



OFFICE OF THE SANGGUNIANG BAYAN 2019-2022

Vice Mayor/Presiding Officer:

HON. PABLITO V. SANIDAD, SR.

Sangguniang Bayan Members:

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HON. JOSEPH A. TEJADA

HON. JOVENNIANO B. AMPO, JR.

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HON. BERNADETTE C. LIM

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HON. EMILIANO C. CLARIN

HON. REINA ALEXA V. ANTOLIN

ABC President:

HON. ROMULO C. REA

SK Federated President:

HON. JOEMAR GREY A. CABICO

Attested:

MARIBEL C. CORRALES
SB Secretary

Approved:

HON. LUIS "CHAVIT" C. SINGSON
Municipal Mayor

EXCERPTS FROM THE MINUTES OF THE 44TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF NARVACAN, ILOCOS SUR HELD ON NOVEMBER 17, 2020 AT THE MUNICIPAL SESSION HALL.

ORDINANCE NO. 58

Series of 2020

**AN ORDINANCE ENACTING THE MARKET AND
SLAUGHTERHOUSE CODE OF NARVACAN, ILOCOS SUR**

**CHAPTER I
GENERAL PROVISIONS**

SECTION 1. TITLE – This ordinance shall be known as the

"MARKET CODE OF NARVACAN, ILOCOS SUR".

SECTION 2. SCOPE – This ordinance shall govern the establishment, management, administration and operation of the public market, *talipapas* and other market related activities in the Municipality of Narvacan, including the imposition and collection of market rental fees and charges for occupancy and providing penalties for violation thereof.

SECTION 3. AUTHORITY TO ESTABLISH PUBLIC MARKET – The Municipality of Narvacan, Ilocos Sur, pursuant Section 447 of R.A. No. 7160, otherwise known as the Local Government Code of 1991 is empowered to establish, maintain and operate public markets within its territorial jurisdiction.

SECTION 4. PURPOSE. This Code is enacted for the following purposes, and such other related purposes as may be provided by law or ordinance:

- a. Guide, control and regulate the growth and development of the municipality's public markets and slaughterhouses including their premises;
- b. Protect the character and stability of public markets and slaughterhouses and their premises as well as promote an orderly and beneficial development of the same;
- c. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the occupants therein as well as the general public patronizing the public market;
- d. Regulate the operation of all businesses or trade activities in the public market;



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- e. To regulate and restrict the location and use of stalls, booths, or structures inside the public market compound;
- f. To regulate the alteration or remodeling of existing booths or structure in such a way as to avoid public hazards or inconvenience; and
- g. To eliminate the incompatible or non-conforming uses of the public market booths, stall or kiosk and its premises.

SECTION 5. DEFINITION OF TERMS – For the purpose of this Ordinance, the following terms shall be defined as follows:

- a. **Ambulant, Transient or Itinerant Vendor or Hawker** - shall refer to a vendor or seller who does not regularly occupy a definite place of the market but one who comes either occasionally to sell goods whenever allowed by ordinance or rules and regulations enacted by the Sangguniang Bayan.
- b. **Animal feeds and Cereal Section** – shall refer to the area where all kinds of manufactured animal feeds and cereals, including rice and corn could be sold.
- c. **Bagsakan Area** – shall refer to an open area for the delivery of wholesale goods in bulk and functions as a transaction area among producers, wholesalers and retailers.
- d. **Banned Hazardous Substance** – shall mean any toy or other articles intended for use by children which are hazardous per se or which bear or contain substances intended or packed in a form suitable for use in the household which the implementing agency by regulation, classified as "banned hazardous" substance.
- e. **Business Name** – or firm name shall mean any name or designation other than the true name of a person, partnership, corporation or association which is in connection with his business.
- f. **Consumer** - shall mean who is a purchaser, lessee, recipient or prospective purchase, lease or recipient of consumer products services or credit.



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- g. **Counterfeit Product** - shall mean any consumer product which or the container of labeling of which authorization, bears the trademark, tradename, or other identifying mark, imprint or device, or any likeness thereof of a consumer product, manufacturer, processor, packer, distributor other than the person who in fact manufactured, processed, packed or distributed such product which thereby falsely purports or is represented to be the product of or to have been packed or distributed by such consumer product, manufacturer, processor, packer or distributor.
- h. **Fast Food/Delicacies/Eatery Section** – shall refer to the area where all kinds of cooked foods and delicacies could be sold. This includes refreshment parlors cafeterias, restaurants, panciterias and the like.
- i. **Groceries Section** – shall refer to the area where all kinds of cakes, biscuits, pastries, crackers, butter, cheese, confections, candies, canned or bottled foods, beverages, soft drinks, cigarettes, flour, oatmeal, ham, bacon, cigar, sauce, onions, garlic, potatoes, eggs, sausages, starch, soap and other products could be sold.
- j. **Government Owned and/or Operated Public Market or Mall** - shall refer to those establishments constructed out of public funds or those leased /acquired by any legal mode or means from persons, natural or juridical, operated by the government through its instrumentality, branch or political subdivision
- k. **Kiosk** - shall refer to a semi-permanent structure made of light materials with enclosure located within the premises of the public market with an area of not more than four (4) sq. m.
- l. **Label, Labeling** - shall mean the display of written, printed or graphic matter on any consumer product, its immediate container, tag, literature or other suitable material affixed thereto for the purpose of giving information , as to the identity, components, ingredients, attributes, directions for use specifications and such other information as may be required by law or regulations



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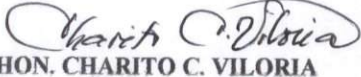

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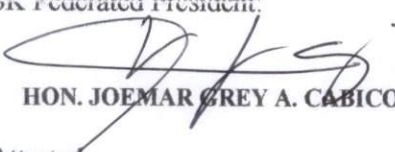

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- m. **Lessee** - shall refer to the awardee/grantee of booth, stall or kiosk
- n. **Live Fowls and Piglets Section** - shall refer to the area where the live fowls, such as chicken, ducks and similar birds as well as piglets could be sold
- o. **Local Market Authorities** - shall refer to the Mayor or any other Municipal Official charged with the management of the public market and/or specific market of such operation
- p. **Market Booth** - shall refer to an enclosure built or erected within the market building where merchandise and services of various kinds are being sold or offered
- q. **Market Building** - shall refer to a constructed edifice designed to stand more or less permanently covering space of land, usually covered by a roof more or less enclosed by walls and supported by the columns, and serving as a place for commercial or trade activities
- r. **Market Premises** - shall refer to any space in the public market compound which is part of the market lot consisting of bare ground not covered by market buildings
- s. **Market Rental Fees** - shall refer to the fee being paid by a person in enjoying, occupying and utilizing a market booth, stall or kiosk for commercial activities
- t. **Market Committee** - shall refer to the body whose duty is to conduct the drawing of lots and opening of bids in connection with the adjudication of vacant and duly constructed stalls in the public market and to certify to the Sangguniang Bayan results thereof
- u. **Market Section** - shall refer to a subdivision of the public market housing one class or group of allied goods, commodities or merchandise
- v. **Market Stalls** - shall refer to any allotted space within the premises of the public market building
- w. **Package or Packaging** - shall mean any container or wrapping in which any consumer product is enclosed for use in delivery or display of consumer product to retail purchasers



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- x. **Price Tag** - means any device, written or printed, affixed or attached to a consumer product displayed in a consumer repair or service
- y. **Public Market** – refers to any place, building or structure of any kind owned and operated by the Municipal Government of Narvacan, Ilocos Sur, and designated as such by the Sangguniang Bayan where basic food items and other commodities are displayed and offered for sale. Public Market also includes market stalls, "tiendas", buildings, roads, subways, waterways, drainage, parking spaces and other appurtenances which are integral parts thereof;
- z. **Retailer** - shall mean a person engaged in the business of selling consumer products directly to consumers
 - aa. **Standard** - shall mean a set of conditions to be fulfilled to ensure the quality and safety of a product
 - bb. **Support facilities** - shall refer to the service areas directly supportive of market operations including the "bagsakan", central collection station for wastes, poultry, dressing areas, slaughterhouse, ice plant, warehouses and trading posts

Sections in the public market shall be as follows or combinations thereof:

1. **Fish Section** – refers to the area where all fresh fish, crabs, lobsters, shrimps, sea weeds, and other sea foods and marine products are sold.
2. **Meat Section** – refers to the area where only all kinds of meat shall be sold.
3. **Chicken Section** – refers to the area where dressed chicken and other chicken by-products are sold.
4. **Dry Goods Section** – refers to the area where all kinds of textiles, ready made clothes, native items, toiletries, novelties, footwear, kitchen wares, utensils and other household articles, handbags, school supplies, canned goods, and other grocery items and the like shall be sold.
5. **Fruits and Vegetables Section** – refers to the area where only kinds of vegetables, fruits, root crops such as camote and cassava, spices and the like shall be sold.



