

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BAYAN OF BACOR, PROVINCE OF CAVITE HELD AT THE MUNICIPAL SESSION HALL ON SEPTEMBER 25, 1996

PRESENT : HON. JOSE N. FRANCISCO - - - - Presiding Officer  
HON. GABRIEL C. GAWARAN - - - Member  
HON. AVELINO S. DE CASTRO - - - Member  
HON. RUFINO A. HERRERA - - - Member  
HON. ESTRELLA C. DEL MUNDO - - Member  
HON. FRANCISCO A. MATEO - - - Member  
HON. EDWIN M. BAUTISTA - - - Member  
HON. ROBERTO R. JAVIER - - - Member  
HON. PABLO E. GUERRERO - - - Member

ABSENT : HON. AVELINO B. SOLIS - - - - Member (ABC Pres.)  
HON. HUBERT V. GERVACIO - - - Member (SKP Pres.)

RESOLUTION NO. 85 S-96

Submitted for consideration and approval by the Honorable Members of the Sangguniang Bayan is an Ordinance Setting the Policy Guidelines for the administration of the New Public Market at Bacor, Cavite;

WHEREAS, there is an urgent need to update and streamline the existing revenue code affecting the public market in view of the new construction and loan acquired from the World Bank;

WHEREAS, there is a need to set new guidelines in order to fulfill the provisions of the contract into by the local government with the Minut and the Philippine National Railway (PNR);

WHEREAS, the new revenue targets will have to be realized in order to strengthen the operations of the market and for it to contribute to the revenue generation program of the local government;

WHEREFORE, the Body after conducting the necessary public hearing between the officer and members of the Market Vendors Association, the Body on motion of Kagawa Estrella C. Del Mundo duly seconded by Kagawa Pablo E. Guerrero, RESOLVED AS IT IS HEREBY RESOLVED to approved an Ordinance setting the policy guidelines for the administration of the new public market;

RESOLVED FURTHER, to enact the covering ordinance therefore, viz:

ORDINANCE NO. 2 S-96

AN ORDINANCE SETTING THE POLICY GUIDELINES FOR THE ADMINISTRATION OF THE NEW PUBLIC MARKET AT BACOR, CAVITE

Be it ordained by the Sangguniang Bayan of Bacor, Province of Cavite, in a special session assembled: That,

Section I. Title - This Ordinance shall be known as the "Policy Guidelines for the Administration of the New Public Market" at Bacor, Cavite;

*Handwritten signatures and names on the left margin:*  
- JOSE N. FRANCISCO  
- AVELINO S. DE CASTRO  
- ESTRELLA C. DEL MUNDO  
- PABLO E. GUERRERO  
- ROBERTO R. JAVIER  
- RUFINO A. HERRERA  
- GABRIEL C. GAWARAN  
- FRANCISCO A. MATEO  
- EDWIN M. BAUTISTA

classified and policies affecting the administration of the government-owned public market in Bacoor, Cavite. This ordinance does not cover the improvements in the physical area outside of the plans submitted to the Minute for purposes of securing the loan with the Department of Finance thru the Bureau of Local Government Finance;

**Section 3. Definition of Terms**

For purposes of this ordinance, the following terms are defined as herein stated:

