



Office of the Sangguniang Bayan

EXCERPT FROM THE RECORD OF PROCEEDINGS OF THE 49th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF URBIZTONDO, PANGASINAN, HELD ON DECEMBER 5, 2022, AT THE LEGISLATIVE HALL

Present:

Vice Mayor Volter D. Balolong	Presiding Officer
Coun. Mirla D. Balolong	Member
Coun. Alexis G. dela Vega	Member
Coun. Pepito N. Calugay	Member
Coun. Zenaida P. Espinosa	Member
Coun. Renzie M. Dispo	Member
Coun. Reynaldo T. Bautista	Member
Coun. Dyna P. de Guzman	Member
Coun. Joel M. Frias	Member
Coun. Fernando L. Tapiador	Member (ABC Pres.)
Coun. Rozel Clyde D. Uson	Member (SKF Pres.)

Absent:

None

MUNICIPAL ORDINANCE NO. 8 – 2022

Sponsored by the Committee on Market, Slaughterhouse and Cemetery

Chairperson: Coun. Pepito N. Calugay

Vice Chairperson: Coun. Joel M. Frias

Members: Coun. Mirla D. Balolong; Coun. Alexis G. dela Vega; Coun. Renzie M. Dispo;
Coun. Reynaldo T. Bautista; Coun. Dyna P. de Guzman

Ordinance Covering the Rules and Regulations in the Operation of the Public Market in the Municipality of Urbiztondo to be Known as “Market Code of Urbiztondo, Pangasinan”

WHEREAS, it is declared policy of Local Government Unit of Urbiztondo to promote and improve its capabilities to deliver desired public services and ensure the safety, comfort and well-being of vendors and the buying public as well;

WHEREAS, improvement of the facilities of the markets in the Municipality as well as the organized management and operations are necessary to make them more responsive to the demands of the public, stallholders and other stakeholders thereat;

WHEREAS, Section 129 of the Local Government Code of 1991 (RA 7160) provides that each local government unit shall exercise its power to create its own sources of revenue and to levy fees, and charges subject to the provisions of the said Code which shall accrue exclusively to the local government unit consistent with the basic policy of local autonomy.

NOW THEREFORE, be it ordained by the Sanggunian Bayan of Urbiztondo, Pangasinan in session assembled that:

CHAPTER I TITLE, SCOPE AND OBJECTIVES

Section 1. Title. This act shall be known as the “Market Code of Urbiztondo, Pangasinan”.

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Sec. 2. Scope and Coverage. This Code shall govern the whole public market as owned and managed by the Municipal Government, and those owned and managed by private groups or individuals as regulated by the Local Government.

Sec. 3. General Objectives. This Code shall complement and supplement the provisions of the Local Government Code in relation to the establishment, regulation and maintenance of public markets. Its purpose is to make public markets responsive and effective instruments of public service as well as dynamic markets enterprise of the Municipality of Urbiztondo and professionalize market services.

CHAPTER II DEFINITION OF TERMS

Sec. 4. Definition of Terms. For the purpose of this Ordinance, the following terms shall be understood in the sense indicated hereunder.

- a. **Public Market** - refers to any space, building or structure of any kind owned and/or operated by the Municipality of Urbiztondo, or those leased/acquired by any legal modes or means and constructed for the purpose of providing space and/or stalls where goods of any kind and services may be sold or offered.
- b. **Privately-owned and operated Public Markets** - are those established by individuals or groups of individuals out of private funds and operated by private persons, natural or juridical, under government franchise and permit.
- c. **Market Stall** - refers to any allocated space, stand, compartment, store or any place wherein merchandise is sold, offered for sale, or intended for such purpose in the public market.
- d. **Stallholder** - refers to the awardee of a definite space or spaces within a public market who pays a rental fee thereof for the purpose of selling his/her goods/commodities or service.
- e. **Booth** - refers to an enclosure built or erected on market space for the purpose of selling goods/commodities/service.
- f. **Market premises** - refer to any open space in the market compound or part of the market parking lot consisting of bare grounds or covered by market building usually occupied by ambulant vendors especially during market days.
- g. **Market Rental** - refers to the fee paid to and collected by the Municipal Treasurer through the market collectors for the privilege using public market facilities.
- h. **Ambulant, transient, or itinerant vendor** - refers to a vendor or seller who does not permanently occupy a definite place in the market but who comes to sell goods either daily or occasionally by sitting or moving from place to place within the market premises.
- i. **Market Committee** - refers to the body whose duty is to draw policies for the establishment and management of public markets within the municipality including the conduct of drawing lots and opening of bids in connection with the adjudication of vacant or newly constructed stalls or booths in the municipality-owned and operated public markets and to certify the results thereof.
- j. **Hawker** - refers to a vendor or seller who occupies the sidewalks, street, usually not within the territorial jurisdiction of a public market but who comes either daily or occasionally to sell his/her goods.

