



District I:

ABSENT

HON. AVELINO B. SOLIS
City Councilor

HON. EDWIN G. GAWARAN
City Councilor

HON. MIGUEL N. BAUTISTA
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. REYNALDO M. FABIAN
City Councilor

HON. VENUS D. DE CASTRO
City Councilor

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HON. LEANDRO A. DE LEON
City Councilor

HON. ROBERT R. JAVIER
City Councilor

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HON. VICTORIO L. GUERRERO, JR.
City Councilor - ABC Pres.

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Republic of the Philippines
CITY OF BACOR
Province of Cavite

OFFICE OF THE SANGGUNANG PANLUNGSOD

CITY ORDINANCE NO. CO 57-2015
Series of 2015

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CITY ORDINANCE NO. 2013-2 OTHERWISE KNOWN AS "THE REVISED TRAFFIC CODE OF THE CITY OF BACOR", EMPOWERING THE BACOR CITY TRANSPORTATION BOARD TO SIMPLIFY THE PROCESS OF APPLYING FOR A NEW FRANCHISE, AND REVOKING ALL TEMPORARY PERMITS TO OPERATE ISSUED BY THE BACOR TRAFFIC MANAGEMENT DEPARTMENT.

Sponsored by : Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Hernando C. Gutierrez Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, and Hon. Reynaldo D. Palabrica.

WHEREAS, City Ordinance No. 2013-2 entitled "An Ordinance Enacting The Revised Traffic Code of the City of Bacoor" was approved by the Sangguniang Panlungsod on 28 January 2013. The said ordinance took effect on 27 March 2013.

WHEREAS, local government units like the City Government of Bacoor, Cavite, pursuant to Section 458 (5)(v-vi) of Republic Act No. 7160 (also known as the "Local Government Code of 1991"), are authorized to regulate traffic within their respective territorial jurisdictions.

WHEREAS, Section 11, par. 5 (vi) of Republic Act No. 10160 (also known as the "Charter of the City of Bacoor") empowered the Sangguniang Panlungsod to regulate traffic on all streets and bridges, prohibit encroachments or obstacles thereon and, when necessary in the interest of public welfare, authorize the removal of encroachments and illegal constructions in public places located within the City of Bacoor.

WHEREAS, the Bacoor City Transportation Board ("BCTB" or "the Board") submitted a letter to the Sangguniang Panlungsod requesting: (a) the approval of the Rules of Procedure of the BCTB, (b) revising certain provisions of City Ordinance No. 2013-2, and (c) approval of the proposed Bacoor E-Trike Development Project.

WHEREAS, in reaction to the said request and pursuant to its power to review existing city ordinances, the Sangguniang Panlungsod concluded a series of public consultations involving various stakeholders and concluded that the various matters raised by the BCTB are meritorious and should be approved.



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Sangguniang Panlungsod Secretary

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City Vice Mayor/Presiding Officer

Approved by:

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City Mayor

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NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City Government of Bacoor, Cavite in regular session assembled, that:

Section 1. Amendment of Certain Provisions of the Revised Traffic Code of the City of Bacoor. The following underscored provisions of City Ordinance No. 2013-2 are hereby amended and shall henceforth read as follows:

"Section 35. Load/Capacity and Route Capacity Limit. -- No tricycle shall be allowed to carry more than three (3) passengers, which shall include the driver at any given time. No tricycle shall be allowed to carry any goods or cargo that exceeds the load capacity of the unit or that endangers public safety. No more than thirty (30) tricycle units for every 1,000 households in residential subdivisions that are not being serviced by an existing Tricycle Operators and Drivers Association (TODA) at the time of the approval of this Ordinance shall be granted with a franchise to operate by the BCTB. This route capacity limit shall not apply to residential subdivisions already being serviced by a TODA prior to the approval of this Ordinance. The number of tricycle units operating within any area or residential subdivision within the City of Bacoor shall not be increased by either the BCTB, the BTMD, or by any other department or unit under the Office of the City Mayor without the unanimous approval of the Sangguniang Panlungsod by way of an ordinance.