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- 6. **Eatery Section** – refers to the area where only all kinds of cooked/prepared food and refreshment pariors, cafeterias, carinderias, and other selling delicacies.
- 7. **Rice and Corn Section** – refers to the area where only rice and corn, and other grains or cereals are sold.
- 8. **Ice Storage Section** – refers to the area where the sale of ice in whatever form shall be conducted.
- 9. **Dried and Salted Fish Section** – refers to the area where all kinds of dried, salted or fermented fish shall be sold.
- 10. **Miscellaneous Section** – refers to the area where only other item or business not classified herein above shall be sold or allowed by management of the market, with the approval of the Sangguniang Bayan.

SECTION 6. SITE – No public market of any kind shall be established except on sites determined in accordance with pertinent existing laws, ordinances, rules and other regulations; **provided that**, the present public market found within the immediate vicinity of Bonifacio, San Jose, Sta. Lucia, Republic Sts. and the Old National Road, is hereby designated as the **Narvacan Public Market**, without prejudice to the future creation or abolition/closure of existing or new markets and in such locations that the municipality may decide;

SECTION 7. NUMBER OF MARKETS AND PROHIBITION OF SALES OUTSIDE THE PUBLIC MARKET – The local sanggunian shall determine the number of public markets to be established in the municipality, by taking into consideration the needs of both consumers and traders in the area and the economic viability of such public market.

The sale of goods and merchandise in such sites other than the duly established public markets is prohibited unless the same is covered by an express grant given by the Sanggunian Bayan by means of an Ordinance duly adopted and approved by the Municipal Mayor and on condition that the merchants shall first file an application for the purpose and obtain all required business, engineering, commercial, BIR and sanitary permits and clearances before opening such establishments to the public.



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SECTION 8. LIMITATIONS ON TRANSFER OF MARKET SITE –

No transfer of market site shall be made unless conditions and development favorable to the relocation or transfer of the market site are obtained. The local sanggunian may transfer or relocate the market site to a location more suited to current needs and future development and progress; **provided, that**, no transfer of market site shall be made outside the territorial boundaries of the local unit concerned; and provided further, that the construction of the new public market shall be made in accordance with existing laws, ordinances, rules and regulations.

The old market site together with the improvements thereon may be disposed of by sale or lease or converted to such other use as the local sanggunian concerned may deem beneficial to its constituents.

**CHAPTER II
SUPERVISION AND CONTROL**

SECTION 9. MUNICIPAL MAYOR – The Municipal Mayor exercises general control and supervision over the public market and mall established, administered and operated by the Municipal Government of Narvacan, Ilocos Sur.

SECTION 10. MARKET SUPERVISOR – There shall be a Market Supervisor who shall be under the direct supervision and control of the Municipal Mayor, and shall be in charge of and responsible for the immediate administration and management of the government-owned/operated public market as well as those that may be established in the future. The said Market Supervisor shall have full control and direction of the administrative performance and functions of all market personnel.

The Market Supervisor shall see to it that all cash collections are remitted to the Municipal Treasurer.

SECTION 11. PUBLIC MARKET ECONOMIC ENTERPRISE

OFFICE - The Public Market Enterprise is a sub-office under the Office of the Municipal Mayor. It is located at the Phase I portion and manned by a Market Inspector in the absence of a Market Administrator.



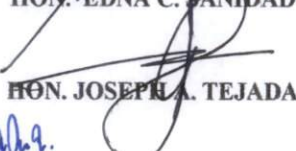
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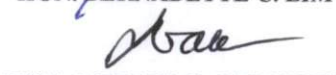

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**CHAPTER III
ADJUDICATION OF STALLS, ROOMS, BOOTHS AND SPACES**

SECTION 12. AWARDS AND MUNICIPAL MARKET COMMITTEE

– Award or adjudication of newly constructed or vacated or declared vacant stalls shall be made pursuant to the provisions of this Ordinance and for the purpose there is hereby created a Municipal Market Committee which shall be composed of the following:

- Municipal Mayor -as Chairperson and/or his duly authorized representative
- Municipal Vice Mayor – as Vice Chair
- Members
 1. Municipal Treasurer
 2. Chairperson of the Committee on Public Enterprise/Trade and Industry of the Sangguniang Bayan and its Members
 3. Chairperson of the Committee on Laws/ Rules in the Sangguniang Bayan
 4. Municipal Business Permits and Licensing Officer
 5. Municipal Environment and Natural Resources Officer
 6. President of the Market Vendors Association
 7. Market Supervisor
 8. Such other member as it may deem necessary

The Mayor may appoint a Secretary to the Market Committee who shall be deemed as an ex-officio member.

SECTION 13. FUNCTIONS OF THE MARKET COMMITTEE. The Market Committee shall have the following functions:

- a. To formulate rules and guidelines in the operation and administration of the public market;
- b. Shall serve as the advisory body of the Municipal Mayor and recommend to the Sangguniang Bayan measures and matters for the efficient and effective operation and management of the public market



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- c. Accept, evaluate and award application for lease of booth, stall or kiosk;
- d. Shall take charge in the adjudication of market stalls, rooms, booths and spaces to applicants;
- e. Shall submit and certify to the Sangguniang Bayan the adjudication/s made, and
- f. Perform such other functions as the Municipal Mayor may direct.

SECTION 14. AWARD OF STALLS – All vacant stalls, rooms, booths, and spaces in the Municipal Public Market shall be adjudicated and awarded by the Market Committee.

A cash bond of FIVE THOUSAND (P5,000.00) PESOS shall be deposited by any interested party with the Market Committee before the processing of applications for any vacant stall, room, booth and spaces in the Municipal Public Market.

The successful awardee provided he/she meets all the qualifications and none of the disqualifications for the lease of occupancy of the stall, room, booth or space shall be declared the awardee and his/her cash bond as non-refundable and the stall, room, booth or space awarded to him/her, and the said cash bond shall be considered as his deposit and shall be considered and applied as payment of rentals or damages sustained by the premises at the discretion of the Municipality.

In case the contract of lease is terminated before its term is due to violations committed by the lessee, the foregoing deposit shall be forfeited in favor of the Municipality without prejudice to actions which the Municipality may take to collect by delinquencies or such other damages or amounts due.

The cash bond of the loser/s shall be returned to the respective losing bidder/s.

SECTION 15. TO WHOM AWARD MAY BE MADE – No person shall operate or be awarded a market stall, room, booth or space or be allowed to do business in the public market without first securing the permits and/or licenses required by the municipal government and subject furthermore to the qualifications and none of the disqualifications prescribed hereunder and the other pertinent provisions of this Ordinance.



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No person shall sell, offer for sale or display any item or article in the public market, or use or occupy any stall, room, booth or space without having been awarded or assigned such stall, room, booth or space in the manner prescribed herein. The pertinent provisions of Chapter VIII of this Ordinance on restrictions and provisions imposed upon awarded of stalls, rooms, booths, or spaces shall be strictly adhered to.

Prior to occupancy, he/she shall make a deposit equivalent to three months of the monthly rental and also pay a three months advance.

