2023, the Manila Traffic and Parking Bureau (MTPB) issued a letter addressed to the Hon. Jesus "Taga" Fajardo, Jr., Chairman of the Committee on Transportation of the City Council of Manila, regarding the endorsement to the City Council of Manila the Revocation of BASECOTODA (Ordinance No. 7966), where it stated the violations of BASECOTODA of the laws and regulations promulgated by the City of Manila, where its dispositive portion states:

After thorough investigation with the alleged complaints against BASECO and the examination of the evidences submitted to this office, the undersigned by virtue of the power granted by Ordinance No. 8291, otherwise known as the "MANILA TRIWHEEL VEHICLE ORDINANCE OF 2012", giving this office the power to "receive, process, commence, investigate and submit to the Sangguniang Panlungsod the suspension or revocation of franchise/s or permits x x x" hereby endorses the revocation of the BASECOTODA as a valid TODA existing and operating within the City of Manila and requests the City Council of Manila to dissolve the same for the benefit of the public.

On August 1, 2023, the City Legal Officer issued a Memorandum, addressed to the Hon. Jesus "Taga" Fajardo, Jr., Chairman of the Committee on Transportation of the City Council of Manila, regarding the revocation of BASECOTODA's franchise, which dispositive portion states:

It is clear that the power to grant franchise belongs to the City Council of Manila, it follows that the power to cancel or revoke the same likewise belongs to the City Council. A franchise is a special privilege conferred by a governmental authority, and which does not belong to citizens as a matter of common right. If a franchise is found to be in violation of the terms and conditions thereof, the same can be revoked by the City Council.

The Committee on Transportation held Committee Hearings for the same subject matter on June 15, 2023 and August 10, 2023 affording BASECOTODA due process.


HON. RAYMUNDO R. YUPANGCO
Councillor, Fifth District
Manila

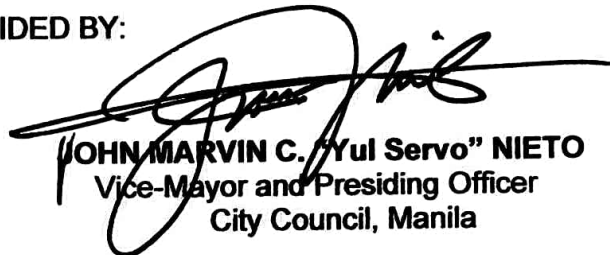
Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. Ordinance No. 7966, entitled: "AN ORDINANCE FURTHER AMENDING SECTION 2-A OF ORDINANCE NOS. 7914, 7928, 7936 AND 7944 BY INCLUDING THEREIN THE TRICYCLE TERMINAL OF THE BASECO-DIVISORIA-INTRAMUROS TRICYCLE OPERATORS ASSOCIATION, INC. (BASECOTODA); AND SECTION 2 OF ORDINANCE NO. 7871, AS AMENDED BY ORDINANCE NOS. 7914, 7936 AND 7944 BY INCLUDING THEREIN A ROUTE MEASURE CAPACITY FOR BASECOTODA", enacted on April 29, 1999 and approved by the Mayor on June 21, 1999, is hereby expressly repealed.

SEC. 2. Effectivity Clause. – This Ordinance shall take effect immediately upon its approval.

This Ordinance was finally enacted by the City Council of Manila on August 24, 2023.

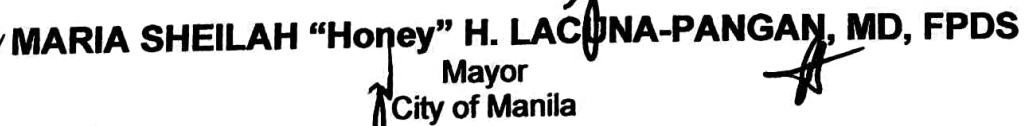
PRESIDED BY:


JOHN MARVIN C. "Yul Servo" NIETO
Vice-Mayor and Presiding Officer
City Council, Manila

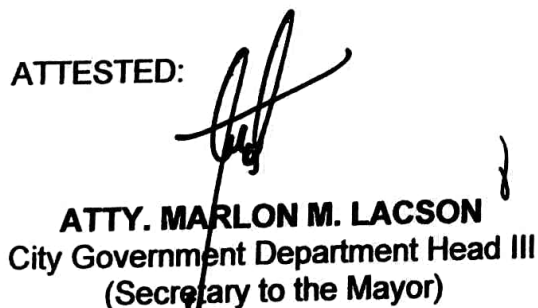
ATTESTED:


LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON SEP 12 2023.


MARIA SHEILAH "Honey" H. LACUNA-PANGAN, MD, FPDS
Mayor
City of Manila

ATTESTED:


ATTY. MARLON M. LACSON
City Government Department Head III
(Secretary to the Mayor)