



EXECUTIVE ORDER No. 41 - 2023
Series of 2023

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS
OF CITY ORDINANCE NO. 280-2023, OTHERWISE KNOWN AS THE "STRIKE SA
NEGOSYO NIGHT MARKET ORDINANCE"**

WHEREAS, Section 16 of R.A. No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 280-2023, otherwise known as "**Strike sa Negosyo Night Market Ordinance**" with the intent of providing livelihood opportunities for MSMEs operating within the City of Bacoor and further improving the local economy;

WHEREAS, the City Government of Bacoor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern the "**Strike sa Negosyo Night Market Ordinance**;"

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations of City Ordinance No. 280-2023 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 280-2023 which shall form part of this Executive Order. This shall be known as the "**Strike sa Negosyo Night Market Implementing Rules and Regulations**."

All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

Strict compliance and observance of all city government officials and employees to this IRR is hereby ordered.





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Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.

Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED.

DONE this 2nd day of May 2023 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor

cc:

Sangguniang Panlungsod
City Engineering Office
CENRO
BPLD
BTMD
BPSU
CICU
City Livelihood Office
Office of the City Legal Service
City Health Officer
PNP
Punong Barangay/s concerned
All other City Government departments/offices/units concerned



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**IMPLEMENTING RULES AND REGULATIONS
OF CITY ORDINANCE NO. 280-2023**

(AN ORDINANCE CREATING A NIGHT MARKET AT EVANGELISTA ST., BARANGAYS TALABA 4 AND TALABA 5, BACOR CITY, CAVITE, INSTITUTIONALIZING GUIDELINES FOR ITS OPERATION, AND IMPOSING PENALTIES FOR VIOLATIONS HEREOF) OR THE "STRIKE SA NEGOSYO NIGHT MARKET ORDINANCE."

Pursuant to Section 20 of City Ordinance No. 280-2023 (also known as "AN ORDINANCE CREATING A NIGHT MARKET AT EVANGELISTA ST., BARANGAYS TALABA 4 AND TALABA 5, BACOR CITY, CAVITE, INSTITUTIONALIZING GUIDELINES FOR ITS OPERATION, AND IMPOSING PENALTIES FOR VIOLATIONS HEREOF"), the following rules and regulations are hereby issued:

**RULE 1
TITLE AND OBJECTIVES**

Section 1. Title. This set of Implementing Rules and Regulations (IRR) shall be known as the "Strike Sa Negosyo Night Market Implementing Rules and Regulations".

Section 2. Objectives. This IRR aims to provide comprehensive guidelines for the implementation of the Strike Sa Negosyo Night Market Ordinance of Bacoor to:

- 2.1. Give new livelihood opportunities for MSMEs operating within the City of Bacoor;
- 2.2. Create new sources of revenue for the city government; and
- 2.3. Further improve the local economy.

**RULE 2
ESTABLISHMENT AND LOCATION OF THE NIGHT MARKET**

Section 1. Establishment of the Strike Sa Negosyo Night Market. Pursuant to the provisions of the Ordinance, a night market shall be established on the entire length of Evangelista St. extending from the corner of Zapote Road up to Aguinaldo Highway within the territorial jurisdictions of Barangays Talaba 4 and Talaba 5 within the City of Bacoor, Cavite. The said night market shall be known and referred to as the "Strike Sa Negosyo Night Market" (the "Night Market" for brevity).

Section 2. Operating Hours. The Strike Sa Negosyo Night Market shall operate daily, including holidays, from 6:00 PM to 2:00 AM, unless otherwise specified by the City Mayor in writing.

In order to provide CENRO enough time to prepare the area for use by the general public, notably the nearby school, the remaining time, from 2:00 AM to 3:00 AM, shall be utilized by the sellers to clean and disassemble their stalls.

**RULE 3
APPOINTMENT OF MARKET SUPERVISOR**





Section 1. Appointment of Market Supervisor. The City Mayor shall appoint a Market Supervisor who shall be primarily responsible for implementing the Strike Sa Negosyo Night Market Ordinance with the assistance of the heads of the various departments and units under the Office of the City Mayor.