- k. **Food Handler** - is any person who handles, stores, cooks, prepares, or serves food or drinks, who during the time of their service wear gloves and hairnet.
- l. **Lease** – in the lease of things, one of the parties binds himself to give to another the enjoyment or use of a thing for a price certain, and for a period which may be definite or indefinite. However, no lease for more than ninety-nine years shall be valid. (Article 1643 of the Civil Code of the Philippines)
- m. **Lessor** – a person who allows someone to use something that they own.
- n. **Lessee** - a person who has the right to use something according to a lease agreement.

**CHAPTER III
SECTIONING OF PUBLIC MARKET**

Sec. 5. Market Sections. Public and private markets shall be divided into various sections according to the kind of merchandise offered for sale therein. The following shall be the Sectioning of the public markets:

- a. **Fish Section** - refers to the area where only fresh fish, clams, oysters, crabs, lobsters, shrimps, seaweeds and other sea foods and other marine products shall be sold.
- b. **Meat Section** - refers the area where only all kinds of fresh meat and other meat products (e.g. cows, carabaos, horses, goats, sheep, swine and fowls) allowed by law and approved by competent authorities shall be sold, provided that the different kinds of meat shall be separately displayed and properly labeled.
- c. **Dry Goods Section** - refers to the area where only kinds of textiles, ready-made dresses and apparels native products, toiletries, novelties, footwear, laces, kitchen wares utensils and other household articles, handbags and school and other office supplies shall be sold.
- d. **Vegetables and Fruits Section** - refers to the area where only all kinds of vegetables and fruits, and root crops allowed by law, such as camote, cassava, ube and the like shall be sold.
- e. **Rice, corn other cereals and dried fish Section** - refers to area where rice, corn, other cereals, dried fish, eggs and other products are sold.
- f. **Poultry Products Section** - refers to area where chickens, ducks, birds and duckling shall be sold.
- g. **Flower Shops Section** - refers to the area where flowers (fresh and artificial) pots, vases and garden-related products are sold.
- h. **Groceries and Sari-sari Section** - refers to area where beverages and drinks, cigarettes, flour, oatmeal, ham, bacon, sugar, nuts, sauce, all kinds of cereals such as rice, corn, mungo, and the like, eggs, sausages, starch, smoked fish, dried fish, salt, feeds, soap and other household and food products including firewood and charcoal shall be sold.
- i. **General Merchandise, chinaware, glassware, tableware and home appliances Section** - refers to the area where chinaware, glassware, tableware, home appliances and general merchandise are sold.
- j. **Eateries and Refreshment Parlors Section** - refers to the area including refreshment parlors and cafeterias where only all kinds of cooked foods and other delicacies are sold.

- k. Miscellaneous and other special services refers to the area where any other business not classified herein above shall be allowed.

**CHAPTER IV
SUPERVISION OF PUBLIC MARKETS**

Sec. 6. Creation of a "Market Committee". There is hereby created a Market Committee to be composed of the following:

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|------------------|---|---|
| Chairperson | – | Municipal Mayor |
| Vice Chairperson | – | Municipal Vice Mayor |
| Members | – | Chairman, Committee on Appropriation
– Chairman, Committee on Ways and Means
– Chairman, Committee on Industrial Peace, Labor and Employment
– Municipal Treasurer
– Municipal Engineer
– Municipal Planning and Development Officer
– Municipal Legal Officer
– Representative, Public Market Vendors Association to be Designated by the Mayor |
| Secretariat | – | Market Supervisor |

Sec. 7. Functions of the Market Committee. The Market Committee shall assist the Local Chief Executive and the Sanggunian in the formulation of policies, rules, regulations and guidelines on market related activities. It shall likewise conduct the drawing of lots and opening of bids for the adjudication of vacant or newly constructed stalls or booth in all municipality-owned and managed public market.

Specific functions of the Committee shall include but not limited to the following:

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- a. Determine the number, size and location of public markets to be established in the Municipality of Urbiztondo;
 - b. Coordinate and monitor the activities required of various offices and units in the implementation of this Code;
 - c. Review ordinances, orders, policies, guidelines, rules and regulations affecting the administration, management and operation of all privately and government-owned/operated public markets in the Municipality of Urbiztondo;
 - d. Conduct the drawing of lots and opening of bids for the adjudication of vacant or newly constructed stalls or booths in the public market subject to the guidelines adopted by the Market Committee;
 - e. Make a study of the transfer of stallholders from one section or stall to another;
 - f. Make a study of all phases of market matters for purposes of improving market operations;
 - g. Inspect and examine books of accounts and operation of any stallholders;
 - h. Recommend measures and actions necessary in the resolution of problems in connection with the occupancy of stalls, booths and spaces in the public markets; and
 - i. Record and keep Minutes of the deliberation of the market committee.

