KARID R. PARIN

LAMBERTO M. CARAMPOT

OPHER N. CUSTODIO

SB Member

Republic of the Philippines Region IV-A (Calabarzon) PROVINCE OF CAVITE

MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 14-11

Author

: SB Member Florencio D. Ayos

Co-sponsors: SB Member Richard R. Parin

SB Member Gary A. Grepo

SB Member Lamberto M. Carampot

SB Member Kerby J. Salazar SB Member Christopher N. Custodio

SB Member Walter C. Martinez

SB Member Mario C. Amante

SB Member Jonas Glyn P. Labuguen

COVERING THE RULES AND REGULATIONS IN THE OPERATION OF THE GENERAL TRIAS PUBLIC MARKETS TO BE KNOWN AS "2014 MARKET CODE OF GENERAL TRIAS, CAVITE".

CHAPTER I NAME, SCOPE, AND OBJECTIVES

SECTION 1. Title. - This act shall be known as the 2014 Market Code of General Trias.

SECTION 2. Scope and Coverage. - This Code shall govern all public markets as hereinafter defined, whether owned and managed by government and by private groups or individuals.

SECTION 3. General Objectives. - This Code shall complement supplement the provisions of the Local Government Code (Republic Act 7160) 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 a dynamic and viable enterprise of the Municipality of General Trias and professionalize market services.

CHAPTER II **DEFINITION OF TERMS**

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

(a) Public Market - any structure, building or place of any kind which have been established, designated or authorized by the Local Government Unit, whether government or privately-owned and operated, dedicated to the service of the general public where basic food items and other commodities are displayed and offered for sale. "Public market" also includes market stalls, tiendas, buildings, roads, subway, waterways, drainage, parking spaces, and other appurtenance which are integral thereto. Public market shall also include "talipapa" and "tiangge".

(b) Government-owned and/or Operated Public Markets - those established by any public funds or those leased/acquired by any legal modes or means from persons, natural, or juridical, to be operated by the government either

thru its instrumentality, branch, or political subdivisions.

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

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- (c) Privately-owned and operated public markets 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.
- (d) Market Stall 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.
- (e) Stallholder the awardee of a definite space or spaces within a public market who pays a rental thereof for the purposes of selling his/her goods/commodities or service.
- (f) Booth an enclosure built or erected on market space for the purpose of selling goods/commodities/service.
- (g) Market premises any open space in the market compound or part of the market parking lot consisting of bare grounds nor covered by market building usually occupied by ambulant vendors especially during market days.
- (h) Market Rental Fee the fee paid to and collected by the Municipal Treasurer through the market collectors for the privilege of using public market facilities.
- (i) Ambulant, transient, or itinerant vendor 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.
- (j) Market Committee the body whose duty is to conduct the drawing of 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.
- (k) Hawker a vendor or seller who occupies the sidewalks or street, usually not within the territorial jurisdiction of a public market but who comes either daily or occasionally to sell his/her goods.
- (l) Food Handler any person who handles, stores, books, prepares, or serves food or drinks, who during the time of their service wear gloves and hairnet.

CHAPTER III LOCATION, ESTABLISHMENT AND CONSTRUCTION

SECTION 5. Site. – No public market of any kind shall be established in sites determined in accordance with the National Building Code, zoning laws, and applicable local ordinances. In any case, no such public market shall be established beside a national or local road if it is deemed to cause traffic congestion due to the absence of ample parking space within the vicinity of the market area.

SECTION 6. Establishment Requirement. – Subject to permit or licensing requirement of the local government unit concerned, the design and construction of every public market shall be in accordance with the provisions of existing laws.

SECTION 7. Number of Markets. – The Sanggunian shall determine the number of public markets to be established in the Municipality of General Trias whether owned/or managed by the government or by private groups or individuals

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Continuation...page 3 of Municipal Ordinance No. 14-11:

based on the needs of both consumers and traders in the area, and considering the economic viability of such public market.

CHAPTER IV CLASSIFICATION AND SECTIONING OF PUBLIC MARKETS

SECTION 8. Classification of Public Markets. - For the purpose of this Code public markets are hereby classified into:

- Class A Those public markets with an average monthly income of more than P100,000.00
- Class B Those public markets with an average monthly income of P50,000.00 or more but less than P100,000.00
- Class C Those public markets with an average monthly income of less than P50,000.00.