Section 2. Powers and Duties of the Market Supervisor. The Market Supervisor shall have the following powers and duties in managing the Strike Sa Negosyo Night Market, with the primary objective of promoting the goals stated in Section 2 of the Ordinance:

- 2.1. Supervise the daily operations of the Night Market, ensuring adherence to the provisions of the Ordinance and its Implementing Rules and Regulations;
- 2.2. Coordinate with the Technical Working Group, City Mayor, and other relevant city government offices in implementing and enforcing the provisions of the Ordinance;
- 2.3. Oversee the process of stall allocation, ensuring that it is carried out in accordance with the Ordinance and its Implementing Rules and Regulations, subject to the written approval of the City Mayor;
- 2.4. Monitor and ensure that stallholders comply with the types of merchandise and products allowed for sale in the Night Market as determined by the City Livelihood and Development Office;
- 2.5. Implement and enforce cleanliness and sanitation standards within the Night Market, in coordination with the City Health Office (CHO) and the City Environment and Natural Resources Office (CENRO);
- 2.6. Address and resolve disputes among stallholders, as well as complaints raised by customers, taking necessary actions as prescribed in the Ordinance and these Implementing Rules and Regulations;
- 2.7. Coordinate with the Bacoor Traffic Management Department (BTMD) to ensure proper traffic management and public parking within the vicinity of the Night Market;
- 2.8. Collaborate with the Bacoor Disaster Risk Reduction and Management Office (BDRMO) to ensure the availability of standby emergency medical services in strategic areas around the Night Market;
- 2.9. Coordinate with the City Mayor and the Technical Working Group (TWG) in planning, organizing, and managing events hosted, organized, or sponsored by the local government of Bacoor, as allowed by the Ordinance;
- 2.10. Regularly report to the City Mayor and the TWG on the status, progress, and challenges faced in the operation of the Night Market, as well as any proposed solutions or recommendations to address those challenges;
- 2.11. Implement penalties and sanctions for violations of the Ordinance and its Implementing Rules and Regulations, in accordance with due process;
- 2.12. Develop and maintain a database of stallholders, including relevant information such as contact details, types of merchandise or products sold, and compliance status, for effective monitoring and management; and
- 2.13. Exercise other powers and perform other duties as may be necessary or incidental to the effective management and operation of the Night Market as mandated by law or ordinance or by order of the City Mayor.





RULE 4
NIGHT MARKET PERMIT, REQUIREMENTS, AND FEE

Section 1. Night Market Permit and Requirements. To obtain a stall in the Strike Sa Negosyo Night Market, an applicant must be a registered voter of the City of Bacoor, Cavite and must secure a Night Market Permit from the Business Permits and Licensing Office (BPLO) of the City of Bacoor. The permit shall be issued to the applicant who complies with the following requirements:

- 1.1. Submission of a duly completed and signed Application Form to the BPLO;
- 1.2. Submission of a Barangay Certificate issued by the Punong Barangay of the community in the City of Bacoor where the applicant resides and a valid Community Tax Certificate issued by the City Treasurer's Office of the City of Bacoor; and
- 1.3. Submission of a Mayor's Permit.

Notice of the award of the grant shall be released by the head of the City Livelihood and Development Office to the applicant as soon as practicable but not exceeding ten (10) days from the issuance of the award.

Section 2. Period of the Grant. The granted period for each stallholder shall be one year, subject to renewal by the City Mayor. Non-renewal of the grant shall result in the automatic revocation of the privilege to do business at the Strike Sa Negosyo Night Market.

Section 3. Non-Transferability of the Privilege. The privilege to do business at the Night Market cannot be transferred by a stallholder to another person without the prior written consent of the City Mayor. The City Mayor is hereby empowered to revoke the said privilege in writing in case any stallholder assigns, sells, leases out, donates, or transfers or attempts to transfer control of a stall or a part thereof to another person without the said written consent.

Section 4. Night Market Common Usage Fee. A common usage fee of Php 1,000.00 per month shall be paid by stallholders at the Strike Sa Negosyo Night Market. This fee shall be paid directly to the City Treasurer's Office.