- a. Public Market - refers to the structure and property established by the local government to be trading area of agricultural goods and products and other dry goods.
- b. Market Sections - refer to the classification of a group of contiguous stalls in the public market according to the kind/type of merchandise offered for sale, to wit:
  - b.1 Fish Section - refers to the area where only fresh fish, clams, oysters and other marine products shall be sold.
  - b.2 Meat Pork and Chicken Section - refers to the area where only all kinds of meat and other meat products shall be sold.
  - b.3 Dry Goods Section - refers to the area where all kinds of textiles, dresses, native products, footwear, laces, kitchen-wards, school and office supplies shall be sold.
  - b.4 Groceries Section - refers to the area where only all kinds of canned goods, bottled drinks, processed meat products, processed marine products, eggs, bakery products and other grocery items are sold.
  - b.5 Vegetables and Fruit Section - refers to the area where only all kinds of vegetables, fruits, root crops and the like shall be sold.
  - b.6 Eatery Section - Refers to the area where only all kinds of cooked/prepared food shall be sold. This include refreshments parlors, carinderias and other selling delicacies.
  - b.7 Cold Storage Service Section - refers to the area where only refrigeration services shall be made available and the sale of ice shall be conducted.
  - b.8 Ambulant Vendors Section - refers to the area where all ambulant vendors shall be allowed to conduct business.
- c. Market Stall - refers to any allotted space wherein merchandise is sold, offered for sale or intended for such purpose in the public market.
- d. Stallholder - refers to the awardee of definite spaces within the public market who pays rentals and good will fees thereon for the purpose of selling his goods.
- e. Rental fee - refers to the daily fee paid to and collected by the market administrator.
- f. Goodwill fee - refers to the fee paid for the right to use the stall awarded.
- g. Ambulant Vendor - refers to the vendor or seller who does not permanently occupy a definite place in the market.
- h. Market Committee - refers to the body whose duty is to handle the awarding of stalls; adjudication of awards, vacancies in the public market.

**Section 4. Awarding of Stalls**

- 4.1 Option of final refusal is granted to current stallholders.
- 4.2 Current stallholder is defined based on the following priority:

*Antonio R. Jimenez*  
 ROBERTO K. JAVIER  
 DOMINICO A. HERRERA

*Alfredo*  
 GABRIELIO G. CAMARAL  
 FRANCISCO A. NATED

*Armando P. Reyes*  
 VICENTE J. REYES

*Ed. A. Barta*  
 EDYLA M. KAUTISA

*Jose M. Francisco*  
 JOSE M. FRANCISCO  
 Presiding Officer

*Estrella C. del Mundo*  
 ESTRELLA C. DEL MUNDO

*Avellano S. de Castro*  
 AVELLANO S. DE CASTRO

*Pablo S. Guerrero*  
 PABLO S. GUERRERO

*Edad Munda*  
EDEL MANDA  
ROSEALIA C. DELMUNDO  
*Antonio R. Javier*  
ANTONIO R. JAVIER  
*Francisco L. Mateo*  
FRANCISCO L. MATEO  
*Avellino S. de Castro*  
AVELINO S. DE CASTRO  
*Pablo L. Cuernigero*  
PABLO L. CUERNIGERO  
*Zufino A. Herrera*  
ZUFINO A. HERRERA  
*Salvador*  
SALVADOR  
SALVADOR G. CAMAPAN  
*Nicomedes B. Reyes*  
NICOMEDES B. REYES  
*Edmundo Bautista*  
EDMUNDO BAUTISTA  
EDMUNDO BAUTISTA  
*Jose M. Francisco*  
JOSE M. FRANCISCO  
Presiding Officer

- 4.4.1 must actively and actively conduct business in the market premises, with contract and an updated business permit;
- 4.4.2 must actively conduct business in the legitimate market stalls.
- 4.4.3 must be a holder of a valid contract entered between him and the municipal government;
- 4.4.4 must be a holder of an updated business permit to operate in the market.

For current stallholders that are married and currently holding on to more than one stall, they shall only to be allowed to lease one stall - each provided commodities being traded are in different sections.

4.3 After evaluating applicants for items 4.1 & 4.2 and vacancies are still available, stalls shall be awarded to the new applicants. Qualified applicants are: 18 years of age; a resident of Bacoor. A certification from the barangay Captain that he/she is a bonafide resident of the barangay for at least three (3) years will be required. An applicant is only allowed to lease one stall. Only one application for married applicants will be considered.