Section 36. Operating Conditions.- The Board is hereby empowered to designate specific routes for each tricycle or pedicab federation operating within the City which has been accredited by the Sangguniang Panlungsod. In designing such routes, the Board shall take into consideration the number of potential passengers that shall be serviced by the tricycle or pedicab units that shall be assigned thereto; the number of tricycle/pedicab units that the said route can accommodate; the economic viability of allowing a given number of tricycle/pedicab units to ply the said routes; the location of the said routes and the effect thereof to the flow of traffic; and any pertinent rules or regulations that may be imposed by the LTO, LTRFB, or any other government agency. To assist it in designating the said routes, the Board is hereby empowered to require all TODAs and PODAs operating within the City of Bacoor to submit three (3) written copies of the



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masterlist of all its members. Aside from the said written copies, the Board may also require that a digital copy of the said masterlist be submitted to the Board. The masterlist shall be duly signed and certified as true and authentic by the officers of the TODA/PODA concerned. The masterlist should also contain the full name, address, birthday, and driver's license number (when applicable) of all its members in alphabetical order. The failure or refusal of a TODA/PODA to submit the said masterlist within the period required by the Board or its submission of a masterlist that contain false entries may be used by the Board as a ground to disapprove any application for franchise by any member of the erring TODA/PODA."

xxx

"Section 39. E-Strike Program Franchise Fee Exemption and Other Benefits.

—To encourage operators of conventional tricycles to switch to environmentally sound tricycle units and to improve the ambient air quality of the City pursuant to the pertinent provisions of the Philippine Clean Air Act of 1999 (RA 8749), the following benefits shall be granted to all applicants for E-Strike Program Franchises within three (3) years following the approval of this Ordinance, to wit:

a) Exemption from payment of any franchise fee during the first year of operation of the unit or from 1 January 2016 up to 2 January 2018;

b) Designation of a special route to be exclusively used by tricycle units qualified under the E-Strike Program. **Provided that:** the special routes to be granted to e-trikes under this Program should not be one already being serviced by a TODA granted with a valid franchise by the BCTB; xxx"

xxx

"Section 40. Color Coding.—To help prevent e-tricycle units from operating outside of their designated routes, the Board is hereby empowered to designate a common body paint color on all units plying the same route subject to the recommendation of the BTMD. In case the operators or drivers of the e-trikes qualifying under



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this Program cannot afford to have their e-trike units repainted, the BCTB is hereby granted the power to instead require the said drivers to wear a shirt of a specific design or color to distinguish them from drivers of conventional tricycles or pedicabs. The operator of e-tricycle units found violating this provision either by operating his driven vehicle (a) without the proper body paint color, or (b) outside of its designate route shall be apprehended and shall be held liable to pay a fine of Five Hundred Pesos (PhP 500.00) plus suspension of his/her franchise to operate for a period not to exceed thirty (30) days as may be determined by the proper court of law.

Section 41. Fees.- All fees being charged by the city government in relation to the grant of new franchises, or for the renewal of existing franchises, for conventionally powered tricycles are hereby maintained. Applicants for new franchises for tricycles falling under the E-Strike Program are exempted from paying any franchise fee from the date of approval of this ordinance until **2 January 2018**. Thereafter, franchise applicants for tricycles falling under the E-Strike Program shall be made to pay a franchise fee 30% less than the franchise fee for conventionally powered tricycles."

xxx

Section 47. Additional Standards for Inter-Modal Transport Terminals.-- "Inter-modal transport terminals" refer to terminals which can simultaneously accommodate or serve at least three types of public land transport vehicles, such as PUJ's, Multi-cabs, Vans/AUVs, etc. and for bus terminal or terminals which caters to less than three vehicle types; one of which would be public utility buses. Operators of inter-modal transport terminals shall also strictly observe the following standards:

1. Concrete pavement and flooring;
2. Wide entrances and exits for easy mobility to and from the terminal;
3. Provision for communication facilities (such as telephone, fax machines, internet etc.);



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4. Installation of Public-Address System Facilities and CCTV cameras or monitors in strategic places within the terminal;

5. Separate rest rooms for male and female and disabled passengers which must at all times be clean, sufficiently lighted, free from foul odors, ventilated with clean running water, equipped with a flush system, equipped with toilet seat with cover, must have a working lavatory, must have a waste bin that is emptied and cleaned regularly or when necessary, must have toilet paper, with a mirror, with a working soap dispenser with soap, must have a working hand dryer, with dry flooring and a functional door lock for each toilet cubicle, and with a sufficient number of janitorial maintenance personnel;

6. Provision for separate and sufficient parking lots or spaces for each mode of transport that shall use the inter-modal transport terminal;

7. Traffic Impact Assessment (TIA) conducted by a duly licensed Traffic Engineer or by a person qualified to conduct such as an assessment as certified by the National Center for Transportation Studies (NCTS); and

8. An Environmental Clearance Certificate (ECC) duly issued by the DENR prior to the commencement of construction or operation of the terminal."

xxx

"Section 53. Franchising regulation/procedures. -

All public utility transport, including school buses, operating within the city shall be required to secure a legitimate franchise decision for the approved route where they intend to operate. Public Utility Tricycles and Pedicabs shall be required to secure their franchise decision from the Bacoar **City Transportation** Board. The procedure for securing such a **franchise shall be as follows:**

Step 1: The tricycle operator must secure and fill up a Franchise



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Application Form (BCTB Form 001) from the BCTB. (Please refer to Appendix "2" of this Ordinance.)