As a general rule, the common usage fee shall be paid on the last business day of every month. However, by way of exception, if the stallholder is unable to pay on said date, they shall be allowed to pay in the manner most convenient to them as may be authorized by the City Mayor in writing. **Provided:** that the grace period for such payment shall not exceed five (5) calendar days after the deadline imposed by the City Mayor.

Section 5. Effect of failure to pay Common Usage Fee. Failure to pay the fee may result in the termination of the stallholder's privilege to do business at the night market at the option of the City Mayor.

Section 6. Changes in the Common Usage Fee. The City Mayor may increase or decrease the common usage fee by not more than Php 500.00 per month, depending on the economic situation of stallholders and the profitability of each stall.





Section 7. Grounds for Revocation of the Grant. The Grant may be terminated by the City Mayor on the following grounds:

- 7.1. Submission by the applicant of falsified documents in support of his/her application for a stall at the night market;
- 7.2. The stallholder assigns, sells, leases out, donates, or transfers the privilege of holding a stall to another person without the prior written consent of the City Mayor;
- 7.3. Transfer of residence of a stallholder outside of the City of Bacoor or the termination of his/her right to vote in the City of Bacoor for whatever reason;
- 7.4. Non-payment of the common usage fee and various permit fees imposed by the city government within the mandated period;
- 7.5. Non-compliance by the stallholder with pertinent city ordinances of the City of Bacoor including the various provisions of this Ordinance;
- 7.6. The stallholder, or his/her employee, agent, or representative engages in any criminal, violent, or immoral activity or any other act that disrupts peace and order while at the night market; and
- 7.7. Any other act that is similar or analogous to any of the foregoing.

RULE 5

STALL ALLOCATION AND MANAGEMENT

Section 1. Stall Design and Number. The City Engineering Office shall develop a stall concept or design that is sturdy, easy to assemble and disassemble, easy to carry and transport, can be easily built at a moderate budget, and is aesthetically pleasing. The City Engineering Office shall also determine the number of stalls that can be erected at the night market and the location of each stall, pursuant to prevailing public safety regulations of the city government. The said stall design shall be communicated to the stallholders who shall bear the cost of its fabrication and maintenance.

Section 2. Types of Merchandise/Products to be Sold. The City Livelihood and Development Office shall determine the types of merchandise and products that each stall shall sell to promote variety and ensure that each vendor can earn a profit. The City Livelihood and Development Office shall also promote, as far as practicable, the sale of food items and other merchandise produced in the City of Bacoor at the night market. The zoning layout of the Night Market shall be approved by the City Mayor and must be posted in conspicuous places within the area.

Section 3. Penalty in Case of Failure or Refusal. Failure or refusal to comply with the determination of the City Livelihood and Development Office shall subject the stallholder to a penalty of P5,000.00 fine and thirty (30) days of imprisonment after conviction in court.

The offender shall be allowed to avail community service as an alternative penalty under the uniform procedure in the implementation of city ordinances under City Ordinance No. CO 228-2022.

Section 4. Stall Allocation. The City Mayor, subject to the recommendation of the TWG, based on the aforestated objectives of the Ordinance, shall choose who shall be granted





the privilege of operating a stall at the Night Market and for how long. The qualifications of the said person/s shall be determined exclusively by the City Mayor.

RULE 6
HEALTH, SAFETY, AND TRAFFIC

Section 1. Maintenance of Cleanliness and Sanitation. Stallholders at the Night Market shall maintain cleanliness and sanitation within their stalls and in the immediate vicinity around their stalls. Trash receptacles for biodegradable and non-biodegradable trash shall be kept at each stall within easy reach of customers. The CHO and the CENRO shall randomly inspect the Night Market and shall enforce all prevailing city ordinances and laws related to the maintenance of public health and sanitation.