SECTION 16. QUALIFICATIONS OF MARKET STALLHOLDERS –

The following are the qualifications of market stallholder:

- a. Must be at least twenty one (21) years of age.
- b. Filipino citizen.
- c. Must not have been convicted or found guilty for violation of any ordinance, law, rules and regulations pertaining to market operations.
- d. Must not have any tax accountability or liability with the Municipal Government of Narvacan, Ilocos Sur.
- e. Must be physically and mentally fit and not suffering from any contagious or communicable disease

SECTION 17. DISQUALIFICATIONS – Stallholders who have been ejected from his/her stall for cause as provided for in this ordinance shall be disqualified from filing another application for the lease of any other stall in the public market.

SECTION 18. DURATION AND REVOCATION OF LEASE – The lease or award of any stall, room, booth or space in the market shall be for a period of **ONE (1) YEAR** unless sooner revoked or cancelled for cause, in which case any amount deposited for the purpose shall be forfeited in favor of the municipal government, as provided in Sec. 14 above.

The same may be renewed at the exclusive option of the lessor municipality, for succeeding periods of **one (1) year** and subject to such terms and conditions that the municipality may impose;



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SECTION 19. PROCEDURE IN ADJUDICATING VACANT MARKET STALL, ROOM BOOTH OR SPACE TO APPLICANTS –

Vacant stalls, rooms, booths or spaces shall be leased to applicants in the following manner:

- a. **Notice of Vacancy** – Notice of Vacancy for vacant or newly constructed stall, room, booth or space shall be made for a period of not less than ten (10) days immediately preceding the date fixed for their award to qualified applicants to apprise the public of the fact that such stall, room, booth or space is available for lease. Such notice shall be posted conspicuously on the bulletin board of the market, and in two (2) other public places and on social media/ internet, at the choice of the municipality.

The notice of vacancy shall be in the following form.

NOTICE

Notice is hereby given that stall/room/booth/ space no. _____, Building No. _____ of the _____ Market is vacant (or will be vacant) on _____. Any person duly qualified and desiring to lease this stall/room/booth/space shall file an application therefore on the prescribed form (copies may be obtained from the Office of the Municipal Treasurer during office hours) on or before 12:00 noon of _____, after which time no more application will be entertained. The award of the lease of the vacant stall/room/booth/space shall be determined by the Market Committee taking into consideration the qualifications of the applicants.

This stall/room/booth/space is found in the _____ section and is intended for the sale of _____.

Municipal Treasurer

- b. The application shall be under oath. It shall be submitted to the Office of the Municipal Treasurer by the applicant either in person or through his/her authorized representative.



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SK Federated President:

HON. JOEMAR GREY A. CABICO

Attested:

MARIBEL C. CORRALES
SB Secretary

Approved:

HON. LUIS "CHAVIT" C. SINGSON
Municipal Mayor

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- c. A CASH BOND in the amount of FIVE THOUSAND (P5000.00) PESOS shall be collected from each applicant as provided in Sec. 14 above.
- d. It shall be the duty of the Municipal Treasurer to keep a registration book showing the names and addresses of all applicants for vacant stall, room, booth or space; the number and description of the stall, room, booth, or space applied for, and the date and hour of receipt by the office of the said application. The application shall be substantially in the following form:

APPLICATION TO LEASE MARKET STALL

Address

Date

*The Municipal Treasurer
Municipality of Narvacan*

Sir/Madam:

I, _____ hereby apply to lease stall No. _____, building No. _____, _____ Section of the _____ market. I am _____ years old, a citizen of the _____ and residing at _____ . (Indicate if applicant is the present tenant/occupant of the stall/space applying for.)

Should the above-mentioned stall, room, booth or space be leased to me in accordance with the market rules and regulations, I promise to hold the same under the following conditions:

1. That while I am occupying or leasing this stall, room, booth or space, I shall at the same time, have my permit conveniently framed and hanged up conspicuously in the stall, room, booth or space.
2. I shall keep the stall, room, booth or space at all times in good sanitary condition and comply strictly with all pertinent market laws, ordinances, rules and regulations, existing or which may hereafter be promulgated.
3. I shall pay the corresponding rents for the stall, room, booth or space in the manner prescribed by existing ordinance.
4. I shall not sell or transfer in any guise, form or subterfuge my privilege to the stall, room, booth or space or permit another person to conduct business thereon such as partnership or joint venture or any such similar scheme.



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Municipal Mayor

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- 5. Any violation on my part of the foregoing conditions shall be sufficient cause for the authorities to MOTU PROPRIO cancel my lease contract and simultaneously close and/or padlock my market stall.
- 6. Aside from the foregoing, I consider myself qualified to lease the said stall because: (state reasons, qualifications, etc.)

Very truly yours,

I, _____, do hereby state that I am the person who signed the foregoing application that I have read the same, and that the contents thereof are true to the best of my knowledge.

Applicant

SUBSCRIBED AND SWORN to before me this _____ day of _____ affiant-applicant exhibiting me his/her Res. Cert. No. _____ issued on _____ at _____, Philippines.

Administering Officer

e. That after the award of any stall, room, booth or space, a contract of lease shall be executed by the Municipal Mayor representing the Municipal Government and authorized by the Sanggunian Bayan by virtue of this Ordinance, and the awardee/s after the latter has complied with all other requirements. The contract of lease shall be substantially in the following form but may be modified to conform to the needs of the particular market.



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Municipal Mayor

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CONTRACT OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

This contract of lease is made and entered into by and between the **Municipality of Narvacan**, a public corporation existing under and by virtue of the laws of the Philippines, represented in this act by its Municipal Mayor _____ herein after called the **Lessor**;

And

_____, of legal age, single/married, Filipino citizen, and a resident of _____, Philippines, herein after called the **Lessee**;

WITNESSETH

That the **LESSEE** is an awardee of stall no. _____ of Bldg. _____ Section of the _____ Public Market.

That the **LESSOR** hereby leases the aforesaid stall in favor of the aforementioned lessee, subject to the following terms and conditions:

1. That this contract of lease shall be for a period of one (1) year from the date hereof unless sooner cancelled or revoked for cause and can be renewed for one (1) terms thereafter at the exclusive option of the **LESSOR**;
2. The desire of the **LESSEE** to renew his/her contract shall be submitted in writing to the Office of the Mayor not less than one (1) month before the expiration thereof. Failure to submit said intention to renew as provided shall be considered a waiver to do so. Approval of any renewals shall be at the exclusive option of the **LESSOR** and upon such terms and conditions it may impose.
3. That **LESSEE** shall at all times keep the stall in good sanitary condition and shall comply strictly with all market laws, ordinances, rules and regulations now existing or which may hereafter be promulgated;
4. That the **LESSEE** shall pay a monthly rent for the stall in the amount of P _____ a month and aside from said rent shall also secure business permit and license thereof in the manner and amount prescribed by existing law and ordinance;



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5. The payment of P5,000.00 as Cash Bond/Deposit is hereby acknowledged by the LESSOR. The said amount shall not be applied for payment of rentals and shall be considered as the deposit for any approved renewal of the contract provided that, in case of termination of this contract due to any violation by the LESSEE, the said deposit shall be forfeited in favor of the LESSOR;
6. That LESSEE shall be allowed to take possession over his/her awarded stall only upon compliance with all prescribed requirements;
7. That the business to be conducted in the stall shall belong exclusively to the herein LESSEE;
8. That LESSEE shall not sell, sublease or transfer his/her privilege/"rights" to the stall nor otherwise permit another person to conduct business therein under any guise, scheme or subterfuge such as co-ownership, partnership, joint venture or any similar forms;
9. That LESSEE shall not use the privilege to the stall whether directly or indirectly, as his collateral or security for any loan agreement with any public or private entity;
10. That the required market rental shall be paid monthly not later than the first week of each month and failure and/or non-payment of the monthly rental for three (3) consecutive months, shall be sufficient cause for revocation of the lease;
11. That the LESSEE shall not in any manner alter the structure of said stall without prior written approval of the LESSOR;
12. That the stall in no case be used for residential and/or gambling purposes;
13. All provisions of the Market Code of Narvacan are deemed adopted and made integral parts of this contract;
14. That violation of any foregoing terms and conditions and other applicable laws, ordinances, rules and regulations shall be sufficient cause for the cancellation or revocation of this contract of lease, be closed or padlocked.