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The Market Committee is authorized to call upon any unit of the Municipal Government to render the necessary assistance and support to be able to perform its assigned tasks.

**CHAPTER V
AWARDING OF STALLS AND CANCELLATION OF AWARDS**

Sec. 8. Application. Filipino citizens who are actual residents of the Municipality of Urbiztondo shall be given preference in the award of public market stalls. All application to lease or rent shall be filed to the Office of the Treasurer in a form prescribed herein.

Sec. 9. Assignment of Occupied Stalls.

- a. No person shall sell, offer or expose for sale, any article or articles in any public market, within the Municipality of Urbiztondo or use or occupy any stall without first having been assigned as such in the manner prescribed in this Code.
- b. Vendors shall be assigned to their respective stalls according to the nature of the merchandise intended for sale.
- c. Dwellings/sleeping in stalls or any place within the market premises is strictly prohibited.
- d. Any person other than the stallholder or his/her partner or helpers found conducting business at the stall shall be required to pay rent in addition to the corresponding rents collected from the regular holder of lease, provided that the payment of such additional rents shall not waive the right of the market authorities to impose whatever penalties may be levied upon the lease for violation of this provisions including the revocation of lease.

Sec. 10. Partnership with Stallholder. A market stallholder who enters into a business partnership with any party after he/she has acquired the right to lease such stall shall have the authority to transfer such right to his/her partner or partners provided the partnership is registered to the Market Committee, provided further, that in case of death or any legal disability of such stallholder to continue his/her business for a period of not more than sixty (60) days within which to wind up the business of the partnership. If the surviving partner is otherwise qualified to occupy a market stall under the provisions thereof, the relative within the third degree by consanguinity or affinity of the deceased shall be given the preference to continue occupying the stall or booths.

Ull **Sec. 11. Subleasing or Selling of Privileges to Occupy Stall Prohibited.** No person shall be allowed to sublease to others the stall awarded. A person, other than the stallholder found sub-leasing or selling the stall to the latter shall be a prima facie evidence of subleasing and shall subject the stall holder to outright revocation of his/her lease award.

W **Sec. 12. Number of Stalls to One Person Not to Exceed Two.** No person shall be allowed to lease more than one stall, provided that when two stalls are leased to one person, such stall shall adjoin one another and shall be located in the same section of the market, and provided further, that it shall be a violation of this Section for more than one member of a family consisting of a father, mother, sons, daughters to hold stalls in one market unless these sons and daughters are already married and with their families of their own support or when they are already living by themselves and independently of their parents. *Jul*

Sec. 13. Duration of Regular Lease. Any awarded lease in any form upon approval of this Code shall be five (5) years renewable contract subject to review, in case of renewal, by

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the Market Committee upon the recommendation of the Market Supervisor who will determine if the conditions of the lease/award are faithfully complied with by the stallholder/awardee during his last five (5) years preceding contract. In case of violations, said stall shall be declared vacant and will be declared available for occupancy to any new qualified applicant.

Sec. 14. Awarding of vacant Stalls. Vacant and newly constructed stalls or booths shall be adjudicated in the following manner:

- a. Notice of vacancy shall be placed or hung above the vacant or newly constructed stalls or booths so as to advise the public that such stalls or booths are available for lease. This notice shall specify the number of the stall or booth, the section where it is located and the deadline of filing an application for occupancy thereof. The notice of vacancy shall be printed on a cardboard or other hard materials and should be in the form below:

NOTICE

To whom it may concern:

Notice is hereby given that Stall/Stalls No. ____ of the _____ section of the Municipal Market is/are vacant or will be vacant on _____ 20____. Any citizen of the Philippines, 18 years of age or over, who is an actual resident of the Municipality of Urbiztondo, Pangasinan and who is both legally capacitated and desires to lease this/those stalls must file an application therefore, in accordance with the form prescribed by the Market Supervisor during office hours on or before _____.

In case there will be more than one applicant, the award of the lease of the vacant shall be determined by drawing lots to be conducted on _____ 20____ in the Municipal Hall by the Market Committee. The stall(s) is/are in the _____ section and intended for the sale of _____.

Market Supervisor

- b. The above notice shall remain posted where it is hanged or placed for a period of not less than ten (10) days immediately preceding the date of the award. A copy of this notice shall also be placed in the Office of the Economic Enterprises (Market Management Unit) concerned.
- c. The application form below shall be signed and submitted to the Market Committee by the applicant in person or by his/her Attorney-in-Fact accompanied with two copies of latest picture, one to be posted on the application form and the other on the record card, in case the application is approved. The Market Supervisor shall acknowledge receipt of the said application form, setting forth the time and date of receipt and keep it in a record book for such purposes.