SECTION 9. 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, lobster, shrimps, seaweeds and other seafoods and other marine products shall be sold.
- (b) Meat Section refers to 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 all kinds of textiles, reallymade dresses and apparels, native products, toiletries, novelties, footwear laces, kitchen wares, utensils and other household articles, handbags, and school and 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, mongo, 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.
- General Merchandise, Chinaware, Glassware, Tableware and Home Appliances Section refers to the area where chinaware, glassware, tableware, home appliances and general merchandise are sold.

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 4 of Municipal Ordinance No. 14-11:

- (j) Eateries and Refreshment Parlors Section refers to the area where only all kinds of cooked foods, including refreshment parlors, cafeterias, and other delicacies are sold.
- (k) Miscellaneous and other special services section refers to the area where any other business not classified herein above shall be allowed.

CHAPTER V SUPERVISION OF PUBLIC MARKETS

SECTION 10. Creation of a "Market Advisory Committee". - There is hereby created a Market Advisory Committee composed of the following:

Chairperson

Municipal Vice Mayor

Members

Chairman, Committee on Ways and Means

Chairman, Committee on Industrial Peace,

Labor & Employment

Municipal Planning and Development Officer

Municipal Treasurer Municipal Engineer

Business Permit and Licensing Officer

SECTION 11. Functions of the Market Advisory Committee. Committee shall assist the Local Chief Executive and the Sanggunian in the formulation of policies, rules, regulations, and guidelines on market related activities as it affects public welfare. Specific functions of the Committee shall include but not limited to the following:

(a) Determination of the number, size and location of public markets to be established in General Trias;

(b) Coordination and monitoring of the activities required to various offices and units in the implementation of this Code; and

(c) Review of ordinances, orders, policies, guidelines, rules and regulations affecting the administration, management, and operation of all privatelyand government-owned/operated public markets in General Trias.

The 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.

SECTION 12. Market Advisory Committee Meeting. - The Committee shall meet at least once a month to discuss problems and issues affecting the efficient market operations and take appropriate actions thereon.

SECTION 13. Reports. - The Committee shall submit to the Municipal Mayor a quarterly report of its activities.

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CHRISTOPHER N. CUSTODIO SB Member

Member

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 5 of Municipal Ordinance No. 14-11:

CHAPTER VI AWARDING OF STALLS AND CANCELLATION OF AWARDS

SECTION 14. Market Stall Awards Committee. - There shall be created a coordinating committee known as the "Market Stall Awards Committee" to be composed of the following:

Chairperson

Municipal Mayor

Vice Chair

Municipal Vice Mayor

Members

Chairman, Committee on Appropriations Chairman, Committee on Ways and Means Chairman, Committee on Trade and Industry Chairman, Committee on Public Market and

Slaughterhouse

Municipal Treasurer Municipal Engineer

Municipal Planning and Development Officer

Municipal Legal Officer

Representative, Public Market Vendors Association to

be designated by the Municipal Mayor

Market Supervisor

SECTION 15. Functions of the Committee. - The General Trias Market Committee shall:

(a) Conduct the drawing of lots and opening of bids for the adjudication of vacant or newly constructed stalls or booth in the public market subject to the guidelines adopted by the Municipal Market Management Committee;

(b) Make a study of the transfer of stallholders from one section to another or from one stall to another;

(c) Make a study of all phases of market matters for purposes of improving market operations;

(d) Inspect and examine books of accounts and operation of any stallholder;

(e) 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

(f) Record and keep the Minutes of the deliberation of the market committee certified fair and correct.

SECTION 16. Application. - Filipino citizens who are actual residents of the Municipality of General Trias shall be given preference in the awarding of public market stalls. All application to lease or rent shall be filed to the Office of the Municipal Treasurer in a form prescribed herein.

SECTION 17. Assignment of Occupied Stalls. -

(a) No person shall sell, offer for sale or expose for sale, any article or articles in any public market, within the Municipality of General Trias or use or occupy

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SB Member

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 6 of Municipal Ordinance No. 14-11:

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 in stalls or any place within the market premises is strictly prohibited; and

(d) Any person other than the stallholder or his/her partner or his/her 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.

SECTION 18. 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 to his 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 in 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.

SECTION 19. Sub-leasing or Selling of Privilege to Occupy Stall Prohibited -No person shall be allowed to sub-lease the stall awarded. A person, other than the stall found selling to the latter shall be a prima facie evidence of subleasing and shall subject the stallholder to outright revocation of his/her lease award.