- 4.4 Awarding shall be done in two stages:
  - a. Identification of awardees
    - \* Identification of awardees shall be based on items 4.1 to 4.3 stated above.
    - \* Identification shall be done by the Market Committee consisting of the following:
      - Office of the Mayor
      - Municipal Treasurer
      - Two (2) representatives from the Sangguniang Bayan namely, Chairman of the Market Committee and the Chairman of the Finance Committee;
      - \* Representatives from the market vendors association shall be present, as observers, during the identification of awardees and awarding stalls.

After the identification of the awardees, the list will be posted in conspicuous places in the Municipal Hall, the administrative office in the public market and one (1) copy will be given to each president of the different sectors of the market and he shall inform his members accordingly.

- b. Awarding of stalls
  - \* After identification of awardees, stalls shall be awarded through a raffle system. The raffle shall be done per stall classification. Notice shall be given to awardees on the date of the raffle.

Similarly after the awarding of the stalls, the list will be posted in conspicuous places in the Municipal Hall, the administrative office of the public market and one (1) copy each will be provided to the president of each of the sector of the market vendors association and he shall inform his members accordingly.

4.5 Appeal on awards

Any applicant who is not satisfied with the adjudication made by the Committee on Award of the market may file with the same Committee an appeal. The appeal shall be acted upon within a period of thirty (30) days.

Section 5. Market Fees

The following market fees are proposed:

5.1 Goodwill Fee

The stall awardee shall have to pay a goodwill fee based on the following:

Foodstalls/Grocery/dry goods	P 45,000.00
Meat Products	25,000.00
Fish Products/Fruits/Vegetables	15,000.00

5.2

5.2 Payment terms are as follows:

- Upon award, a downpayment equal to 20% shall be paid upon award of the stall.
- The balance shall be paid over a period of 24 months
- The goodwill fee is non-refundable and is good for 15 years for foodstalls, grocery and dry goods and 10 years for meat products, fish, fruits and vegetables.
- The first monthly amortization after payment of downpayment shall be due six months from date of award.

All funds sourced from collection of the goodwill fees shall be trusted for loan servicing and other expenses related to the loan like, insurances, rental to PNR and others. If allowed to pay in advance, all collections made shall be applied to loan repayment. If not, the funds shall be fully trusted and shall be used only to repay the loan. If funds exceed the requirements to service the loan, the interest portion of the fund can be used for other development projects of the municipal government approved by the Office of the Mayor and the Sanggunian Bayan.

5.3 Rental Fee

A rental fee based on the following schedule shall be charged:

Stallholder	
Fish, meat)	
Food stall	P 10.00/sqm/day
Grocery	P 8.00/sqm/day
Vegetables and fruits	P 6.00/sqm/day
Ambulant vendors	P 6.00/sqm/day

The rental rates shall be reviewed every three (3) years.

5.4 Loading and Unloading Fees

Trucks and other conveyances parked within the 500 meter radius from the perimeter market discharging or unloading goods/merchandise for stalls in the market shall be charged fees as follows:

Trucks	P 150.00
Light trucks	120.00
Jeepney	100.00
Tricycles/Pedicabs	5.00

Section 6. Collection/Remittance/Receipting

Awardees of stalls shall pay their amortization to the goodwill fee during the first five days of the month, six months from date of award.

For those with delinquencies in their business permits prior to the award, the delinquent account will have to be paid within a period of six months, from date of award.

For the stall awardees ambulant vendors, wholesalers, the rental fees shall be paid on a daily basis to authorized collectors and receipts shall be issued to acknowledge payment.

All payments of awarded stallholders shall be made directly to the bank, to be nominated later.

*Edel Mando*  
MARIELLA C. DEL MUNDO  
AVELINO S. DE CASTRO  
FRANCISCO A. PATEO

*Roberto R. Javier*  
ROBERTO R. JAVIER  
PABLO E. GUERRERO

*Galencio G. Camarin*  
GALENCIO G. CAMARIN  
RUFINO A. ESPERERA

*Edwin M. Bautista*  
EDWIN M. BAUTISTA  
*Jose M. Francisco*  
JOSE M. FRANCISCO  
Presiding Officer

Section 7. Delayed Payments

Delayed payments on rental fees and amortization to lease rights shall be charged a penalty equal to 5% per month of delay.