Sir:

I hereby apply for occupation or lease of Stall No. ____ of the _____ section of the Municipal Market. I am __ years of age, Filipino citizen, married to _____, single, a resident of Brgy. _____.

Should the aforementioned stall/stalls be leased to me, I hereby promise to hold the same under the following conditions:

- 1. While occupying or leasing the stall(s), I shall at all times have my business plate fixed and hung up conspicuously in the place indicated by the market authorities.

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2. I shall pay the corresponding rents for the stall or booth or the fees for the stall in accordance with the prescribed ordinance. In case I fail to pay the rent within the period prescribed, my lease award shall be considered automatically cancelled.
3. The business or businesses to be conducted in the stall or stalls exclusively belong to me.
4. In case I engage helpers, I shall nevertheless personally conduct my business or businesses and be present at the stalls every day. Should I be compelled by illness or other justifiable cause to be absent myself temporarily from the stall(s), I shall promptly notify the market authorities of my absence, giving reasons therefore.
5. I shall not sell nor transfer my privilege to the stall(s) or booth(s), or permit another person to conduct business therein.
6. Any violation on my part or those of my helpers of any of the foregoing conditions or any of the provisions of existing market regulations shall be sufficient cause for the market authorities to declare the stall(s) or booth(s) vacant so that the same may be leased to other applicants.

Applicant

SUBSCRIBED AND SWORN to before me this ____ day of _____ 20____, at Urbiztondo, Pangasinan.

Administering Officer

- d. Application received by the Market Supervisor shall be forwarded immediately to the Municipal Treasurer or his/her representative.

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Sec. 15. Death of Lessee and Succession. Upon the death of the stallholder, the stall shall be declared ipso facto vacant. However, if the deceased leaves surviving spouse or legal heir who is not disqualified under the provisions of this Code and who desires to continue the business of the deceased, the lease may be transferred to the deceased legal heir if qualified lease stall, upon application, provided the Market Committee thru Market Supervisor shall be notified within a reasonable time about the desire of the heirs to succeed and upon payment of all necessary rents or fees due at the time of death of the predecessor on the stall prescribed by this Code.

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Sec. 16. Non-Occupancy of Stalls or Spaces Other than Leased to Stallholders. No stallholder shall be allowed to occupy stall/stalls more than what is/are awarded to him/her. The market Supervisor or his authorized representative shall see to it that stalls are all accounted for:

Sec. 17. Limitations on Construction and Removal of Structures. No stallholder in the municipal public market shall construct, repair, renovate or undertake any kind of construction of stalls without first securing a permit from the Market Supervisor. Stalls constructed/repared or renovated in violation of this Section may be summarily removed or destroyed by the Municipal Engineer, Market Supervisor and/or his employees and whatever demolition cost shall be borne by the stallholders who violated.

No lessee shall remove, construct, and alter the original structure or any booth or booths or electrical wiring or water connection without prior permit from the Market Supervisor.

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Sec. 18. Ejected Stallholders Disqualified to Participate in the Drawing of Lots. Should a stallholder be ejected from his/her stall for cause as provided in this Code, he/she and his/her helpers shall be disqualified from again leasing said stall of or any other stall or any public market stalls in this municipality for a period of one year.

**CHAPTER VI
ADMINISTRATION OF MARKETS OWNED
AND OPERATED BY THE MUNICIPALITY**

Sec. 19. Market Supervisor. There shall be one Market Supervisor for all public markets who shall be in charge of the market to which he/she is assigned. He/she shall be the custodian of all properties belonging to the market and have immediate administrative supervision and control over all subordinate market employees where he/she is assigned. The Market Supervisor and his/her subordinate shall see to it that stallholders and transient vendors are provided with the corresponding regular and special tickets for the stall or place occupied by them on any particular day. He/she shall see to it that the market to which he/she is assigned is efficiently operated and that all subordinate market personnel assigned to his/her market perform their duties properly.

Sec. 20. Local Revenue Collection Clerk. There shall be a Local Revenue Collection Clerk under the supervision and control of the Municipal Treasurer or authorized representative who shall take charge of his/her distribution of work and the proper performance of the collection work by the Cash Ticket Collectors under him/her and the strict adherence to the rules governing the collection of fees, licenses, and other dues from persons engaged in business in markets.

Sec. 21. Market Inspectors. There shall be Market Inspectors, who upon specific orders and direct supervision and control of the Municipal Treasurer, shall inspect cash tickets issued to Market Vendors by the Market Cash Ticket Collectors. They (Market Inspectors) shall make a report to the Municipal Treasurer on the results of their inspection with accompanying submission of reports.