Step 2: If the applicant must submit the following documents to the BCTB: [a] photocopy of valid OR/CR issued by the LTO covering the vehicle subject of the franchise application, [b] photocopy of valid driver's license, [c] current and valid Community Tax Certificate or Special Bacoor Resident (SBR) ID card, [d] Medical Clearance Certificate of the drivers working for him issued by the City Health Officer, [e] Mayor's Permit, and [f] official receipt issued by the City Treasurer's Office evidencing payment of the following fees:

Body Number/Sticker Fee	-P100.00
Franchise Fee	- P325.00
Validation Fee	- P100.00

The operator shall only pay the said fees once every two (2) years beginning on 1 January 2016. No other fees shall be charged or collected from the operator by the BTMD or by any other department or unit of the city government from the operator while the franchise remains effective within the said two-year period.

Step 3: The BCTB must either approve or disapprove the application within two (2) working days from the date of submission of all the documents mentioned above. The failure of the BCTB to approve the said application within the period mentioned above without any justifiable reason shall automatically result in the approval of the said permit by the City Mayor. Beginning on 1 January 2016, all Franchises to be approved by the BCTB shall remain effective for two (2) consecutive years. However, tricycle drivers shall still be required to apply for a



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Mayor's Permit and Medical Clearance
Certificate every year.

Section 53-A: Procedure for the Issuance of Medical Clearance Certificate. – The City Health Office shall strictly enforce the following procedures in the issuance of Medical Clearance Certificates in relation to Section 53 hereof:

Step 1: The tricycle driver must secure and fill up a Medical Clearance Application Form (CHO Form 001) from the City Health Office (CHO). *(Please refer to Appendix "3" of this Ordinance.)*

Step 2: The CHO shall conduct the necessary medical check-up and laboratory procedures on the applicant within two (2) working hours after receipt of the application. If the application is received after 4:00 pm, the check-up and/or laboratory procedure shall be conducted on the next working day. If the driver is a registered voter of the City of Bacoor or the holder of a valid SBR ID Card, the driver shall no longer be required to pay any fee for the said check-up or laboratory procedure.

Step 3: If the applicant passes the medical check-up and the laboratory procedure, the CHO shall issue the Medical Clearance Certificate within one (1) working day after the results of the check-up or laboratory procedure is completed. If the applicant is found to be suffering from either Hepatitis A, tuberculosis, or any other communicable diseases – the application shall be denied by the CHO. If the applicant suffers from a communicable yet curable disease, he/she shall be treated by the CHO free of charge. Once fully cured as certified by the CHO, the applicant shall file a new application which shall be immediately approved by the CHO upon receipt thereof.



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If the applicant suffers from a contagious and incurable disease, the application shall not be approved.

If the driver suffers from hypertension, the application shall not be approved unless the applicant submits a medical certificate from his cardiologist or from a physician under the employ of the city government that he/she is not a danger to himself or to the public as a consequence of his/her disease.

Section 53-B. Procedures for the Issuance of a Mayor's Permit. -The following procedures shall be enforced by the Mayor's Office in the issuance of the Mayor's Permit in relation to a franchise application:

Step 1: The applicant shall secure and fill up a Mayor's Permit Application Form (OM Form 001) from the Strike Action Center, the BCTB, the City Administrator's Office, the BTMD, or from the reception desk of the Mayor's Office.

Step 2: The applicant shall pay the following fees with the City Treasurer's Office:

Mayor's Permit	-P50.00
Medical Clearance Fee	-P50.00
Police Clearance Fee	-P50.00

Step 3: The applicant shall submit the duly accomplished Mayor's Permit Application Form to the Mayor's Office or to the Office of the City Administrator together with the following: [a] Medical Clearance Certificate, [b] photocopy of SBR ID Card, Voter's ID, or certification from the local Commission on Elections Office that the applicant is a registered voter of the City of Bacoor, [c] photocopy of the applicant's professional driver's license, [d] Police Clearance, and [e] original copy of the official receipts issued by the City



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Treasurer's Office evidencing payment
of the foregoing fees mentioned in Step
2.