SECTION 20. 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 in violation of this section for more than one member of a family consisting of a father, mother, sons, or 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.

SECTION 21. 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 the Market Stall Awards 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.

SECTION 22. Awarding of Vacant Stalls. - Vacant and newly constructed stalls or booths shall be adjudicated in the following manner:

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 7 of Municipal Ordinance No. 14-11:

(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 located and the last day of filing an application for occupancy thereof. The notice of vacancy shall be printed on still cardboard or other hard materials and should be in the following form:

NOTICE

To	whom	this	may	concern:
----	------	------	-----	----------

Notice is hereby given that Stall No. ____ Section of the ____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 General Trias, Cavite and who is both legally capacitated and desires to lease this stall (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 stall shall be determined by drawing lots to be conducted on _____, 20___ in the Municipal Hall by the Market Stall Awards Committee. This stall(s) is (or/are) in the section of ___ and is (or/are) intended for the sale of _____.

Market Supervisor

(b) The above notice shall remain where it is hanged or placed for a period of not less than ten (10) days immediately preceding date of the award. A copy of this notice shall also be placed on the registry of the market concerned.

(c) The application shall be signed and submitted to the Market Stall Awards Committee by the applicant in person or by his/her Attorney-in-fact accompanied with two copies of his/her picture, one to be posted on the application and the other on the record card, in case the application is approved. The Market Supervisor shall acknowledge receipt of the application, setting forth therein that time and date of receipt and keep a record book for such purposes.

Sir:

I hereby apply for occupation or lease of Stall No. ____, Section of the _____ Market. I am ____ years of age, Filipino Citizen, married to ______, single, a resident of ______.

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

1. While occupying or leasing the stall or stalls, I shall at all times have my picture hung up conspicuously in the place indicated by the market authorities;

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Continuation...page 8 of Municipal Ordinance No. 14-11:

- 2. I shall pay the corresponding rents for the stall or booth or the fees for the stall or stalls 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 belongs to me;
- 4. In case I engage helpers, I shall nevertheless personally conduct my business or businesses and be present at the stall or stalls everyday. Should I be compelled by illness or other justifiable cause to 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 or transfer my privilege to the stall or booth, or permit another person to conduct business therein; and
- 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 regulation shall be sufficient cause for the market authorities to declare the stall or booth vacant so that the same may be leased to other applicants.

Applicant	
SUBSCRIBED AND SWORN to before me this day 0, at General Trias, Cavite.	of _
Administering Officer	

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

SECTION 23. Death of Lessee/Succession. - Upon the death of the holder of a stall, the said 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 the 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.

SECTION 24. - Stallholders shall not be allowed to occupy stalls or spaces other than leased to them, and it shall be the duty of the Market Supervisor or his authorized representative to see to it that the stallholders do not occupy other stalls or spaces.

SECTION 25. Lessees Shall Personally Administer the Stall. - No awardee of the lease of market stall shall sub-lease the same or shall any privilege acquired be sold. A person other than the stallholder, his registered partner or helper found

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 9 of Municipal Ordinance No. 14-11:

selling in the latter's stall is prima facie evidence of sub-leasing, and shall subject the stallholder to outright revocation of this lease by the Market Committee.

SECTION 26. Partnership with Stallholder. – A market stallholder who enters into business partnership with any party after he/she has acquired the right to lease such stall shall have no authority to transfer to his partner or partners the right to occupy the stall, provided, however, that in case of death or any legal, mental and physical disability of such stallholder to continue in his/her business, the surviving partner may be authorized to continue occupying the stall for a period of not exceeding 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 hereof and the spouse, parent, son, daughter or relative within the third consanguinity or affinity of the deceased is not applying for the stall, he shall be given the preference to continue occupying the stall or booth concerned if he applied therefor.

SECTION 27. Limitations on the 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/repaired or renovated in violation of this section may be summarily removed or destroyed by the market supervisor and/or his employees.

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

SECTION 28. 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 any other stall in any public market in this municipality for a period of one year.

CHAPTER VII ADMINISTRATION OF MARKETS OWNED AND OPERATED BY THE MUNICIPALITY

SECTION 29. Market Supervisor. - There shall be one Market Supervisor for all public market who shall be in-charge of the market to which he is assigned. He/she shall be the custodian of all properties belonging to the market and have immediate administrative supervision control over all subordinate market employees where he/she is assigned. The Market Supervisor and his 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.