Sec. 22. Uniforms and Wearing of ID Cards. The Market Supervisor, Market Inspectors, Market Collectors, Cash Ticket Collectors, Market Guards and Market Maintenance Team, shall wear uniform and identification card (I.D.) while on duty for easy identification which shall be prescribed by the Municipal Treasurer with the approval of the Municipal Mayor.

Sec. 23. Posting of Rules and Regulations. The Market Supervisor shall post in each Municipal Market rules and regulations in English or Filipino concerning the sanitation and good order of the municipal markets, the manner of leasing of stalls therein, the privileges and obligations of the stallholders, and such other rules and regulations in the operation and maintenance of a clean and orderly public market. He/she shall also furnish such stallholders with a copy, in English or Filipino, of the rules and regulations herein contained.

Sec. 24. Issuance of Cash Tickets for Transient Vendors and Prohibition on Transfer Thereof. Cash ticket shall be issued to all transient vendors buying the same in his/her name, date and signature of the collector shall be written on the back part thereof. The cash tickets shall pertain only to the person buying the same and shall be good only for the space or spaces of the market premises to which they are assigned while in the hands of the original purchaser. If a vender dispose of his merchandise by wholesale to another vendor, the latter shall purchase new tickets if he/she desires to sell the same merchandise even if it is done in the same place by the previous vendor.

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Sec. 25. Collection. All collection fees, regular or special fees from trucks-carrying merchandise, the collection of Mayor's permit fee and license, and other fees due to the government from market operations are hereby vested in the Municipal Treasurer, under his/her direction, such work shall be performed by the Local Revenue Collection Officer, Market Supervisor and other personnel duly authorized by him/her. Collections shall accrue to the general fund of the Municipality.

Sec. 26. Review of Market Related Fees. The Sangguniang Bayan shall periodically review the market rental fees as prescribed in the Municipal Revenue Code and make amendments as the need arises and may be adjusted as may be deemed necessary to the demand of the time.

Chapter VII GENERAL ADMINISTRATIVE RULES

Sec. 27. Market Hours. All Public Markets in the Municipality shall be opened preferably at 3:00 A.M. to 10:00 P.M. daily. However, on the 1st and 2nd of November, 24th and 31st of December of every year, all the Municipal Public Markets shall be opened from 3:00 A.M. to 12:00 mid- night.

Such schedules shall be modified by the Local Government as maybe required during emergencies and by other health/security reasons.

Sec. 28. Stall Management by the Stall Holder. Any person presently leasing or who may hereafter lease stalls in the public markets shall be required to personally manage his/her stall(s). Each stallholder may employ not more than four (4) helpers who are of legal age, must be citizens of the Philippines, are physically fit and free from communicable diseases as shown by their medical certificate and work permit, and must be registered to the Market Supervisor's list and duly approved by the Municipal Treasurer. The parents, spouse or children of the stallholder who are actually living with him/her need not register under the provisions of this code.

Sec. 29. Temporary Absence of Stallholders. In case the stall holder intends to temporarily go on leave or be absent for personal reasons thereby leaving the operation of his/her stall, he/she shall notify the Office of the Market Supervisor. The absence shall not exceed one (1) month for every year of occupancy of a stall, but in no case shall exceed three (3) months in a year.

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During the stallholder's absence, his/her registered representative shall be authorized by him/her in writing to continue the business operation, otherwise, the lease contract of stall may be terminated by the Municipal Government.

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Sec. 30. Losses of Stallholders. The Municipality of Urbiztondo shall not be responsible for any loss or damage which stallholder may incur in the market by reason of fire, theft, or force majeure. Any merchandise, goods, wares or commodities left in the market during closure time shall be at the risk of the stallholders.

It shall however, be the duty of the Market Supervisor and his/her subordinate to exercise utmost vigilance and to care to prevent any losses in the market, for this purpose, the Market Supervisor and his/her subordinates particularly the Market Guards shall have the authority to apprehend and turn over to the Police any persons caught stealing or committing offense in the market. *gud*

Sec. 31. Abandoned Articles. All articles abandoned in any market in violation of any provisions of this Code or of any regulation or rules relating to the management of the *gud*

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markets shall be the duty of the Market Supervisor and his/her subordinates to take custody thereof. In case the articles are not claimed within twenty-four (24) hours thereafter, they shall be returned to their safekeeping, unless they have so determined as to constitute a menace to public health, in which case, they shall be disposed of in a manner directed by the Municipal Treasurer who may also in his/her direction, cause the criminal prosecution of the guilty party, or merely warn him/her against future violation. If the articles have not deteriorated and are not claimed within the time herein fixed, said articles shall be sold at public market auction and the proceeds thereof disposed of in accordance with law.

Sec. 32. Peddling and Hawking. No person shall peddle, hawk, sell, offer for sale or expose for sale any articles in the passage ways of aisles in any market.