Section 8. Transfer of rights to trade

A stallholder is allowed to transfer his right to trade provided the following are fulfilled:

- a. Approval is sought from the local government through the SB and the office of the Mayor;
- b. Fee of P20,000.00 is paid to the local government,
- c. The transferor shall sell the same commodity as the transferee.
- d. The transferee has been operating the stall at least three (3) years prior to the transfer.
- e. The transferee should be a resident of Bacoor and not a bonafide stallholder of the Bacoor Public Market. The residency shall be certified by the barangay captain
- f. The transferee shall be allowed to trade based on the remaining period of the leasehold rights.

Only transferees related within the third degree of consanguinity shall be exempted from the payment of transfer fees.

Section 9. Revocation of Lease Contract

Grounds for the revocation of the lease contract are as follows:

- 1. Failure to pay the rental fees and the monthly amortization for the goodwill fees for three consecutive months.
- 2. Three violations of any of the provisions of the contract.

Offenses shall be notified in writing by the market administrator. Any payments made prior to the revocation shall be forfeited.

Section 10. Dummies, Sub-lease of Stall

No stallholder is allowed to sublease any portion of the awarded stall.

If awardee is found not to be actively operating the stall, the contract is considered null and void and the stall is considered vacant. A formal notice/letter shall be given to the inactive awardee notifying him of the violations committed.

Section 11. Sanitation

At the end of the business day, all stallholders and ambulant vendors shall clean their respective stalls, spaces. All occupants in the market, stallholders and ambulant vendors should provide a sanitary system for waste disposal.

It is obliged that all waste materials shall be classified, wet and dry and shall be contained in a sealed plastic container prior to disposal. The market administrator has designated an area for garbage disposal. All market vendors shall make use of the designated area for the proper disposal of their respective waste materials.

Section 12. Utilities

Stallholders shall be provided power and/or water utilities. The stallholders shall be billed separately based on consumption. Geo-meters will be provided to determine consumption.

*E. Cell M. Mend*  
 ESTRELLA C. DEL PUERTO  
*[Signature]*  
 FRANCISCO A. MATEO

*[Signature]*  
 PABLO E. GUERRERO  
 VICTORIO S. DE CASTRO  
*[Signature]*

*[Signature]*  
 ROBERTO R. JALIER  
*[Signature]*  
 XUPINO A. HERGENA

*[Signature]*  
 GASTONICIO G. CAMARAN

*[Signature]*  
 ADMIL M. BAUTISTA  
 JOSE M. FRANCISCO  
 Presiding Officer

Vendors are expected to settle their bills for utilities within five (5) days from receipt of the bill. Non-settlement of the bill shall mean the imposition of penalty equal to 5% per month of delay. Three consecutive monthly delays in the settlement of the bill shall be ground for the cancellation of their contract.

Section 13. Market Hours

The market shall be open twenty four (24) hours. Wholesalers are allowed to enter the premises of the market from 10:00 p.m. to 6:00 a.m. of the following day and 10:00 a.m. to 3:00 p.m.

Ambulant vendors are allowed to open their stalls from 4:00 a.m. to 6:00 p.m. Ambulant vendors will be designated an area in the new public market and occupancy shall be on a first-come-first served daily.

Stallholders are allowed to open their stalls at anytime, provided the opening shall be solely for the purpose of trading.

Section 14. On Vacancy

Notice of vacancy of stall shall be made for a period of not less than ten (10) days immediately preceding the date fixed for their award. Such notice shall be posted conspicuously on the unoccupied stall or booth and the bulletin board of the market. The notice of vacancy shall be written on the material suitable for the purpose using the following form:

NOTICE

Notice is hereby given that Stall No. \_\_\_\_\_ is available for lease starting \_\_\_\_\_. The stall is in the wet or dry Section specifically \_\_\_\_\_.