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OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 10 of Municipal Ordinance No. 14-11:

SECTION 30. Local Revenue Collection Clerk. - There shall be a Local Revenue Collection Clerk under the supervision and control of the MunicipalTreasurer or authorized representative who shall take charge of his distribution of work and the proper performance of the collection work by the Market Collector under him, and the strict adherence to the rules governing the collection fees, licenses, and other dues from persons engaged in business in markets.

SECTION 31. Market Inspectors. - There shall be a Market Inspector, who upon specific orders and direct supervision and control of the Municipal Treasurer, shall make inspection of cash tickets issued to Market Vendors and make report to the Municipal Treasurer or his authorized representative for instruction on his/her work assignment and business submission of reports.

SECTION 32. Uniforms and Wearing of ID Cards. - The Market Supervisor, Market Inspector, Market Collectors, Guards and Market Cleaners shall wear a uniform and identification card while on duty for easy identification which shall prescribed by the Municipal Treasurer with the approval of the Municipal Mayor.

SECTION 33. Carriers (Cargadores) in the Public Markets. - No person shall engage in the calling of a carrier in any public market unless he/she is a good moral character and registered such as in the Office of the Municipal Treasurer and has not been convicted for any of the crimes against property. Each carrier shall be provided by the Municipal Treasurer with registration certificate and an identification card, which he/she shall wear conspicuously while working as a carrier. The Market Supervisor shall have the power to fix the number of carriers in each public market, certifying the needs of the market for such number of carriers. No carrier registered in one market shall act as a carrier in other markets except upon prior authorization from the market supervisor. Any registered carrier convicted of crime against property subsequent to his/her registration shall be automatically disqualified as carrier and his/her name shall be dropped from the list of carriers kept in the Office of the Municipal Treasurer.

SECTION 34. 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 stall holders, and such other rules and regulations in the operation and maintenance of a clean and orderly public market. He shall also furnish such stallholders with a copy, in English or Filipino, of the rules and regulations herein contained.

CHAPTER VIII MARKET FEES

SECTION 35. Market Stall and Other Fees. - a) Awardees of stalls in the market owned and operated by the Municipality shall pay the fees as follows:

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MARKET	STATT.	RATES	PER	SOTTARE	METER	DAV
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SECTIONS	CLASS A	CLASS B	CLASS C	-
1. Fish Section	5.45	5.45	5.45	-
2. Meat Section	5.45	5.45	5.45	4
3. Dry goods Section	5.45	5.45	5.45	
4. Vegetables and fruits Section	5.45	5.45	5.45	
5. Rice, corn, other cereals and/or dried salted fish Section	5.45	5.45	5.45	
6. Poultry products Section	5.45	5.45	5.45	7
7. Flower shops Section	5.45	5.45	5.45	
8. Groceries and sari-sari Section	5.45	5.45	5.45	
9. General merchandise, glassware, chinaware, tableware and home appliances Section	5.45	5.45	5.45	
10. Eateries and refreshment parlors Section	5.45	5.45	5.45	
11. Miscellaneous and other special services Section	5.45	5.45	5.45	

Corner stalls shall be imposed of fees an additional twenty percent (20%) to the above-prescribed rates.

Trucks or other conveyances whether hired or not, parked within 50 meters radius from the border of the market shall pay the parking charges enumerated under the Revenue Code of the Municipality.

SECTION 36. Issuance of Cash Tickets for Transient Vendors, Prohibition on Transfer Thereof. - Cash tickets shall be issued to all transient vendors buying the same in his name, date and signature of the collector shall be written on the back 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 vendor disposes of his merchandise by wholesale to another vendor, the latter shall purchase new tickets if he desires to sell the same merchandise even if it is done in the same place by the previous vendor.

SECTION 37. Collection. - All collections of stall fees, regular or special fees from truck-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.

SECTION 38. Review of Market Related Fees. - The Sangguniang Bayan shall periodically review the market rental fees herein prescribed and may be adjusted as may be deemed necessary to the demand of the times.

CHAPTER IX GENERAL ADMINISTRATIVE RULES

SECTION 39. Market Hours. - All Public Markets in the Municipality of General Trias shall be open from 4:00 a.m. to 8:00 p.m., daily. However, on the 24th

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NEW YEAR



MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 12 of Municipal Ordinance No. 14-11:

and 31st of December of every year, all the Municipal Public Markets shall be open from 3:00 a.m. to 12:00 midnight.