Sec. 33. Loafing Loitering, Hedging, Etc. No person not having lawful business in or about any market shall idly sit, lounge, walk, or lie in and on the premises of the same, nor shall any person beg or solicit contribution of any kind in any market premises.

No person shall annoy or obstruct market employees in the discharge of their duties, nor shall parents allow their children to play in around their stalls or in the market premises.

Sec. 34. Drinking Liquor, Wine or any Intoxicating Drinks Prohibited. No person shall drink, serve, or dispense liquor or any intoxicating drinks within the premises of any market in Urbiztondo at any time of the day. Any violation thereof shall subject the offender to the penal provisions of this code or other existing ordinances and if the violator(s) is /are stallholders, his/her lease award shall at once be revoked.

Sec. 35. Weights and Measures. The privilege to engage in business in the markets granted to any vendor who is found violating the rules on weights and measures, shall be immediately withdrawn and cancelled of his/her leases and the stall declared vacant and open for application in addition to the penalties imposed in this Code.

Sec. 36. Loose Animals. No dogs or other animals shall be left astray in any market. The Market Supervisor is hereby empowered to catch such stray animals and subject them according based on the provisions of Municipal Ordinance No. 4 – 2022, also known as "The Anti-Stray Animal Ordinance of the Municipality of Urbiztondo".

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Sec. 37. Appeal from the Decision of the Market Stall Award Committee. Any person, entity, stallholders directly affected or aggrieved by the decision or action of the Market Committee, may appeal for reconsideration to the Office of the Mayor whose decision or action thereon shall be final, except if declared otherwise illegal by competent legal authorities.

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CHAPTER IX MAINTENANCE OF PUBLIC MARKETS

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The following provisions for the maintenance of the public markets, both government and privately -owned established in the Municipality shall carefully and strictly observed.

SANITATION

Sec. 38. Cleanliness and Sanitation. All markets and their premises must at all times be kept clean and in good sanitary condition, including the aisles, divisions, stalls, floors, walls and equipment as well as the whole tract of land belonging to the market to safeguard the health and safety of the buying public as well as the owners, vendors and market

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personnel. The market building and grounds should at all times be kept free from garbage and rubbish. Facilities for sanitation and maintenance, such as cleaning and elimination of harborages of vermin shall be provided.

Sec. 39. Sanitation Units. All markets must have a sanitation unit with an adequate number of personnel to ensure efficient operation in the maintenance of cleanliness and sanitation within the market and its premises. The cleaning of markets and their premises shall be done daily, preferably before the market hours and as often as may be necessary.

Sec. 40. Role of Stallholders/Vendors. Individual stall owns/vendors shall keep and maintain their stalls in clean and sanitary condition. They shall likewise be responsible for the cleanliness of the passageways, alleys or spaces immediately in front or behind or by the side of their stalls, In cooperation with local market authorities and personnel, market vendors and stall owners shall be responsible for the general cleanliness and sanitation of the market and its premises.

Sec. 41. Drainage and Sewerage System. There shall be proper and adequate drainage and sewerage systems in all markets to ensure cleanliness and sanitation. Appropriate facilities to abate pollution shall be installed.

Sec. 42. Water and Drinking Facilities. All markets shall have available ample water for cleaning. There shall be separate drinking facilities to prevent contamination.

Sec. 43. Public Toilets. Public toilets with adequate lavatories, at least one for men and another for women, shall be provided and installed in strict conformity with the Sanitation Code and the same shall at all times be kept clean and sanitary. Likewise, there shall be washing facilities to be located near the market to enable stallholders to wash their hands before handling the food especially after coming from the toilet.

Sec. 44. "No Littering" Signs. "No Littering" signs shall be posted in conspicuous places to warn vendors and buyers that the same is punishable by law.

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Sec. 45. Number and Type Garbage Receptacles. Urbiztondo Public Market shall be provided with the large garbage receptacles of the fly-and-rat proof type for the collection of all the garbage and rubbish in the market and its premises. In addition, adequate garbage cans shall be placed at strategic places for the garbage and rubbish of the buyers, ambulant vendors and market personnel. Likewise, all stallholders and vendors shall be required to have individual garbage cans.

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Sec. 46. Purpose of Cover. All garbage cans must be properly covered to keep from becoming the breeding places of flies, rats, mosquitoes, and other insects.

Signs such as "Use Garbage Cans" and "Keep Our Premises Clean" shall be placed at the entrance, in passageways and in places where garbage are collected. *pe*

Sec. 47. Disposal of Garbage. It shall be the responsibility of the individual stallholder and vendors to dispose of their garbage at the end of each day by placing them in the receptacle. However, the disposal of the garbage of the buying public, ambulant vendors and the market personnel shall be the responsibility of the local market authorities. The waste dumping area of disposed garbage shall be located at a convenient place wherein garbage collectors/trucks shall have access to collect them. Solid waste from

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each stallholder shall be transferred to the central dumping area to facilitate efficient solid waste management.