IN WITNESS WHEREOF, the parties have hereunto set their hands this ____ day of _____ at _____, Philippines.



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Municipal Mayor

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MUNICIPALITY OF NARVACAN

Lessor

By:

Stallholder/Lessee

Municipal Mayor

SIGNED IN THE PRESENCE OF:

ACKNOWLEDGEMENT

Republic of the Philippines)
Province of Ilocos Sur)S.S.
Municipality of Narvacan)

BEFORE ME, a Notary Public, for and in the Municipality of _____, Ilocos Sur, Philippines, this ____ day of _____, personally appeared Municipal Mayor _____ with Residence Certificate No. _____ issued at _____, on _____ and _____ with Residence Certificate No. _____ issued at _____ on _____ both known to me and to me known to be the very same persons who executed the foregoing instrument and they acknowledge that the same is their free act and voluntary deed.

This instrument consists of ____ pages including this page on which the acknowledgement is written, each and every page hereof having been signed by the parties and their instrument witnesses.

WITNESS MY HAND AND SEAL at the place and on the date first above-written.

Notary Public

Doc. No. _____
Page No. _____
Book No. _____
Series No. _____



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SECTION 20. VACANCY OF STALL BEFORE EXPIRATION OF LEASE. If for any reason a stallholder or lessee discontinues or is required to discontinue his business before the lease of the stall expires, such stall shall be considered vacant and its occupancy thereafter shall be disposed off in the manner herein prescribed.

SECTION 21. EFFECT OF DEATH OF LESSEE. Upon the death of the LESSEE, the contract of the stall be deemed automatically terminated. If he/she has no existing obligations due to the LESSOR, his/her cash deposit shall be given to his/her legal heirs. However, if the deceased leaves a surviving spouse, or children who are qualified under the provisions of this ordinance and who desire to continue the business of the deceased, the lease may be transferred to the spouse or children upon application thereof; *Provided that* the local market authorities shall be notified within thirty (30) days after the death of the original lessee of the desire of the spouse or children to succeed and upon payment of all necessary rents or lease due to the time of death of the original lessee. In such case, the original cash bond/ deposit of the deceased LESSEE shall remain for the same purpose.

Conflicting claims made by or between the surviving spouse and children shall be resolved by the Market Committee taking into consideration the qualifications of the applicants. Its decision shall be final.

SECTION 22. CONSECUTIVE NUMBERING OF STALLS. All market stalls, rooms, both or space shall be numbered consecutively.

SECTION 23. MARKET HOURS. Unless a different time is fixed by the Sangguniang Bayan, the public market shall be opened for sale of articles permitted for sale therein from 4:00 o'clock in the morning until 8:00 o'clock in the evening every day. The use of any stall or place in the market as living quarter rooms and; or sleeping quarter is strictly **prohibited** and no vendor or booth/stall/kiosk holder shall remain inside the market building after the same has been closed.



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Municipal Mayor

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CHAPTER IV

MARKET SECTIONS, LOCATION, AREA AND FEES

SECTION 24. MARKET SECTION – The Public Market shall be divided into various sections, or combinations thereof, defined under Section 4, Chapter I of this ordinance for an efficient administration thereof. Other sections, or combinations thereof, may be allowed, upon recommendation of the Municipal Mayor and with the approval of the Sangguniang Bayan, from time to time and whenever the need thereof arises.

SECTION 25. MARKET LOCATIONS.

- a. The Public Market of Narvacan **Phase I**, shall be divided into meat section, fish, chicken section, dry goods section, grocery and general merchandize section, footwear section, plastic, glassware and kitchen ware, dried fish and bagoong section, farm and agricultural supplies section, fruits and vegetables and drug stores.
- b. **Phase II** of the Public Market shall be divided into carinderias, frozen meat, wagwagan, office supplies section and beauty parlor section, cell phones and other electronic stalls.
- c. Meat vendors are required to identify the meat they are selling by placing placards above the displayed items.

SECTION 26. NUMBER AND LOCATION OF STALLS – The number and locations of stalls, rooms, booths or spaces in the Public Market shall be as appearing in the plan hereto attached as **"Annex A"** and made an integral part of the ordinance.

SECTION 27. COLLECTION – Collection in the Public Market of fees from ambulant/transient vendors, fees from delivery trucks and other taxes and fees due to the municipal government, shall be the responsibility of the Municipal Treasurer. To ensure that such responsibility is properly and effectively discharged, all market collectors including other personnel involved in collection functions, shall directly be under the control and supervision of the Municipal Treasurer to ensure proper accountability and to optimize collection efficiency and performance.



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SECTION 28. IMPOSITION OF MARKET FEES AND CHARGES –
There shall be collected the following market fees and charges:

a. Rental charges on stalls within the market building:

- Dry Goods Section P 1,500.00/stall
- Fish/Vegetables/Fruits Section P 900.00/table
- Meat/Dressed Chicken Section P 900.00/table

Provided, that rental charges shall be paid within the first ten (10) days of the month.

b. Market entrance fees for commodities/merchandises for sale brought into the public market including the outside premises:

Products/Merchandises	Market Entrance Fee
1. Fresh/"Ilado" Fish	
With water	P 50.00/Styrofoam
Without water	P 80.00/Styrofoam
Ipon and similar marine Products	P 100.00/can
2. Meat Products	
Beef (butchered)	P 115.00/head
Pork (butchered)	P 65.00/head
Lechon	P 150.00/head
3. Fruits and Vegetables	P 10.00/bag/sako
4. Dressed Chicken	P 2.00/head
5. Fresh Eggs	P 2.00/head

c. Market Entrance fee on transient vendors of any commodity or merchandise brought into the market for sale:

Products/Merchandise	Market Entrance Fee
1. For every sack of rice, corn, mungo, beans, peanuts, coffee, camote, and the like	P 10.00
2. For every sack of salt or sugar	P 10.00



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- | | | |
|--|---|-------|
| 3. For every sack of animal feed, rice barn, or fertilizer | P | 10.00 |
| 4. For every sack of salted fish or dried shrimps | P | 10.00 |
| 5. For every basket/kaing of Vegetable/fruits | P | 10.00 |

d. Market fees shall be collected from persons, corporations, partnerships or entities offering for sale merchandise in jeepneys, pick-ups, trucks or any other conveyances parked or displayed at or in the vicinity of the public market at the following rates:

- | | | |
|---|---|--------|
| - For one jeepney/pick-up load of vegetable and/or fruits | P | 300.00 |
| - For one truckload of Vegetables and/or fruits ten (10) tons and above | P | 500.00 |

Provided further that, any vendor occupying any table, cubicle, or any other space with an area exceeding that to which by virtue or payment of the entrance fee shall be required to pay the correct amount of fees thereon less what may already have been paid as entrance fee.

Duly licensed suppliers or distributors of goods, commodities or general merchandise servicing permanent occupants of market stalls, booths, tiendas, or other space, as well as the same occupants when they bring in goods, commodities, or merchandise to replenish or augment their stock, shall not be considered as transient vendors required to pay market fee.



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**CHAPTER V
FEES FOR SEALING AND LICENSING OF WEIGHTS AND MEASURES**

SECTION 29. IMPOSITION OF FEES. Every person before using instruments of weights and measures within the municipality shall first have items sealed and licensed annually and pay therefore to the Municipal Treasurer the following fees:

Kinds of Sealing and Weighing Instruments	Amount of Fee
(a) For sealing linear metric measures: Not over one (1) meter	P 100.00
Measure over one (1) meter	150.00
(b) For sealing metric measures of capacity: Not over ten (10) liters	100.00
Over ten (10) liters	150.00
(c) For sealing metric instruments of weights With capacity of not more than 30 kgs	100.00
With capacity of more than 30 kgs but not more than 300 kgs	150.00
With capacity of more than 300 kgs but not more than 3,000 kgs	200.00
With capacity of more than 3,000 kgs	300.00
(d) For sealing apothecary balances of precision	100.00
(e) For sealing scale or balance with complete Set of weights <ul style="list-style-type: none"> For each scale or balance or other balance with complete set of weights for use therewith For each extra weight 	200.00 50.00
(f) For each and every re-testing and re-sealing of weights and measures instruments including gasoline pumps outside the office upon request of the owner or operator, additional service charge shall be collected	100.00



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SECTION 30. EXEMPTION. All instruments of weights and measures used by government works or maintained for public use by the national, provincial, municipal and or barangay government shall be tested and sealed free of charge.