SECTION 40. Personal Administration Helpers. - Any person now leasing or who may hereafter lease stalls in the public markets shall present personally at his/her stall(s) or booths. Each stallholder may employ not more than two (2) helpers, who must be citizens of the Philippines and physically fit and free from communicable diseases and must be registered to the Market Supervisor 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.

SECTION 41. Absence of Stallholders. - Permission to be absent for short duration because of illness or other justifiable cause may be given to stallholder by the Market Supervisor. The absence shall not exceed one (1) month for every year of occupancy of a stall, but not in no case to exceed three (3) months. During the stallholder's absence, one of his/her registered representative shall be authorized by him/her in writing to continue the business, otherwise, the lease contract of stall be terminated by the Municipality.

SECTION 42. Losses of Stallholders. - The Municipality of General Trias 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 markets during closure time shall be at the risk of the stallholders.

It shall however, be the duty of the Market Supervisor and his subordinate to exercise utmost vigilance and care to prevent any losses in the market. For this purpose, the Market Supervisor and his subordinate shall have the authority to apprehend and turn over to the police any persons caught stealing or committing offense in the markets.

SECTION 43. Abandoned Articles. - All articles abandoned in any market in violation of any provisions of this Code or of any regulation or rule relating to the management of the markets, shall be the duty of the Market Supervisor and his subordinates to take custody thereof. In case the articles are 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 direction, cause the criminal prosecution of the guilty party, or merely warn himagainst future violation. If the articles have not deteriorated and are not claimed within the time herein fixed, said articles shall be sold at public auction and the proceeds thereof disposed of in accordance with law.

SECTION 44. 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.

SECTION 45. 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

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 13 of Municipal Ordinance No. 14-11:

premises of the same, nor shall any person beg or solicit contribution of any kind in any market.

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

SECTION 46. 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 General Trias 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.

SECTION 47. 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 his lease cancelled and the stall declared vacant and open for application in addition to the penalties imposed by this Code.

SECTION 48. 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 impound them in the Municipality of General Trias for disposition as in the case of animals impounded therein.

SECTION 49. Appeal from the Decision of the Market Stall Award Committee. - Any person, entity or stallholders directly affected or aggrieved by the decision or action of the Market Stall Awards Committee, may appeal for reconsideration to the Office of the Municipal Mayor whose decision or action thereon shall be final, except if declared otherwise illegal by competent legal authorities.

CHAPTER X MAINTENANCE OF PUBLIC MARKETS

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

A. Sanitation

SECTION 50. 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 owners, vendors and market 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.

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TABUGUEN JONAS GLYX

FLORE

MARIOC AMANTE

Member

LAMBERTO M. CARAMPOT

CHRISTOPHER N. CUSTOPIO

SB Member

Republic of the Philippines Region IV-A (Calabarzon) PROVINCE OF CAVITE

MUNICIPALITY OF GENERAL TRIAS

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Continuation...page 14 of Municipal Ordinance No. 14-11:

SECTION 51. 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.

SECTION 52. Role of Stallholders/Vendors. - Individual stall owners/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.

SECTION 53. Drainage and Sewerage System. - There shall be proper and adequate drainage and sewerage systems to ensure cleanliness and sanitation Appropriate facilities to abate pollution shall be installed.

SECTION 54. Water and Drinking Facilities. - All markets shall have available ample water for cleaning. There shall be separate drinking facilities to prevent contamination.

SECTION 55. 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 customers to wash their hands before handling the food especially after coming from the toilet.

SECTION 56. "No Littering" Signs. - "No Littering" signs shall be posted in conspicuous places to warn vendors and buyers that the same is punishable by law.

SECTION 57. Number and Type of Garbage Receptacles. - All markets 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 stall owners and vendors shall be required to have individual garbage cans.

SECTION 58. Purpose of Cover. - All garbage cans must be properly covered to keep from becoming the breeding places of flies, rats, mosquitoes, and other insects.

SECTION 59. "Use of Garbage Cans" Signs. - "Keep Our Premises Clean", and "Use Garbage Cans" signs shall be placed at the entrance, in passageways and in places where garbage are collected.