Sec. 48. Time for Collection and Disposal of Garbage. All the garbage and rubbish of the market must be collected and disposed by the garbage truck everyday at every 6:00 A.M. in the morning.

Sec. 49. Meat and Meat Products. All meat and meat products shall be inspected pursuant to existing laws and local ordinances. Meat as herein used refers to fresh meat from cows, swine and fowls.

Sec. 50. Unauthorized Merchandise. No person shall sell, offer for sale or expose in the market unauthorized merchandise like dog meats, flammable materials and combustible materials.

Sec. 51. 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. Fish, and other marine products caught in radioactive zones as well as in areas contaminated by toxic substances or high in mercury count as determined by the Department of Health (DOH) in coordination with the Bureau of Fisheries and Aquatic Resources (BFAR) and the Food and Drug Administration (FDA), shall be condemned and shall not be allowed for sale.

Sec. 52. Applicability of Code on Sanitation. All provisions of the Code on Sanitation shall, whenever applicable, be observed and enforced upon public markets and all establishments therein and their respective personnel.

Special effort shall be exerted to strictly observe and enforced the provisions of said Code of Sanitation relating to water supply, food establishments, sewage collection and disposal, excrete disposal and drainage, and refuse disposal.

SECURITY AND SAFETY

Sec. 53. General Lighting Facilities. Adequate general lighting facilities including wires, electric meters shall be provided in the market, However, stallholders shall pay their own electric bill consumed in their respective stalls.

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Sec. 54. Proper Identifications. All market personnel shall require to display conspicuously an identification card or other means of identification prescribed by city/municipality concerned.

Sec. 55. Nuisance, Disorderly Conduct and Illegal Possession of Deadly Weapons. No Person within the premises of any market of this municipality shall commit any nuisance or shall be found guilty of any disorderly conduct, or make any loud or boisterous noises, or use any profane or vulgar language, or stand without any business and obstruct the passageway of any market or do any act which is calculated to lead to a breach of peace and tend to disturb the good order and decorum therein.

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No person shall carry in his possession deadly weapons, such as knives, bolos, axes, icepicks, darts within the market premises or in case of stallholders or their helpers, outside their stall.

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Sec. 56. Fire Extinguishers. All Stallholders shall at all times be required to keep to their respective stalls of at least 10 pounds (lbs.) fire extinguisher except on the wet section market.

No inflammable or highly combustible materials shall be kept or stored in any of the stalls in the market without prior written permission from the Municipal Fire Marshall or his duly authorized representative.

In case of brownout or power failure, stallholders are not allowed to use gas-operated or candle light for emergency purposes. Stallholders are allowed to use only battery-operated or solar-powered emergency lights in their premises.

Sec. 57. Security Unit. The Municipality shall provide adequate security for the protection of consumers and traders within the vicinity of the market area.

SERVICE AREA/FACILITIES

Sec. 58. Storage Areas. Storage facilities such as those intended for ice and cold storages shall be approximately situated to facilitate efficient storing and distribution of ice and perishable goods delivered to the market.

Sec. 59. Ramps and Stairways. Ramps shall be strategically located for purposes of visibility, near the approach point to the market structure, and shall conform to the provisions of the existing accessibility law which requires buildings, institutions, establishment and public utilities to install facilities and other devices to enhance the mobility of disabled persons. They shall provide convenience to related market functional activities. Regular stairways shall complement the market system.

Sec. 60. Obstruct of Market Aisles. To facilitate mobility, security and safety at all times, market shall be free from any obstructions. Market Officials, Personnel and Policemen detailed in the vicinity of the municipal markets shall experience strict vigilance on this matter and enjoin strict compliance with this provision.

Sec. 61. Weighing Scales. The Municipality shall provide weighing scales (Timbangan ng Bayan) for the use, free of charge, of the consumers to safeguard them against short-weighting of commodities like rice, fish, meat, etc. It shall be located in conspicuous and strategic point in the public market.

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Sec. 62. Price Tags. All consumer product sold in retail to the public shall bear appropriate price tag, label or marking indicating the price of the article. Such consumer products shall not be sold at a price higher than that stated therein. Ensures or alteration can only be allowed in price reduction sales promotions campaign. When a consumer product is too small or the nature of which makes it impractical to place a price tag thereon, a price list is allowed.
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FOOD HANDLING



Sec. 63. Cooked and Raw Food Protection from Contamination. Cooked food shall be served hot at all times protected against contamination by flies and other insects and dirt. Likewise, raw food such as beef, fish, etc. shall be protected from flies and other insects.