SECTION 31. TIME OF PAYMENT. The fees levied in this Chapter shall be paid to the Municipal Treasurer when the weights or measures are sealed, before their use and thereafter, on or before the anniversary date.

SECTION 32. SURCHARGE FOR LATE PAYMENT. Failure to pay the fee prescribed in this Chapter within the time required shall subject the taxpayer to a surcharge of twenty five percent (25%) of the original amount of fees due. Such surcharge is to be paid at the same time and in the same manner as the original amount of fees due.

SECTION 33. ACCRUAL OF PROCEEDS. The proceeds as well as surcharges, interest and fines collected in connection with this Chapter shall accrue to the municipality.

SECTION 34. FORM OF DURATION OF LICENSE FOR USE OF WEIGHTS AND MEASURES. The official receipts for the fees and charges for sealing of a weight or measure shall serve as a license to use instrument for one (1) year from the date of sealing, unless deterioration or damage which renders the weight or measure inaccurate within the period. When a license is renewed, the same shall expire at the same day and month of the year following the original issuance. Such license shall be preserved by the owner and, together with the weight of measure covered by the license, shall be exhibited upon demand by the Municipal Treasurer or his deputies.

SECTION 35. DESTRUCTION OF DEFECTIVE INSTRUMENT OF WEIGHTS AND MEASURES. Any defective instrument of weights or measures shall be destroyed by the Municipal Treasurer or any of his authorized deputies if its defect is such that it cannot readily and securely be repaired.

SECTION 36. INSPECTORS OF WEIGHTS AND MEASURES. The Municipal Treasurer or his authorized representatives shall inspect and test instruments of weights and measures. In case the inspection and testing is conducted by the deputies of the Municipal Treasurer, they shall report on the condition of the instruments in the territory



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assigned to them to the Municipal Treasurer. It shall be their duty to secure evidence of infringement of the law or fraud in the use of weights and measures or of neglect of duty on the part of any office engaged in sealing weights and measures. Evidence secured by them shall be presented forthwith to the Municipal Treasurer and to the proper prosecuting officer.

SECTION 37. SECONDARY STANDARDS PRESERVED BY MUNICIPAL TREASURER: COMPARISON THEREOF WITH THE FUNDAMENTAL STANDARD. The Municipal Treasurer shall keep full sets of secondary standards in his office for the use of testing of weights and measures. The secondary standard shall be compared with the fundamental standards in the National Institute of Science and Technology (NIST) at least once a year. When found to be sufficiently accurate, the secondary standard shall be distinguished by label tag, or seal and shall be accompanied by a certificate showing the amount of its variation from the fundamental standards. If the variation is of sufficient magnitude to impair the utility of the Instrument, it shall be destroyed in the NIST.

SECTION 38. DEALER'S PERMIT TO KEEP UNSEALED WEIGHTS AND MEASURES. Upon obtaining written permission from the Municipal Treasurer or his deputies, any dealer may keep unsealed the weights and measures until sold or used.

SECTION 39. FRAUDULENT PRACTICES RELATIVE TO WEIGHTS AND MEASURES.

- a. Other person other than an official sealer of weights and measures who places an official tag or seal upon any instrument of weights and measure, or attaches it thereto;
- b. Any person who fraudulently imitates any work, stamp, brand, tag, or other characteristic sign used to indicate that weight and measure has been officially sealed;
- c. Any person who alters in any way the certificate of license issued by the sealer as an acknowledgement that the weight or measure mentioned therein has been duly sealed;
- d. One who makes or knowingly sells or use any false or counterfeit stamp, tag, certificate or license, or any dye for printing or making stamps, certificate or licenses, which is an imitation of or purports to be a lawful stamp, tag, certificate, or license of the kind required by the provisions of this chapter;



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- e. One who alters the written or printed figures or letters on any stamp, tag, certificate or license used or issued;
- f. One who has in his possession any such false counterfeit, restored or altered stamp, tag, certificate or license for the purpose of using or reusing the same in the payment of fees or charges imposed in this Chapter, and
- g. One who procures the commission of any such offense by another, shall for such offense be fined not less Three Hundred Pesos (P300.00) but not more than One Thousand Pesos (P1,000.00) or imprisonment of not less than one (1) month but not more than six (6) months, or both at the discretion of the Court.

SECTION 40. UNLAWFUL POSSESSION OR USE OF INSTRUMENT NOT SEALED BEFORE USING AND NOT SEALED WITHIN TWELVE (12) MONTHS. Any person making a practice of buying or selling by weight or measure, or of furnishing services the value of which is estimated by weight or measure, who has in his possession without permit any unsealed scale, balance, weight or measure; and any person who uses, in any purchase or in estimating the value of any service furnished, any instrument of weight or measure that has not been renewed in due time, shall be punished by a fine not exceeding One Thousand Pesos (P1,000.00) or by imprisonment of not exceeding six (6) months, or both; but if such scale, balance, weight or measures used has been officially affixed thereto remains intact and in the same position and condition in which they were placed by the official sealer, and the instrument is found not to have been altered or rendered inaccurate but still to be sufficiently accurate to warrant its being sealed with repairs or alteration, such instrument shall, if presented for sealing promptly on demand of any authorized sealer or inspector of weights or measures be sealed and the owner, possessor, or user of the same shall not be subject to penalty except a surcharge equal to five times the regular fee fixed by law for the sealing of an instrument of its class, this surcharge to be collected and accounted for by the same manner as the regular fees for sealing such instruments.



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SB Secretary

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Municipal Mayor

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**CHAPTER VI
SLAUGHTERHOUSE AND CORRAL FEES**

SECTION 41. PERMIT TO SLAUGHTER – Before any animal is slaughtered for public consumption, a permit shall be obtained from the Office of the Municipal Mayor and the Municipal Treasurer shall collect the following fees:

Large cattle, per head	115/h
Hogs, per head	65/h
Goats, per head	50/h
Sheep, per head	50/h
Others, per head	50/h

SECTION 42. CORRAL FEES – All animals, before butchering in the municipal slaughterhouse, shall be placed and kept in the municipal corral and the following fees shall be collected from the owner.

Large cattle	20/head
Hogs	10/h
Goats, sheep	10/h
Others	10h

SECTION 43. PLACE OF SLAUGHTERHOUSE – The slaughter of any kind of livestock or animal for sale or consumption by the public shall be done only in the slaughterhouse duly licensed or authorized by the municipal government. The slaughter of livestock or animals for **home consumption only** may be done elsewhere, provided that the livestock or animal slaughtered shall not be sold or offered for sale.

SECTION 44. REQUIREMENTS FOR THE ISSUANCE OF A PERMIT FOR THE SLAUGHTER OF LARGE CATTLE – Upon issuance of a permit required under this ordinance, large cattle shall be slaughtered at the slaughterhouse duly recognized by the municipal government. Before issuance of such permit, the Municipal Treasurer or his representative shall require, in the case of branded cattle, the production of the certificate of ownership, if the owner is the applicant, or if the applicant is not the original owner, the production of the original certificate of ownership and the certificate of transfer showing in the name of the applicant.