SECTION 60. Disposal of Garbage. - It shall be the responsibility of the individual stall owner 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

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Continuation...page 15 of Municipal Ordinance No. 14-11:

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

SECTION 61. Time for Collection and Disposal of Garbage. - All the garbage and rubbish of the market must be collected and disposed of at appropriate schedules to be determined by the local market authorities.

SECTION 62. 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 cow, carabao, horse, goat, sheep, swine and fowl. It shall be unlawful to mix carabao or horse meat with cow's or misinterpret the former as beef. For the purpose, a separate and distinct compartment for carabao and horse meat shall be provided.

SECTION 63. Unauthorized Merchandise. – No person shall sell, offer for sale or expose in the market unauthorized merchandise like dog meats, flammable materials and combustible materials.

SECTION 64. 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 mercy 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.

SECTION 65. Applicability of Code on Sanitation. – All provisions of the Code on Sanitation shall, whenever applicable, be observed by 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.

B. Security and Safety

SECTION 66. General Lighting Facilities. - Adequate general lighting facilities including wires and electric meters shall be provided in the markets. However, stallholders shall pay their own electric bill consumed in their respective stalls.

SECTION 67. Proper Identification. - All market personnel shall be required to display conspicuously an identification card or other means of identification prescribed by the municipality concerned.

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FLORENCO D. AYOS
SB Member

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 16 of Municipal Ordinance No. 14-11:

SECTION 68. No person within the premises of any market of the 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 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.

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

SECTION 69. Fire Extinguishers. - All stallholders shall at all times be required to keep to their respective stalls of at least 10 lbs. fire extinguisher except on the wet section of the 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 Chief of Fire Department or his duly authorized representative.

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

SECTION 70. Security Unit. - The Municipality shall provide adequate security for the protection of consumers and traders within the vicinity of the market area.

C. Service Area/Facilities

SECTION 71. Storage Areas. - Storage facilities such as those intended for ice and cold storage shall be appropriately situated to facilitate efficient storage and distribution of ice and perishable goods delivered to the market.

SECTION 72. 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, establishments and public utilities to install facilities and other devices to enhance the mobility of disabled persons. They shall provide convenient to related market functional activities. Regular stairways shall complement the market system.

SECTION 73. Obstruction of Market Aisles. - To facilitate mobility, security, and safety at all times, market aisles shall be free from any obstructions. Market officials and personnel and policemen detailed in the vicinity of the Municipality markets shall exercise strict vigilance on this matter and enjoin strict compliance with these provisions.

SECTION 74. Weighing Scales. - The Municipality shall provide weighing scales for the use of the consumers to safeguard them against short-weighing of commodities like rice, fish, meat, etc. It shall be located in conspicuous and strategic points in the <u>public market</u>.

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 17 of Municipal Ordinance No. 14-11:

SECTION 75. Price Tags. - All consumer products sold in retail to the public shall bear an 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.

Erasures 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.

D. Food Handling

SECTION 76. Cooked/Raw Foods Protection from Contamination. - Cooked food shall be served hot and 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.

SECTION 77. Protection and Preservation of Food. - All foods which require no further cooking shall be wrapped, covered, or enclosed in containers to preserve their freshness and prevent contamination.

SECTION 78. 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, spoons, dippers or similar utensils, instead of with the hands.

SECTION 79. 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 food or 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 same time, a record of the kind or kinds and the quantity 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 market.

SECTION 80. Stalls, Booths, Tables and Fixture. - All foods shall be sold from stalls, booths, tables or fixtures made of or constructed according to approved plans or designs by the Municipal Engineer and the Municipal Health Officer, or their Those stalls, booths, tables or fixtures should be authorized representatives. 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 tables, 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 be clean and those found unclean shall be destroyed or

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MARIO C. AMANZ SB Member

JONAS GL

FLOREN

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OPHER N. CUSTODIO

LAMBERTO M. CARAMPOT

SB Member

SB Member

MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 18 of Municipal Ordinance No. 14-11:

substituted upon orders of any authorized representative to the effect that they are not baccili carriers of such diseases and have been vaccinated against small pox, cholera, typhoid fever, hepatitis A and B, and such other diseases which may be transmitted through the preparation of food, refreshment and drinks.

SECTION 81. Deceptive Acts and Practices. - An act or practice shall be deemed deceptive whenever the producer, manufacturer, supplier or seller through concealment, false representation or fraudulent manipulation, induces a consumer to enter into a sales or lease transaction of any consumer product of service.

