



Republic of the Philippines  
Province of Iloilo  
**MUNICIPALITY OF BINGAWAN**



**SANGGUNIANG BAYAN**

**EXCERPT FROM THE MINUTES OF THE 8<sup>th</sup> REGULAR SESSION OF THE 13<sup>th</sup> SANGGUNIANG BAYAN OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO, HELD AT THE SESSION HALL ON AUGUST 24, 2016.**

Present:	Hon. Matt P. Palabrica, Ph.D.	Vice Mayor/ Presiding Officer
	Hon. Joy L. Quimba	SB Member
	Hon. Jose C. Rabago, Jr.	SB Member
	Hon. Lorens M. Belloga	SB Member
	Hon. Nemesio A. Cachite	SB Member
	Hon. Ted Peter P. Plagata	SB Member
	Hon. Jofe C. Celeste	SB Member
	Hon. Eduardo A. Dalipe	SB Member
	Hon. Leovy C. Simora	SB Member
	Hon. Perceval T. Girao	SB Member/Liga President

Absent: None

**MUNICIPAL ORDINANCE NO. 221  
(Series of 2016)**

**AN ORDINANCE IMPOSING FEES FOR THE USE AND MANAGEMENT POLICIES OF ONE (1) UNIT 4-WHEELED DRIVE TRACTOR OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO.**

**SECTION 1. TITLE.** This Ordinance shall be called "An Ordinance Imposing Fees for the Use and Management Policies of One (1) unit 4-Wheeled Drive Tractor".

**SECTION 2. SCOPE AND COVERAGE.** This Ordinance covers the use of One (1) unit 4-Wheeled Drive Tractor and the Farmer-clients.

**SECTION 3. DEFINITION OF TERMS:**

- a. Driver-Operator - a person who drives and operates the Tractor;
- b. Farmer-Client - a person who holds a property or farm land who will hire he services of the Tractor;
- c. Overseer - a person who supervise especially workers;
- d. 4-Wheeled Drive Tractor - refers to the newly acquired FORD EUROMATIC YTO X904 TRACTOR with Engine/Motor No. 4Ms-T73EYI-U2. A large vehicle that has two large back wheels and two smaller front used especially for drawing farm implements; or is referred to as a Tractor;
- e. Rotavator - a machine with rotavating blades for breaking up the surface of the soil;
- f. Disc Plow - a farm implement drawn by a tractor used to plow the surface of the soil;
- g. Trailing Disc/Harrow - implement drawn by a Tractor used to break up the surface of the soil; or is referred to as Rastillo; and

- h. Sub-Soiler – a farm implement drawn by a Tractor used to break the sub-surface of the soil.

**SECTION 4. MANAGEMENT SCHEME AND POLICIES.**

- a. The Local Chief Executive shall give responsibility to the Municipal Agriculture Office to manage a one (1) unit 4-wheeled drive Tractor;
- b. The Municipal Agriculturist shall designate one (1) staff to act as overseer and bookkeeper of the Tractor unit;
- c. A Tractor unit and its accessories shall be provided with garage to protect against adverse weather condition and safe keeping purposes;
- d. The Local Chief Executive, the SB Chairperson of the Committee on Agriculture, Cooperatives and Agrarian Reform and the Municipal Agriculturist shall decide on hiring the Tractor Operator/Driver who is non-organic employee of the LGU-Bingawan with knowledge in trouble shooting. The applicants shall undergo training on tractor tillage operation under an expert who is a permanent employee of LGU-Bingawan and had undergone training conducted by the supplier of a tractor unit, or individual that may be hired of his expertise;
- e. During peak season of tillage operation the Overseer shall prioritize the farmer-clients based on first come first serve basis and shall limit the area to be tilled at two hectares (2 HA) per client in order to accommodate them all before the start of planting season;
- f. Tillage operation of a tractor is limited only within the Municipality of Bingawan and shall be allowed to do the same activity outside the Municipality if there is no booking within the municipal territory;
- g. For the tillage operation, the LGU shall provide budget for the purchase of diesel fuel and lubricants and allocate funds for the operation/maintenance annually from MOOE of the LGU;
- h. The LGU shall set aside twenty percent (20%) from the net income of the tractor for maintenance and for the purchase of diesel fuel and lubricants;
- i. The LGU shall maintain a separate account for the said fund; and
- j. The LGU shall provide to the Driver-Operator with supplies such as rain coat, rubber boots, hand caps, dust mask and long sleeve T shirt to protect him/her from adverse environmental condition.

**SECTION 4.1. THE DUTIES AND RESPONSIBILITIES OF AN OVERSEER.**

- a. He/she shall regularly monitor/oversee the status of a tractor during non-tillage and tillage operation activity;
- b. He/she shall be responsible to accept booking and prioritize schedule of tillage operation;
- c. He/she shall be tasked to determine the exact area of the land to be tilled to commensurate the payment of rentals as prescribe per unit area;





- d. He/she must have a logbook for record of booking, schedule of tillage prioritization, collection of rentals and remittances of payments from tillage operation;
- e. He/she shall be responsible to inform and coordinate the Operator-Driver about the schedule of booking in tillage operation activity; and
- f. He/she shall be required to prepare and submit weekly report to the Municipal Agriculturist copy furnish the Local Chief Executive and the SB Chairperson of the Committee on Agriculture, Cooperatives and Agrarian Reform.