Section 2. Stallholders' Responsibilities. Stallholders at the Night Market shall maintain cleanliness and sanitation within their stalls and in the immediate vicinity around his/her stall. In addition to providing trash receptacles for biodegradable and non-biodegradable trash within easy reach of customers, stallholders shall also:

- 2.1. Regularly clean and sanitize their stalls, including surfaces, utensils, and equipment, to ensure a hygienic environment for the preparation and handling of food and merchandise.
- 2.2. Provide hand washing stations with soap and water or hand sanitizers for their employees and customers.
- 2.3. Ensure that all employees handling food shall wear appropriate protective gear, such as hairnets, gloves, and face masks, in compliance with food safety regulations.
- 2.4. Dispose of waste materials properly and in accordance with the waste management regulations of the City of Bacoor.
- 2.5. Attend regular training and seminars on food safety and sanitation, as required by the CHO.
- 2.6. Comply with any additional cleanliness and sanitation guidelines or requirements as may be prescribed by the CHO or the TWG.

Section 3. Bacoor Disaster Risk Reduction and Management Office's Responsibilities. To further protect the health and safety of the stallholders and the consumers at the Night Market, the BDRMO shall:

- 3.1. Regularly inspect and monitor the Night Market premises for potential hazards, such as electrical issues, fire hazards, or structural problems, and coordinate with the concerned city government departments and agencies for their prompt resolution.
- 3.2. Develop and implement a comprehensive emergency preparedness and response plan for the Night Market in coordination with the Bacoor City Police, the Bureau of Fire Protection (BFP) and the CHO covering potential emergencies such as fires, natural disasters, accidents, or health emergencies.
- 3.3. Conduct regular emergency drills involving stallholders, employees, and other stakeholders in the Night Market to ensure preparedness and efficient response in case of emergencies.





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3.4. Coordinate with the CHO to ensure that proper health and sanitation standards are maintained within the Night Market, and address any public health concerns that may arise.

3.5. Work closely with the Market Supervisor, the TWG, and other concerned city government departments and agencies to continuously improve the overall safety and health standards of the Night Market.

3.6. Provide training and capacity-building activities for stallholders, employees, and other stakeholders in the Night Market on health and safety measures, emergency preparedness, and risk reduction.

3.7. Coordinate with the City Mayor, Market Supervisor, and the TWG in planning and organizing events in the Night Market, ensuring that health and safety measures are in place and that they do not unduly disrupt the normal operations of the Night Market.

Section 4. Emergency Medical Services. The BDRRMO shall provide standby emergency medical services (SEMs) in strategic areas around the market to monitor incidents in which medical assistance is needed. These areas will include, but shall not be limited to the Zapote entrance and the Talaba area near the Night Market. The SEMs must include, at minimum, two rescue ambulances and a triage area in each designated area. The Bacoor Disaster Risk Reduction and Management Office may establish SEMs in additional areas as the need may arise.

Section 5. Rerouting of Vehicular Traffic; Public Parking. The City Mayor is hereby authorized to order the BTMD to reroute traffic around the Night Market whenever necessary for the promotion of peace and order. Furthermore, the City Mayor is hereby authorized to sign and execute agreements that may be necessary for the efficient management of traffic at and near the Night Market.

Section 6. Powers of BTMD. The BTMD shall have the following powers:

- 6.1. Tow motor vehicles parked outside of designated parking areas or immobilized said vehicles through the installation of tire locks or wheel clamps;
- 6.2. Demolish stalls constructed outside of designated areas of the Night Market; and
- 6.3. Upon order of the City Mayor, to enforce any measure or rerouting of traffic around the night market, including the enforcement of Half-Lanes, One-Way Roads, and the likes.

RULE 7

TECHNICAL WORKING GROUP

Section 1. Technical Working Group (TWG). In accordance with the provisions of the Ordinance, a TWG shall be created to advise the City Mayor on the launch, operation, and maintenance of the Strike Sa Negosyo Night Market. The TWG shall be comprised of the City Administrator as the Chairperson and the following members:

- 1.1. The City Engineer;
- 1.2. The City Environment and Natural Resources Officer (CENRO);
- 1.3. The BPLO Head;





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- 1.4. The BTMD Head;
- 1.5. The Head of the Bacoor Public Safety Unit (BPSU);
- 1.6. The Head of the City Inspection and Compliance Unit (CICU);
- 1.7. The City Livelihood and Development Officer;
- 1.8. The City Legal Officer;
- 1.9. The Chief of Police of Bacoor City;
- 1.10. The Punong Barangay of the barangays where the night market is located;
- 1.11. The City Health Officer; and
- 1.12. Any other person or official/employee of the city government whose advice is deemed necessary by the City Mayor.