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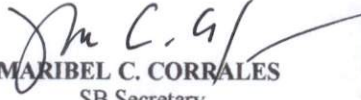
ABC President:


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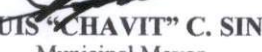
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If the applicant is not the original owner, and there is no certificate of transfer made in his favor, such certificate shall be issued and the corresponding fee thereof be collected. For unbranded cattle that has not yet reached the required age of branding, the Municipal Treasurer or his representative shall require proof or evidence as well be necessary and satisfactory to convince him regarding the ownership of animal to be slaughtered. For unbranded cattle of the required age, the necessary transfer certificate shall be issued and the corresponding fees collected thereof before the permit is granted.

**CHAPTER VI
SPECIAL MARKETS, TRANSCIENTS AND FAIRS**

SECTION 45. SPECIAL MARKETS AND FAIRS – Special markets outside the public market, *talipapas*, including transient vendors or market day or fair are PROHIBITED, subject to the provisions of this ordinance, or such other ordinances, rules and regulations as may hereafter be promulgated by the Sangguniang Bayan.

SECTION 46. TRANSIENTS– Transients as defined under Sec. 5 (a) of this Ordinance shall be allowed to ply their trade only in such places, days and conditions as allowed by Ordinance and subject to such rules, regulations and fees as may hereafter be enacted by the Sanggunian Bayan.

**CHAPTER VII
MAINTENANCE OF MUNICIPAL MARKET**

SECTION 47. HEALTH RULES AND REGULATIONS - The vendors shall be subject to existing health laws, ordinances, rules and regulations and shall keep their spaces and its premises clean and sanitary and shall pile and dump their refuse and garbage in the place provided for the purpose;

During times of emergency, calamity, epidemics, pandemics and the like, all vendors and their customers may be required by law, ordinance or regulations to comply strictly with health and safety measures, and violations thereof may be subject to administrative (suspension and revocation of contract of lease and business permits) and applicable criminal penalties.



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SECTION 48. CLEANLINESS AND SANITATION – The public market and its premises must be kept clean and in excellent sanitary condition at all times to safeguard the health and safety of the buying public as well as the market vendors and stallholders, and the market personnel. Facilities for sanitation and maintenance shall be provided.

SECTION 49. SANITATION PERSONNEL – The market must have adequate number of personnel responsible for sanitation and maintenance within the market and its premises. The cleaning of the market premises should be done preferably before and after market hours.

SECTION 50. RESPONSIBILITY OF VENDORS/STALLHOLDERS – It shall be the responsibility of every market stallholder to keep and maintain his/her stall clean or in good sanitary condition. Stallholders or vendors shall be responsible for the cleanliness of the passage ways, alleys or spaces immediately in front, behind, besides their stalls.

SECTION 51. ADEQUATE FACILITIES REQUIRED – Adequate and proper drainage and sewage system shall be provided in every public market. Likewise, all public markets shall have ample water for cleaning and separate drinking facilities.

SECTION 52. PUBLIC TOILETS – Public toilets with adequate lavatories, at least one (1) for men and one (1) for women shall be provided in every public market and these should be kept sanitary and clean at all times.

The use of such facilities shall be subject to the following charges to be used for the upkeep and maintenance of the same:

Urinal –	P2.00
Excretion –	P5.00

Users of the public toilet are required to provide for adequate sanitary supplies, toilet paper, tissue, napkins and the like. The use of newspaper/magazine pages and such other materials that may cause blockage or damages to the toilet flushing systems are strictly prohibited.



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SECTION 53. GARBAGE RECEPTACLES – All markets must be provided with large garbage receptacles of the fly-and-rat-proof type for the collection of all garbage and rubbish in the market and its premises. An adequate number of garbage cans shall be placed at strategic places for the garbage and rubbish or market goers and market personnel. Likewise, all market stallholders or vendors shall be required to have individual garbage cans. All garbage cans must be properly covered.

SECTION 54. DISPOSAL OF GARBAGE – Individual stallholders and vendors shall dispose of their garbage at the end of the day by placing the garbage bags/receptacles for easy collection. All garbage and rubbish shall be collected and disposed of at appropriate schedules to be set by local market authorities.

SECTION 55. MEAT AND MEAT PRODUCTS – All meat and meat products shall be inspected pursuant to existing laws, ordinances, rules and regulations before being sold at the public market.

SECTION 56. 'BAGSAKAN' TO BE LOCATED IN ANOTHER AREA. To ensure cleanliness and good sanitation in the public market, the Municipality may provide for "bagsakan" or landing areas for fish and fish products or other like products, raw or finished, which may cause obnoxious or bothering odor or pose threats to the health and safety of the market goers or the buying public, shall be located in areas separate and at the distance from the market premises.

SECTION 57. SALE OF MARINE PRODUCTS – Only fresh, live and wholesome fish and marine products or dried, salted, smoked or fermented fish, and marine products which are safe for consumption shall be sold.

SECTION 58. USE OF "FOAMS" OR CONTAINERS – Every vendor of fresh fish or other aqua marine products shall be allowed only one (1) foam or container with a dimension of three (3) feet by four (4) feet wherein he/she shall store products for sale. Vendors of other items or articles shall not be allowed to use any area of the market building enterprises as storage or bodega spaces for items or articles which cannot be immediately sold, or disposed of. Market management shall see to it that only a reasonable amount of the stallholder or vendor are stored in his/her stall, room, booth or space to ensure non-congestion in the public market and premises and to facilitate observance and enforcement of sanitation rules and regulations.



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SECTION 59. PROTECTION OF COOKED/RAW FOOD – Cooked food should be served hot and protected at all times from contamination of dirt, flies and other insects. Likewise, raw food such as meat, fish, etc. shall at all times be protected from contaminants which can make it unfit from human consumption. All kinds of foods which require further cooking shall be wrapped, covered and enclosed in containers to preserve their freshness and prevent contamination. All foods shall be sold from stalls, tables, or booths or fixtures made or constructed according to plans or designs approved by the municipal government.

SECTION 60. CLEANING OF STALLS – At the close of each day's business and before leaving, stallholders and transient vendors shall clean their stalls, rooms, tables or spaces. They shall remove all dirty materials and place rubbish and garbage in containers placed for this purpose in the market. All fixtures should be scrubbed nightly and their surfaces kept smooth always so that foods or particles thereof will not lodge in cracks or in rough places to decompose.

SECTION 61. BIODEGRADABLE BAGS AND CONTAINERS – In order to protect the environment and the ecosystem against the danger posed by the use of plastic bags and products, the Sangguniang Bayan shall enact an Ordinance prohibiting the use of plastic bags and containers in the public market.

SECTION 62. PEST CONTROL – In ensuring an effective pest management programme, the Municipal Government shall administer regular pest control on a quarterly basis.

SECTION 63. LIGHTING FACILITIES – Adequate lighting facilities shall be provided in the market.

SECTION 64. SKINNING OR SLICING OF FISH – No skinning, cutting, slicing of or evisceration of fish shall be allowed on tables where it is being displayed for sale or in the premises of the public market.

SECTION 65. VENDORS BE CLEAN IN PERSON – All market stallholders or vendors must be clean in person and dress and must have a health certificate attesting to his/her good health.



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SECTION 66. CODE OF SANITATION – All provisions of the code on sanitation, wherever applicable, shall be observed and enforced upon public markets and all establishments therein and their respective vendors and personnel.

SECTION 67. POSTING OF RULES AND REGULATIONS – The Market Supervisor may post in the market the rules and regulations in English, Filipino or Ilocano concerning sanitation, the obligations of stallholders and vendors and all other rules and regulations affecting market operation and maintenance as he may deem necessary or fitting under the circumstances. He may furnish the stallholders and vendors with a copy of such rules and regulations.

**CHAPTER VIII
RESTRICTIONS AND PROHIBITIONS**

SECTION 68. LESSEES OF STALLS – Any person who has been awarded the right to lease a market stall must occupy, administer and be present or manage personally such stall, room, booth or space. Helpers however may be employed and such helpers may include the stallholder's spouse, parents, children or any other person under his control and supervision. Such helpers however shall be registered with the Market Supervisor, who shall keep pertinent data or information and **must wear an ID indicating his/her designation.**

It shall be unlawful for any market stallholder to sell or sublease to any other person the stall awarded to him/her, or any other right or privilege granted.