**SECTION 4.2. THE DUTIES AND RESPONSIBILITIES OF AN OPERATOR-DRIVER.**

- a. He shall be obliged to check daily the status of a tractor unit especially during the operation and immediately report to the Overseer/MAO of whatever defects he has found for immediate action;
- b. He shall be tasked to operate a Tractor during tillage operation in the entire cropping season. He is obliged to work overtime in doing tillage operation if the booking area is large and wide so that all farmer-clients can be accommodated before the planting season;
- c. He shall be responsible in the cleanliness, orderliness and maintenance of a Tractor and its accessories;
- d. At the end of tillage operation, he shall keep the Tractor and its accessories within the garage clean and complete.

**SECTION 5. MAINTENANCE.** The Driver/Operator shall regularly check and strictly follow the service maintenance guide provided by the supplier of the Tractor.

**SECTION 6. COMPENSATION SCHEME OF TRACTOR OPERATOR OR DRIVER.**

- a. The Driver-Operator should be a resident of the municipality of Bingawan. The Driver-Operator who is an organic employee shall earn thirty percent (30%) of the total net income from tillage operation he has done. While non-organic employee Driver-Operator shall earn Forty percent (40%) of the total net income from the tillage he has done; and
- b. During off-season of tillage operation or when there is no tillage activity he shall be allowed to check the status of a Tractor but has no incentive from the LGU-Bingawan.

**SECTION 7. MODE OF PAYMENT, REMITTANCES OF TRACTOR RENTAL AND RESPONSIBILITIES OF FARMER-CLIENTS.**

1. The farmer-client shall pay a fifty percent (50%) down payment for the rental of the tractor to the Office of the Municipal Treasurer three (3) days before tillage operation of his farm land;
2. The Driver-Operator's compensation will be automatically deducted from the remaining rental balance;
3. The farmer-client shall present the official receipt to the Overseer/MAO and will coordinate to the Driver-Operator the scheduled date of tilling the farmer-client's farm land;



4. The farm-client shall provide diesel fuel as counterpart for travelling expenses from the origin to his own farm. Two liters (2 li) of diesel fuel for every two kilometers (2 km) distance of travel. The farmer client shall not add diesel fuel if the distance is less than two kilometers (2 km);
5. Meals and snacks of the Driver-Operator shall be charged to the farmer-client; and
6. Tillage and Towing Operation Rental of 4-Wheeled Drive Tractor

<b>Tillage and Towing Operation</b>	<b>Rental</b>
1. Rotary Tiller per hour	PhP 1,400.00
2. Trailing Disc Harrow (Rastillo) per hour	1,200.00
3. Disc plow per hour	1,200.00
4. Sub-Soiler	1,200.00
5. Disc Plow and Trailing Disc Harrow and/or Rotary Tiller Package per Hectare	12,000.00
6. Towing per hour	500.00

**SECTION 8. EXEMPTIONS.** Charging of Fees prescribed herein shall not apply, nor limited to the following:

1. When used to respond to emergency/disaster calls, similar but not limited to, accidents and bringing wounded or sick persons for treatment to a hospital, clinic or any other similar place;
2. When used for official purposes in transporting relief goods/services/materials in times of calamities; and
3. When used for clearing operation in times of calamities.

**SECTION 9. PENALTIES.** Any person or group of persons who violates this ordinance shall pay a fine of Two Thousand Five Hundred Pesos (P2,500.00).

**SECTION 10. SEPARABILITY CLAUSE.** In case a specific provision herein is rendered unlawful or unconstitutional, then it will not affect the other provision of this ordinance.

**SECTION 11. REPEALING CLAUSE.** All ordinances, rules and regulations, or part thereof, in conflict with or inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

**SECTION 12. EFFECTIVITY.** This ordinance shall take effect after publication on a newspaper of general circulation and posting for 10 consecutive days in three (3) conspicuous places of the Municipality of Bingawan.

**UNANIMOUSLY APPROVED:**

**I HEREBY CERTIFY** to the veracity of the above-quoted ordinance.

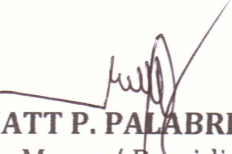


**CERTIFIED CORRECT:**



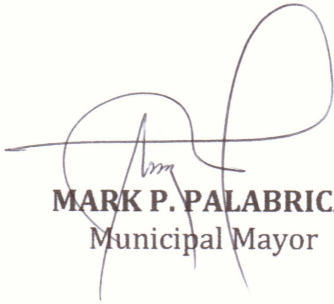
**JULIO C. CASTIGADOR**  
Municipal Secretary

**ATTESTED:**



**MATT P. PALABRICA, Ph.D.**  
Vice Mayor/ Presiding Officer

**APPROVED:**



**MARK P. PALABRICA**  
Municipal Mayor

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