Section 2. Powers and Duties of the Technical Working Group. The TWG shall have the following powers and duties:

- 2.1. Formulate and recommend strategies, policies, and guidelines for the efficient and effective management of the Night Market, in accordance with the objectives stated in the Ordinance.
- 2.2. Coordinate with the concerned city government departments and agencies for the implementation of the Ordinance and these Implementing Rules and Regulations.
- 2.3. Evaluate the performance of the Night Market and recommend improvements or modifications to the City Mayor to enhance the operations and achieve the objectives of the Ordinance.
- 2.4. Conduct regular consultations and dialogues with the stakeholders, including but not limited to stallholders, customers, and the surrounding community, to address their concerns and gather feedback for continuous improvement of the Night Market.
- 2.5. Review and recommend appropriate measures to ensure the safety, security, and sanitation of the Night Market and its patrons.
- 2.6. Recommend the setting up of additional services or facilities, such as public restrooms, parking areas, or signage, to improve the overall Night Market experience for both stallholders and customers.
- 2.7. Assess and recommend the allocation of resources, including human resources and funding, to ensure the effective and efficient management and operation of the Night Market.
- 2.8. Monitor compliance with the Ordinance, these Implementing Rules and Regulations, and other relevant city ordinances and laws, and recommend appropriate action for any violations or non-compliance.
- 2.9. Coordinate with the City Mayor, Market Supervisor, and other concerned city government departments and agencies in planning and organizing events in the Night Market, ensuring that they do not unduly disrupt the normal operations of the Night Market.
- 2.10. Periodically report to the City Mayor on the overall status, progress, and challenges of the Night Market, and recommend appropriate action to address any issues or concerns.
- 2.11. Perform other related duties and functions as may be necessary or as may be assigned by the City Mayor, in order to promote the objectives of the Ordinance.





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and ensure the successful launch, operation, and maintenance of the Night Market.

RULE 8 PENALTIES AND IMPLEMENTATION

Section 1. Penalties. Any person or entity found to be in violation of any of the provisions of the Ordinance shall be subject to a fine of Php 5,000 and imprisonment of up to thirty (30) days, as stated in Section 19 of the Ordinance.

Section 2. Power of the Mayor to Suspend Penalties. The City Mayor is hereby authorized to suspend the imposition of the penalties on humanitarian grounds, such as, but not limited to national emergencies, natural disasters, extreme financial situations, medical emergencies, technical difficulties, force majeure, fortuitous events, and other such extenuating circumstances.

RULE 9 REPEALING AND SEPARABILITY CLAUSES

Section 1. Repealing Clause. All Ordinances, orders, and rules inconsistent with the provisions of the Strike Sa Negosyo Night Market Ordinance are hereby modified or repealed accordingly.

Section 2. Separability Clause. Any provision of the Strike Sa Negosyo Night Market Ordinance not declared void or unconstitutional by the proper court of law shall remain valid.

RULE 10 AMENDMENTS AND MODIFICATIONS

Section 1. Amendments and Modifications. The City Administrator, in consultation with the Technical Working Group and concerned sectors, may recommend amendments or modifications to these Implementing Rules and Regulations to better serve the objectives of the Strike Sa Negosyo Night Market Ordinance. Any proposed amendments or modifications shall be subject to the approval of the City Mayor and must not exceed the authority granted by the Strike Sa Negosyo Night Market Ordinance to the City Administrator, TWG, Office of the City Mayor, or any other department or officer.

RULE 11 EFFECTIVITY

Section 1. Effectivity Clause. The Strike Sa Negosyo Night Market Ordinance shall take effect immediately after it has been published at least once in a newspaper of general circulation in the Province of Cavite.