Applicants who are qualified to apply are the following:

- \* 18 years old
\* a citizen of Bacoor

Application forms are available at the office of the market administrator from \_\_\_\_\_ to \_\_\_\_\_.

In case there is more than one qualified applicant, the stall shall be awarded through the drawing of lots to be conducted on \_\_\_\_\_ at \_\_\_\_\_.

MUNICIPAL MAYOR

Section 15. Supervision and Control

- 15.1 The municipal mayor shall exercise direct and immediate supervision, administration and control over the municipal public market and the personnel thereof. He is tasked to implement the policies, guidelines approved in the ordinance.
15.2 The municipal mayor shall execute the provisions stated in Municipal Ordinance 206 which prohibits any person or persons with no business permits (illegal vendors) to engage in the selling of any kind of merchandise or commodity within a radius of 500 meters from the perimeter New Zapote Public Market.

Section 16. Other Provisions for Administration of Stalls

- 16.1 The person awarded the stall shall occupy, administer and be present to personally administer business.

Handwritten signatures and names: Roberto R. Javier, Edilio Mambal, Cynthia C. Del Mundo, Alfredo S. De Castro, Paulo E. Cherrero, Rufino A. Herrera, Gaudencio C. Gauran, Francisco A. Mateo, Edwin H. Lantigua, Jose M. Francisco, Presiding Officer, Nicomedes B. Reyes.

- 16.2 No awardee nor any of his/her relatives or employees shall use the premises as living quarters.
- 16.3 Each awardee is expected to conduct his business in a manner adhering to good moral conduct and within the boundaries of law.
- 16.4 The awardee is unauthorized to alter the original structure in whatever manner without the permit of the Market Administrator and approval of the Municipal government through the Office of the Municipal Mayor.
- 16.5 No firearms, liquors or prohibited drugs shall be allowed inside the market premises. Any merchandiser or his employees found to be in possession of deadly weapons or prohibited drugs shall be grounds for cancellation or pre-termination of the contract.
- 16.6 The market shall not be used for any gambling activities. Any person caught under such circumstances shall be punishable under the laws provided for such purpose. In addition any stallholder or vendor caught under such circumstances shall be ground for termination of his contract or shall no longer be allowed to peddle his goods, respectively.
- 16.7 No stall shall be used solely for storage purposes.
- 16.8 No stallholder shall be allowed to store firecrackers, fireworks within the premises.

Section 17. Miscellaneous Provisions

- 17.1 The local government through the market administrator shall not be responsible for any losses nor damage caused by fire or any force majeure that may occur in the area. However, adequate security and fire fighting measures shall be provided by the local government.
- 17.2 Any merchandise/goods abandoned in any common area of the market such as but not limited to the corridors, parking area shall be deemed a nuisance and shall be confiscated. Articles confiscated by authorized personnel can be claimed in the market office within 24 hours. If articles confiscated are perishable and these serve as threat to health, these shall be disposed in a manner directed by the market administrator

Section 18. Final Provisions

- 18.1 Repealing Clause: All municipal ordinances, issuances, circulars relative hereto are hereby revoked.
- 18.2 Amendments: At the proper time, amendments can be introduced and the corresponding provisions shall be altered accordingly.

ENACTED by the Sangguniang Bayan of Bacoor, Province of Cavite  
this 27th day of September, 1996.

ATTESTED:

*[Signature]*  
NICOENDES B. HAYES  
Secretary to the Sanggunian

APPROVED:

*[Signature]*  
VICTOR R. MIRANDA  
Municipal Mayor

*[Signature]*  
ESTRELLA C. DEL MUNDO

*[Signature]*  
RAFAELINO S. DE CASTRO

PASLO E. GUERRERO

*[Signature]*  
ROBERTO R. JAVIER

*[Signature]*  
RUFFINO A. HERRERA

*[Signature]*  
FRANCISCO A. MALDO

*[Signature]*  
JOSE E. YRASCOSCO  
Presiding Officer

*[Signature]*  
EDITH M. AVALISTA

OFICINA DE CAMARAS