Sec. 64. Protection and Preserved of Food. All foods which require no further cooking shall wrapped, covered or enclosed in containers to preserve their freshness and prevent contamination.

Sec. 65. Use of Utensil in Handling Food. All kinds of foods, whether cooked, prepared, raw or natural should not be unnecessarily handled by the sellers or buyers and that cooked and prepared food should be serviced by means of forks, spoon, dippers or similar utensils, rather than by hands.

Sec. 66. Sale of Spoiled Foods Prohibited. The sale of any kind of spoiled foods in bad state of contamination is prohibited in the markets. All spoiled foods in the stage of decomposition shall be condemned and destroyed, the Health Officer shall issue the owners a receipt stating the quality of food confiscated. Keeping at the time, a record of the kind or kinds and the quality of the food that have been destroyed and the reasons thereof.

No sale of fish or meat or goods which are subject to decomposition shall be made in the public markets.

Sec. 67. Stalls, Booths, Tables, Fixture. All foods shall be sold from stalls, booths, tables for fixtures made of or constructed according to approved plans or designs by Municipal Engineer and the Municipal Health Officer, or their authorized representative. Those stalls, booths, tables or fixture should be scrubbed nightly and their surfaces kept smooth always so that foods or particles thereof cannot lodge in cracks or in rough places to decompose.

All persons engaged in the sale and handling or manufacture of cooked foods refreshment and drinks, shall at all times be neat and clean and provide themselves with hot towels and cloths for the cleaning of the table, stalls or fixtures. Likewise, restaurants and carinderias shall always have boiling water for washing the utensils such as knives, forks, spoons and similar objects. Equipment such as weights, cases, seats, etc., should at all times clean and those found to be unclean shall be destroyed or substituted upon orders of any authorized representative to the effect that they are not bacilli carrier of such diseases and have been vaccinated against small fox, cholera or typhoid fever.

Sec. 68. Deceptive Acts and Practices. An Act or practice shall be deemed deceptive whenever the producer, manufacture, supplier or seller through concealment, false representation or fraudulent manipulation, induces a consumer to enter sales or lease transaction of any consumer product of service.

No stallholders/vendor shall take advantage of the consumer's physical or mental infirmity, ignorance, illiteracy or lack of time or the general conditions of the environment of surroundings, induces the consumer to enter into sales or lease transaction grossly inimical to the interest of the consumer or grossly one-sided in favor of the distributor or seller.

**CHAPTER X
PENAL PROVISIONS**

Sec. 69. Administrative Penalties. Failure of the lessee to pay the monthly rental within the period of (3) months after due written notice will subject him/her to pay additional 25% surcharge/plus penalty of 2% interest per month otherwise the contract of lease shall be revoked.

Sec. 70. Any violation of any provision of the Code as well as other existing rules and regulations governing the operations of public market, by any stallholders shall be

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sufficient enough for the cancellation of the lease contract and revocation of the Municipal Permit and license to him/her and of the privilege to occupy or lease in any stall in a public market.

Notices will be duly served upon the lessee prior to actual cancellation of the contract. However, if the violation is for cumulative or consecutive non-payment of rental, automatic rescission of the contract may be implemented if the lease contract so provide.


CHAPTER XI FINAL PROVISIONS

Sec. 71. Repealing Clause. All existing ordinances, rules and regulations, as well as orders inconsistent herewith are hereby repealed or modified accordingly.

Sec. 72. Separability Clause. Should any of these clauses or parts of this Ordinance be declared unconstitutional by any court of competent jurisdiction, all other remaining portions not so declared shall remain valid and effective.

Sec. 73. Effectivity. This ordinance shall take effect upon favorable review and approval by the Sangguniang Panlalawigan and fifteen (15) days after its publication in a newspaper of local circulation pursuant to and in conformity with pertinent provisions of the Local Government Code of 1991 (R.A. 7160).

I hereby certify to the passage of the foregoing Ordinance which was duly approved by the Sangguniang Bayan of Urbiztondo on the 5th day of December, 2022.


ARNEL C. RUFO
Secretary to the Sanggunian

CONCURRED:

COUN. MIRLA D. BALOLONG

COUN. PEPITO N. CALUGAY

COUN. RENZIE M. DISPO

COUN. DYNA P. DE GUZMAN

COUN. FERNANDO L. TAPIADOR

COUN. ALEXIS G. DELA VEGA

COUN. ZENAIDA P. ESPINOSA

COUN. REYNALDO T. BAUTISTA

COUN. JOEL M. FRIAS

COUN. ROZEL CLYDE D. USON

ATTESTED:


VICE MAYOR VOLTER D. BALOLONG
Presiding Officer

APPROVED:


MAYOR MODESTO M. OPERANIA