Selling or sub-leasing by the awardee of the stall, room, booth or space granted to him or her to another person or entity is a ground for revocation of the awardee's contract of lease.

A person other than the stallholder, or his duly authorized registered helper, found selling or tending the stall, room, booth or space is prima facie evidence of subleasing, or the clandestine sale of the stall to another person or entity.



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Market stall holder has no right to enter into a business partnership **with any party involving the stall, room, booth or space awarded to him/her or to transfer such partner the right to occupy the same without the explicit consent or approval of the municipal government.**

Only the independent members of the family but limited to two (2) siblings, shall be qualified to apply for stall, room, booth. Independent members shall mean married and living independently as household.

SECTION 69. LIMIT ON STALL AWARDED. No person shall be allowed to lease more than **two (2) stalls**, rooms or both or spaces. No stall holder shall be allowed to occupy space other than those leased to him or her. It shall be a violation of this section for more than one member of a family consisting the father, mother, children to hold stalls in the public market. Not more than two (2) offspring however may hold stalls in the public market if they are already living by themselves and independently of their parents.

SECTION 70. ALTERATION OF STRUCTURE PROHIBITED. No lessee shall remove, construct, extend or alter the original structure, electrical wiring or water connection of any stall, room booth or space without prior permit from the local market authorities. Structure alterations or connections done may be summarily removed or destroyed by duly authorized agents of the municipal government.

SECTION 71. PEDDLING AND HAWKING. No person, transient or itinerant vendor shall peddle, hawk or offer to sell any article in the passageways or aisles in the public market. The peddling or sale of foodstuff which deteriorate easily, like meat or fish, in any other place outside the market site or premises is hereby strictly prohibited, unless such sale is authorized by the Sangguniang Bayan in business establishments which meet its standards.

SECTION 72. DISPENSING OR SERVING AND DRINKING OF INTOXICATING LIQUORS. No person shall drink, serve or dispense liquor or any public market except in the carinderia areas. Any violation hereof maybe ground for the revocation of the stallholder's license or lease award.



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SECTION 73. LOAFING OR LOITERING AND GAMBLING IN THE MARKET PREMISES PROHIBITED. No person who does not have any legitimate business or transaction in the market shall idly sit, walk, lie, loaf or loiter in or about the premises of the market. No person shall likewise be permitted to solicit alms, voluntary contributions or to sing or carol for handouts or dole outs within the market premises. Gambling of any form or kind whatsoever and the playing of dama, domino, plat-plat or any other similar games are strictly prohibited within the market premises.

SECTION 74. LOOSE OR ASTRAY ANIMALS BANNED. No animals shall be left astray in the premises of the market. Local market authorities, or their agents are hereby empowered to catch such stray animals and impound them in the proper place.

SECTION 75. STORAGE OF HIGHLY COMBUSTIBLE, TOXIC AND POISONOUS MATERIALS PROHIBITED. No stallholder or individual shall be allowed to store gasoline or any other highly combustible materials or substance within the premises of the public market.

SECTION 76. DWELLING IN MARKET PREMISES PROHIBITED. In no case shall a stallholder or outsider convert the stall, room, booth or space or any portion of the market premises into permanent or temporary dwelling place. Any violation hereof shall subject the violator to the revocation of his/her license or lease award if he is a stallholder or the summary ejection from the market premises in the case of outsiders.

SECTION 77. DISPLAY OF ITEMS CONTAINING HAZARDOUS SUBSTANCE. Any toys or articles for sale which are considered by proper authorities as hazardous per se or which bear or contain substances harmful to human beings or packed in a form suitable for use in the household which the implementing agency by regulation, classifies as "Banned hazardous" substance shall be prohibited in the public market.

SECTION 78. COOKING. Cooking of food inside the public market is strictly prohibited. Heating of food to be served in the eatery section maybe allowed, but subject to the approval and strict regulation of market authorities to prevent fire hazards in the market premises.



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SECTION 79. PROPER DISPLAY OF MERCHANDISE. All items, commodity or merchandise shall be displayed in the stalls or market premises so as not to hamper, obstruct or impede the passage ways or aisles or to the inconvenience of the market goers and shall be arranged and displayed in the manner which may not hamper the regular cleaning of the market premises. **No extension of existing stall, room, booth or space of any kind of structure, covering or make shall be allowed.**

SECTION 80. STORAGE OF ARTICLES. The premises of the market shall not be used as bodegas or storage spaces of stallholders or outsiders. Items which shall be of necessity must be stored temporarily or for short duration within the market premises maybe allowed for storage, subject to the approval and strict regulation of local market authorities or their agents.

SECTION 81. FIRE PREVENTION. Fire extinguishers and other firefighting equipment must be placed in the strategic places of the market premises by local market authorities. Stallholders maybe required to place such extinguishers or fire fighting equipment themselves in their stall as the need arises.

SECTION 82. ABANDONED STALL AND ARTICLES. Any stall, room, booth or space in the market which has been closed for thirty (30) consecutive days shall be considered abandoned and the lease thereof shall be cancelled or revoked. The municipality shall not be liable for any loss or damages in the premises and its contents.

Any article abandoned in the premises of the market may be taken into custody for safekeeping. In case said articles are claimed within twenty four (24) hours thereafter, these shall be returned to their proper owners upon the payment of expenses incurred in their safekeeping, unless these items or articles have so deteriorated as to constitute a menace to the health of the public and in such case, even before the lapse of 24 hours these shall be disposed in the proper manner.

If the articles have not deteriorated, or there is no danger of deterioration and have not been claimed within the above mentioned period, said articles shall be disposed of in accordance with law and existing laws and regulations.

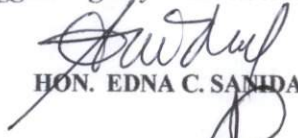


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SECTION 83. LOSSES/DAMAGES/INJURY TO STALLHOLDERS.

The municipal government shall not be responsible for any loss, damages or injury to stallholders in the market by reason of fire, theft or force major in the course of their business operators. Any merchandise, good, ware or commodity left in the market after closure time shall be at the risk and responsibility of the stallholder. Local market authorities however shall encourage stallholders to insure their commodities.

SECTION 84. NUISANCE OF ANY KIND PROHIBITED.

It is hereby declared unlawful for any person to commit any nuisance, make boisterous noise, use of any profane or vulgar languages, commit disorderly conduct or obstruct the passageways of the market premises or any act which is calculated to lead to breach of peace.

SECTION 85. POSESSION OF DEADLY WEAPONS PROHIBITED.

It is hereby declared unlawful for any person to carry in his possession deadly weapons such as guns, knives, bolos, axes, ice picks, darts, etc. within the market premises or in case of stallholders or their helpers, outside their respective stalls.

SECTION 86. SALE OF ILLEGALLY ACQUIRED MERCHANDISE.

It is hereby declared unlawful for any person to sell or offer the sale of any merchandise or articles which have been illegally acquired by the vendors and/or stall holders.

SECTION 87. PRINTED MATERIALS FOR WRAPPING COOKED FOODS PROHIBITED.

The use of printed materials for wrapping cooked foods ready for consumption is strictly prohibited.

SECTION 88. RULES OF CONDUCT.

The Sangguniang Bayan shall promulgate such other rules of conduct as may be applicable within market premises to render efficient market management and operation.



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CHAPTER IX

MISCELLANEOUS PROVISIONS

SECTION 89. CONDITIONS FOR THE LESSEE OF MARKET BOOTH, STALL OR KIOSK.

- a. **Sub-leasing** or selling the leased booth, stall or kiosk or market space or the privilege to occupy it to parties is not allowed. Otherwise, it shall be considered sufficient ground for the revocation of the contract of lease without prejudice to the filing of the appropriate criminal charges before a competent court;
- b. **As one of the conditions or prerequisites** for the lease of market, booth, stall or kiosk, there shall be appropriate receptacle or container for garbage and other waste matters for their proper segregation, collection and disposal. Failure to comply with the requirement shall be considered a sufficient ground for the revocation of the contract of lease;
- c. **Lighting Facilities** in the leased booth, stall or kiosk shall be provided by the lessee at his own expense subject to pertinent rules and regulations promulgated on this matter, and
- d. **All sanitary laws**, rules and regulations shall be strictly observed.