Step 4: The Mayor's Office or Office of
the City Administrator shall approve the
Mayor's Permit Application Form within
two (2) working days from its submission.
The failure of the City Administrator or
the City Mayor to approve the said
application within the period mentioned
above without any justifiable reason
shall automatically result in the approval
of the said permit."

Section 53-C: Procedures for the Application and
Issuance of Pedicab Franchises. – The Board shall
strictly enforce the following procedures for the
application and issuance of pedicab franchises:

Step 1: The applicant must secure and
fill up a Franchise Application Form
(BCTB Form 001) from the BCTB. (Please
refer to Appendix "2" of this Ordinance.)

Step 2: If the applicant is an operator,
he/she must submit the following
documents to the BCTB: [a] current and
valid Community Tax Certificate or
Special Bacoar Resident (SBR) ID card,
[b] Medical Clearance Certificate of the
drivers working for him issued by the City
Health Officer, [c] Mayor's Permit, and
[d] official receipt issued by the City
Treasurer's Office evidencing payment
of the following fees:

<u>Body Number/Sticker Fee</u>	<u>- P100.00</u>
<u>Franchise Fee</u>	<u>- P125.00</u>
<u>Validation Fee</u>	<u>- P100.00</u>

The operator shall only pay the said fees
once every two (2) years beginning on 1
January 2016. No other fees shall be
charged or collected from the operator
by the BTMD or by any other
department or unit of the city
government from the operator while the



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franchise remains effective within the said two-year period.

Step 3: The BCTB must either approve or disapprove the application within two (2) working days from the date of submission of all the documents mentioned above. The failure of the BCTB to approve the said application within the period mentioned above without any justifiable reason shall automatically result in the approval of the said permit by the City Mayor. Beginning on 1 January 2016, all Franchises to be approved by the BCTB shall remain effective for two (2) consecutive years. However, pedicab drivers shall still be required to apply for a Mayor's Permit and Medical Clearance Certificate every year.

Section 53-D: Procedures for the Issuance of Medical Clearance Certificate for Pedicab Drivers.

- The City Health Office shall strictly enforce the following procedures in the issuance of Medical Clearance Certificates for pedicab drivers:

Step 1: The pedicab driver must secure and fill up a Medical Clearance Application Form (CHO Form 001) from the City Health Office (CHO). (Please refer to Appendix "3" of this Ordinance.)

Step 2: The CHO shall conduct the necessary medical check-up and laboratory procedures on the applicant within two (2) working hours after receipt of the application. If the application is received after 4:00 pm, the check-up and/or laboratory procedure shall be conducted on the next working day. If the driver is a registered voter of the City of Bacoor or the holder of a valid SBR ID Card, the driver shall no longer be required to pay any fee for the said check-up or laboratory procedure.

Step 3: If the applicant passes the medical check-up and the laboratory



District I:

ABSENT

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HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. REYNALDO M. FABIAN
City Councilor

HON. VENUS D. DE CASTRO
City Councilor

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City Councilor

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City Councilor

HON. LEANDRO A. DE LEON
City Councilor

HON. ROBERT R. JAVIER
City Councilor

ABSENT

HON. VICTORIO L. GUERRERO, JR.
City Councilor - ABC Pres.

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

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procedure, the CHO shall issue the Medical Clearance Certificate within one (1) working day after the results of the check-up or laboratory procedure is completed. If the applicant is found to be suffering from either Hepatitis A, tuberculosis, or any other communicable diseases – the application shall be denied by the CHO. If the applicant suffers from a communicable yet curable disease, he/she shall be treated by the CHO free of charge. Once fully cured as certified by the CHO, the applicant shall file a new application which shall be immediately approved by the CHO upon receipt thereof.

If the applicant suffers from a contagious and incurable disease, the application shall not be approved.

If the driver suffers from hypertension, the application shall not be approved unless the applicant submits a medical certificate from his cardiologist or from a physician under the employ of the city government that he/she is not a danger to himself or to the public as a consequence of his/her disease.

Section 53-E. Procedures for the Issuance of a Mayor's Permit for Pedicab Drivers. –The following procedures shall be enforced by the Mayor's Office in the issuance of the Mayor's Permit in favor of pedicab drivers:

Step 1: The applicant shall secure and fill up a Mayor's Permit Application Form (OM Form 001) from the Strike Action Center, the BCTB, the City Administrator's Office, the BTMD, or from the reception desk of the Mayor's Office.

