



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod ng Mandaluyong

ORDINANCE NO. 352, S-2005

AN ORDINANCE PRESCRIBING CERTAIN
REQUIREMENTS IN THE GRANT OF RENEWAL OF
MAYOR'S PERMIT TO OPERATE AN AUTO REPAIR OR
VULCANIZNG SHOP

BE IT ENACTED by the Sangguniang Panlungsod ng Mandaluyong, Metro Manila in session assembled:

SECTION 1. Definition of Terms – For purposes of this Ordinance, the following shall mean:

AUTO REPAIR OR VULCANIZING SHOP – is a place where all types of motor vehicles are being repaired or where flat tires are fixed for a fee.

GARAGE - is a portion of the area where all types of auto repair or work are done on a motor vehicle.

OWNER - is any person, whether natural or juridical, in whose favor a Mayor's Permit to operate an auto repair or vulcanizing shop is applied for and/or granted.

SECTION 2. No Mayor's Permit to operate an auto repair or vulcanizing shop shall be granted and/or renewed unless the applicant thereof has a suitable and adequate garage as determined by the City Mayor or his authorized representative where the repairs of work are to be undertaken.

SECTION 3. All applications for Mayor's Permit to operate an auto repair or vulcanizing shop including the renewal thereof, shall be accompanied by a statement under oath to be executed by the applicant to the effect that he has an existing and adequate garage where the repairs of motor vehicles or its tires are accepted for a fee shall be undertaken.

The verified statement shall be accompanied by a sketch showing the location of the shop subject of the application indicating the place where the garage is situated.

SECTION 4. Any person found operating an auto repair or vulcanizing shop without the garage as required under the provisions of this Ordinance shall be punished with a fine of not less than Two Thousand Pesos (P 2,000.00) but not more than Five Thousand Pesos (P 5,000.00) or imprisonment of not less that two (2) months nor more than six (6) months, or both at the discretion of the court.

SECTION 5. Any person found operating an auto repair or vulcanizing shop without any Mayor's Permit as required under the provisions of existing laws, rules and regulations, shall upon conviction be punished by a fine of not less than Five Hundred Pesos (P500.00) nor more than One Thousand Pesos (P1,000.00) or imprisonment of not less than two (2) months nor more than six (6) months, or both at the discretion of the court.

SECTION 6. Any official or employee of an auto repair or vulcanizing shop found working on or repairing any motor vehicle at the sidewalk, street or part or portion thereof, shall be punished with a fine of not less than Two Hundred Pesos (P200.00) nor more than Five Hundred Pesos (P500.00) or imprisonment of not less than one (1) month but not more than three (3) months, or both at the discretion of the court.

SECTION 7. If the offender is a corporation or a partnership, the penalties provided for in Sections 4 and 5 of this Ordinance shall be imposed upon the President and/or General Manager or Managing Partner and/or General Manager, respectively.

SECTION 8. Any official or employee of the City Government of Mandaluyong, Metro Manila who shall issue or cause to be issued a Mayor's Permit or renewal thereof, to operate an auto repair or vulcanizing shop without the required garage shall suffer the same penalties provided for in Section 4 hereof.

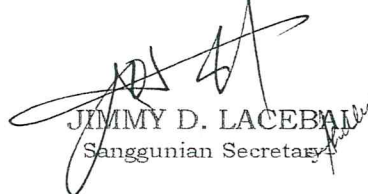
SECTION 9. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours from apprehension otherwise the case shall be prosecuted.

The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six - hour period within which to pay under this Ordinance.

SECTION 9. This Ordinance shall take effect upon approval.

ENACTED on this 5th day of December, 2005 at the City of Mandaluyong.

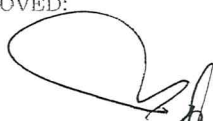
I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS
ADOPTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBA
Sanggunian Secretary

ATTESTED:


JESUS C. CRUZ
City Vice Mayor &
Presiding Officer

APPROVED:


NEPTALI M. GONZALES II
City Mayor

Date: DEC 12 2005