SECTION 90. VACANCY OF BOTH, STALL OR KIOSK BEFORE THE EXPIRATION OF THE LEASE.

Should for any reason the lessee discontinue his business before the lease of the booth, stall or kiosk expires, such stall is considered vacant and its occupancy shall be disposed of in the manner herein prescribed.

SECTION 91. LESSEE TO PERSONALLY ADMINISTER HIS BOOTH, STALL OR KIOSK.

Any person who has been awarded the privilege to lease a market stall, booth or kiosk in accordance with the provisions thereof, shall occupy and administer and be present personally at his booth, stall or kiosk, **Provided, however** that the helpers he employs are citizens of the Philippines, including but not limited to the spouse, parent and children of the booth, stall or kiosk holder who are actually living with him or who are not disqualified under the provisions hereof, and, **Provided further**, that the persons with whom the booth, stall, kiosk holder has any commercial relation or transaction.



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Attested:

MARIBEL C. CORRALES
SB Secretary

Approved:

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SECTION 92. DUMMIES. In any case where the person, registered to be holder or lessee of booth, stall or kiosk in the public market, is found to be in reality not the person who is actually occupying said booth, stall or kiosk, the lessee of such booth, stall or kiosk be cancelled, if upon investigation, such booth, stall or kiosk holder shall be found to have connived with such person so that the latter may, for any reason be able to occupy the said booth, stall or kiosk.

SECTION 93. PENALTY. Aside from revocation or cancellation of the contract of lease and business permit, any violation of the provisions of this Chapter shall be punished by a fine of not more than One Thousand Pesos (P1000.00) but not more than Two Thousand Five Hundred Pesos (P2500.00) or imprisonment of not less than one (1) week but not more than one (1) month, or both such fine and imprisonment, at the discretion of the court.

CHAPTER X

LABELING AND FAIR PACKAGING

SECTION 94. SPECIAL PACKAGING OF CONSUMER PRODUCTS FOR THE PROTECTION OF CHILDREN. Article 80, Chapter IV of Republic Act No. 7394, otherwise known as the Consumer Act of the Philippines is hereby adopted under this Chapter which provides that the Department of Trade and Industry with proper coordination with the local government unit (LGU) may establish standards for the special packaging of any consumer product if it finds that:

- a. The degree of nature of the hazard to children in the availability of such product, by reason of its packaging is required to protect children for serious personal injury of serious illness resulting from handling and use of such product, and
- b. The special packaging to be required by such standard is technically feasible, practicable and appropriate for such product.

SECTION 95. PRICE TAG REQUIREMENT. It shall be unlawful to offer any consumer product for retail sale to the public without an appropriate tag, label or marking publicly displayed to indicate the price higher than that stated therein and without discrimination to all buyers of the consumer products.



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SECTION 96. MANNER OF PLACING PRICE TAGS. Price tags, labels or markings must be written clearly, indicating the price of the consumer product per unit in pesos or centavos.

SECTION 97. REGULATIONS FOR PRICE TAG PLACEMENT. The department of Trade and Industry (DTI) shall prescribe rules and regulations for the visible placement of price tags for specific consumer products and services. There shall be no erasures or alterations on any sort of price tags, labels or markings.

SECTION 98. PROMOTION OF SALES OF CONSUMER PRODUCTS AND SERVICES. No person shall conduct any sales campaigns including beauty contest, national in character, sponsored and promoted by manufacturing enterprises without commencement thereof. Unless an objection or denial is received within fifteen (15) days from filing of the application, the same shall be deemed approved and the promotion campaign or activity maybe conducted.

SECTION 99. REORGANIZATION OF THE LOCAL PRICE COORDINATING COUNCIL (LPCC). R.A. No. 7581 mandates the creation of Municipal Price Coordinating Council primarily to protect the welfare of consumers and DILG Circular No. 2004-75 reiterates the need to reactivate the Local Price Coordinating Council in all municipalities and provinces.

SECTION 100. COMPOSITION OF THE MUNICIPAL PRICE COORDINATING COUNCIL (MPCC). The composition of the MPCC shall be as follows:

- | | | |
|---------------|---|--|
| Chairman | - | Municipal Mayor |
| Vice Chairman | - | DTI Provincial Director |
| Members | - | SBM Committee Chairman on Trade and Industry |
| | | COP-PNP |
| | | Municipal Planning and Development Coordinator |
| | | Municipal Health Officer |
| | | Market Supervisor/Inspector |
| | | Municipal Treasurer |
| | | ABC President |
| | | Representative, Consumer Sector |



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Representative, Manufacturing Sector
Representative, Agricultural Producers
Representative, Trading Sector

SECTION 101. DUTIES AND RESPONSIBILITIES OF THE MPCC. The Council shall perform the following duties and responsibilities:

- a. Coordinate and rationalize the programs to stabilize prices and supply at the local level;
- b. Recommend to the National Price Coordinating Council (NPCC) or to the implementing agencies suggested retail prices (SRP) and/or the price ceilings for basic commodities in their respective areas;
- c. Conduct in-depth analysis on causes for price fluctuations and periodically conduct monitoring on prices of basic commodities, and
- d. Recommend action steps to correct unwarranted price increase and supply shortages and monitor the same to the implementing agencies.

**CHAPTER XI
PENAL PROVISIONS**

SECTION 102. PENALTIES/FINES. Unless otherwise provided, any violation of the provisions of this Code by specific penalty, or of the rules and regulations promulgated under authority of this Code shall be penalized by a fine not exceeding Two Thousand Five Hundred Pesos (P2,500,00) or an imprisonment of not less than one month or both fine and imprisonment at the discretion at the discretion of the court.

SECTION 103. REVOCATION/CANCELLATION OF LEASE. Payment of a fine or service of imprisonment as herein provided shall not relieve the offender from the payment of the delinquent tax, fee, or charge imposed under this Code. Any violation shall be sufficient ground for the revocation or cancellation of a stallholder or vendor's lease right or right to occupy a stall, room, booth or space in the market and his/her ejection therefrom.



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SECTION 104. BANNING OF LEASE RIGHT OF OCCUPANCY.

Any such stallholder or vendor whose lease right of occupancy has been cancelled or revoked or who has been ejected from the stall, room, table or space he/she is leasing or occupying in the public market shall be banned from leasing or occupying any stall, room, booth or space in the market in the future.

**CHAPTER XII
TRANSITORY PROVISIONS**

SECTION 105. Unless proven otherwise, it appears that no stalls or booths or spaces at the Narvacan Public Market are covered by any subsisting and valid contract/s of lease. All claims or rights to any and all stalls or booths are therefore hereby declared to have lapsed, expired or rendered otherwise null and void.

SECTION 106. By reason of the foregoing, the provisions of this Ordinance and the processing and execution of new Contracts of Lease shall immediately commence upon the effectivity hereof;

SECTION 107. All new contracts to be executed pursuant to this Ordinance shall take effect on the First day of January 2021.

**CHAPTER XIII
FINAL PROVISIONS**

SECTION 108. SEPARABILITY CLAUSE. If for any reason, any provision, section or part of this Code is declared not valid by a court of competent jurisdiction or suspended or revoked by the Sangguniang Panlalawigan, such judgment shall not affect or impair the remaining provisions, sections or parts thereof which shall remain or continue to be in full force and effect.



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SECTION 109. APPLICABILITY CLAUSE. All other matters relating to the imposition of this Code shall be governed by pertinent provision of existing laws and other ordinances.

SECTION 110. REPEALING CLAUSE. All ordinances, rules and regulations, or parts thereof, in conflict with or inconsistent with any provisions in this Code are hereby repealed, amended or modified accordingly.

SECTION 111. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.

SO ORDAINED.