Step 2: The applicant shall pay the following fees with the City Treasurer's Office:

Mayor's Permit

-P50.00



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City Councilor - ABC Pres.

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ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

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Medical Clearance Fee -P50.00

Police Clearance Fee -P50.00

Step 3: The applicant shall submit the duly accomplished Mayor's Permit Application Form to the Mayor's Office or to the Office of the City Administrator together with the following: [a] Medical Clearance Certificate, [b] photocopy of SBR ID Card, Voter's ID, or certification from the local Commission on Elections Office that the applicant is a registered voter of the City of Bacoor, [c] Police Clearance, and [d] original copy of the official receipts issued by the City Treasurer's Office evidencing payment of the foregoing fees mentioned in Step 2.

Step 4: The Mayor's Office or Office of the City Administrator shall approve the Mayor's Permit Application Form within two (2) working days from its submission. The failure of the City Administrator or the City Mayor to approve the said application within the period mentioned above without any justifiable reason shall automatically result in the approval of the said permit."

Section 2. Adoption of Implementing Rules of RA 10586 in the Revised Traffic Code of the City of Bacoor. — The various provisions of the Implementing Rules and Regulations of Republic Act No. 10586 (otherwise known as the "Anti-Drunk and Drugged Driving Act of 2013") are hereby adopted and shall be strictly implemented by the BTMD in the City of Bacoor.

Section 3. Repeal of Sections 136, 136.1, 136.2, 136.3 and 136.4 of City Ordinance No. 2013-2. In view of the approval of RA 10586 by Congress, Sections 136, 136.1, 136.2, 136.3 and 136.4 of City Ordinance No. 2013-2 are hereby repealed.

Section 4. Directive to Submit Application Form Formats to BCTB. — The City Health Office (CHO), the Office of the City Administrator and the Bacoor Traffic Management Department (BTMD) are hereby directed to submit the following forms to the BCTB within ten (10) working days from the date of approval of this Ordinance: [a] Medical



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City Councilor - ABC Pres.

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ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

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Clearance Application Form, [b] Mayor's Permit Application Form, and [c] Franchise Application Form.

Section 5. Simplification of Application Forms and Processes by the BCTB. – The BCTB is hereby directed to review and revise the above-mentioned application forms as needed in order to simplify the application process for the issuance of a franchise. All departments of the city government shall immediately implement the recommendations of the BCTB.

Section 6. Revocation of All Temporary Permits. – All temporary permits to operate issued by the BTMD or by any other department, unit, or official of the city government in favor of any public utility/ies operating within or passing through the City of Bacoor before the approval of this Ordinance are hereby revoked effective immediately on the date of approval hereof by the City Mayor.

Section 7. Repeal of All Conflicting Ordinances, Resolutions, Memoranda, Orders, or Policies. – All ordinances, resolutions, memoranda, executive orders, or policies issued by the Sangguniang Panlungsod or by any office, department, or official of the city government that are in conflict with either City Ordinance No. 2013-2 as amended or to the provisions of this Ordinance are hereby repealed.

Section 8. Separability Clause. – If any court of competent jurisdiction adjudges any part or provision of this Ordinance --or the application hereof to any person or circumstances -- invalid, such judgment shall be limited in its application to the part, provision or application directly involved in the controversy in which the judgment shall be rendered. It shall not affect or impair the validity and continued enforcement of any other parts of provisions of this Ordinance or the application of them to other persons or circumstances.

Section 9. Automatic Review.-- The Sangguniang Panlungsod shall automatically review this Ordinance every three (3) years following its approval.

Section 10. Date of Effectivity. -- This Ordinance shall take effect immediately after it has been published at least once in a newspaper of general circulation in the Province of Cavite and after it has been posted in at least three (3) conspicuous places in the City of Bacoor.

ENACTED by the Sangguniang Panlungsod of Bacoor, Province of Cavite this 7th day of December 2015.



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CITY OF BACOR
Province of Cavite

OFFICE OF THE SANGGUNIANG PANLUNGSOD

I hereby certify that the foregoing City Ordinance are true and correct and the same were duly approved in accordance with law.

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/ Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA, JR.
Secretary to the Sangguniang Panlungsod

Approved by:

HON. STRIKE B. REVILLA, PhD
City Mayor

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City Mayor