No stallholder/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 or surroundings, induces the consumer to enter into a sales or lease transaction grossly inimical to the interest of the consumer or grossly one-sided in favor of the distributor or seller.

CHAPTER XI PRIVATELY OWNED AND OPERATED PUBLIC MARKET

SECTION 82. Establishment. - The establishment and operation of privately owned public markets shall be in accordance with the provisions of this Code.

No privately-owned and operated public market building shall be erected within ten (10) meters from the highway, street, road or sidewalk. The Municipal Engineer is hereby authorized to promulgate rules and regulations regarding the construction of privately-owned and operated public markets and the stall therein. commodities shall be allowed on sidewalks, aisles or open spaces outside any building or any public market.

SECTION 83. Franchise and or Permit Required. - No person, partnership, corporation shall operate a privately-owned public market, and/or vending area within General Trias without first securing a franchise and/or a permit from the Municipal Council, nor shall any person be permitted to engage in any form of business in any privately-owned public market without first securing a permit and license from the Business Permit and Licensing Office and the Office of the Market Supervisor.

SECTION 84. Additional Requirement for the Submission of List of Stallholders. - Privately-owned and operated public market, including mini-markets and supermarkets shall submit semi-annually to the Treasurer's Office a certified list of stallholders showing the amount of stall fees and rentals paid daily by each stallholder which report shall be submitted on or before the 20th day of every semester, the graduated business tax as prescribed in the General Trias Revenue Code of the gross receipts to the Municipality through the Municipal Treasurer, as supervision fee. Failure to submit said list and to pay the corresponding amount within the period shall subject the operator to the penalties provided in this Code and to such other administrative remedies as may be deemed appropriate including revocation of permit to operate

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JONAS

MARIO E. AMANTE

SB Member

LAMBERTO M. CARAMPOT SB Member

PHER N. CUSTODIO Member



MUNICIPALITY OF GENERAL TRIAS

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Continuation...page 19 of Municipal Ordinance No. 14-11:

SECTION 85. Inspection and Monitoring. - The Municipality of General Trias shall conduct regular inspection and monitoring of operations of all private markets to ensure their compliance with the business operations regulatory requirements of the Municipality, Fair Trade Laws, revenue laws and other related laws, rules and regulations.

Any violation thereof shall subject the administrator/operator to the penalties in this Code and to such other administrative remedies as may be deemed appropriate including supervision, or revocation of permit to operate/franchise consistent with due process.

CHAPTER XII PENAL PROVISIONS

SECTION 86. Administrative Penalties. - a) Any unpaid market fees, lease or rentals due after 30 days from the date due shall be sufficient cause for the automatic cancellation of the contract of lease of stalls. b) A surcharge of twenty five percent (25%) on their past due account shall be added to the unpaid account of the stall holders.

SECTION 87. - Any violation of any provision of the Code as well as other existing rules and regulations governing the operation of public market, by any stall holders shall be 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.

CHAPTER XIII REPEALING CLAUSE

SECTION 88. - All ordinances, executive orders, proclamations and administrative regulations, or part thereof which are inconsistent with this Code are hereby repealed or modified accordingly.

CHAPTER XIV **EFFECTIVITY CLAUSE**

This Ordinance shall take effect after ten (10) days from the date a copy is posted in the bulletin board at the entrance of the Municipal Hall or published in local newspaper if there is any and in at least two (2) conspicuous places within the Municipality of General Trias.

APPROVED under THIRD/FINAL READING on 01 DECEMBER 2014.

CHRISTOPHER N. CUSTODIO J. SALAZAR

SB Member SB Member LAMBERTO M. CARAMPOT

SB Member

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MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

Continuation...page 20 of Municipal Ordinance No. 14-11:

CHRISTOPHER N. CUSTODIO SB Member

C. MARTINE

B Member

JONAS CLY LABUGUEN

SB Member

PARIN

SB Menzyber

FLORENCIO

D. AYOR

resident

SB Member

CERTIFIED TRUE AND CORRECT:

WENCESLAO P. CAMINGAY Secretary to the Sanggunian

ATTESTED:

MAURITO C. SISON

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Municipal Vice Mayor/Presiding Officer

APPROVED:

NIO A. FERRER ANTO

Municipal Mayor

LAMBERTO M. CARAMPOT