

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 642
April 23, 2013

AN ORDINANCE AMENDING SECTION 2 OF CITY ORDINANCE 541, SERIES OF 2011 OTHERWISE KNOWN AS "AN ORDINANCE ALLOWING FOR THE TRANSFER OF AWARDS TO THE PRESENT MARKET BLOCK/STALL/TABLE OCCUPANTS".

WHEREAS, Several Market Block, Stall and Table Occupants of the Public Markets of the City had requested to extend Section 2 of City Ordinance 541, series of 2011, which is the acceptance of Application for Transfer of Award;

WHEREAS, the Committee on Markets and Slaughterhouse conducted a Public Hearing and invited the stakeholders of the said ordinance which includes the vendors, the Market Supervisors and other concerned City Government Departments to discuss matters on the viability of extending the provision of the ordinance and to determine the actual number of occupants who will apply for the Transfer of Awards;

WHEREAS, it was found out during the Public Hearing that most market occupants are clamoring about the Transfer Fees which according to them are too expensive and they could not easily find such amount given the financial constraints that they suffer and the instability of their business;

WHEREAS, the Committee had decided to propose this ordinance in order to cater the request of the market occupants and to give a solution to the numerous issues that surrounds the operation of our Public Markets.

NOW, THEREFORE BE IT RESOLVED by the Sangguniang Panlungsod of Bacolod City that:

Section 1. Section 2 of City Ordinance 541, series of 2011 is hereby amended to read as follows, to wit:

Section 2. Application for Cancellation of Original Award and Subsequent issuance of New Award.

- a. All non-awardees who are presently doing business in the blocks/stalls/tables/booths or kiosks in the City's North Burgos, South Libertad and Central Markets, including Manokan Country may apply for cancellation of the original award, and the issuance of new award to them, without need for a declaration of block/stall/table/booth or kiosks vacancy, and the raffle mandated under Section 18 of the Market Code of 1996. The issuance of new awards to the present market occupants, however shall be subject to the following terms and conditions:

1. Cancellation of the original awards and issuance of new awards under this ordinance shall be made in accordance with the procedure as prescribed by the Local Market Committee.
2. Within Sixty (60) days after receipt of notice of approval by the Local Market Committee, the prospective awardee shall pay the following fees:
 - a. EXTERIOR BLOCK/STALL - Twenty Thousand Pesos (Php 20, 000. 00)
 - b. INTERIOR BLOCK/STALL - Fifteen Thousand Pesos (Php 15, 000. 00)
 - c. MEAT TABLE - Ten Thousand Pesos (Php 10, 000. 00)
 - d. FISH TABLE - One Thousand Pesos (Php 1, 000. 00)
 - e. VEGETABLE TABLE - One Thousand Pesos (Php 1, 000. 00)
3. Applicants are also required to execute an Affidavit of Occupancy and Affidavit of Two Disinterested Persons attesting that as the present occupant, he/she had already stayed in the stall/block/table/booth or kiosk for a long time and the original awardee could no longer be found.
4. The present occupants shall also pay all delinquencies for rental and business permits pertaining to the said block/stall/table/booth or kiosk. However, the Local Market Committee may also allow payment of rental arrearages thru installment in meritorious cases only, and not to exceed One (1) – Year period of payment. The new award shall be issued, and, a lease contract executed only after all fees and arrearages have been paid.
5. Failure to update the rentals and business permit fees by the end of One (1) Year period after approval of the application shall be a ground for cancellation of the award, and declaration of the vacancy of the block/stall/table/boot or kiosk.

Section 2. Deadline of Application. Application for Transfer of Awards shall only be allowed until June 30, 2013 after which the Local Market Committee shall convene and take necessary action on the submitted applications.

Section 3. Repealing Clause. All other Ordinances or parts thereof which are inconsistent with the provision of this Ordinance are hereby repealed, amended and/or modified accordingly.

Section 4. Separability Clause. Should any provision of this Ordinance be subsequently declared unconstitutional or invalid, the other provisions not affected by such declaration shall remain in full force and effect.



Section 5. Effectivity. This Ordinance shall take effect immediately after its approval.

CARRIED BY THE VOTE OF:

Affirmative :
Councilors : Homer Q. Bais, Archie S. Baribar, Roberto M. Rojas, Cafalino T. Alisbo, Em L. Ang, Elmer T. Sy, Sonya M. Verdeflor, Caesar Z. Distrito, Mona Dia G. Jardin.

Negative : None.

Absent : Vice Mayor Jude Thaddeus A. Sayson and Councilor Al Victor A. Espino.

Official Leave : Councilors Dindo C. Ramos and Keith Emmanuel L. Ramos.

Main Author : Councilor Caesar Z. Distrito.

Co-Author : Councilor El Cid M. Familiaran

Passed : April 23, 2013 (147th Regular Session).

Comments : Passed.
Councilor Carlos Jose V. Lopez was not yet around when this ordinance was passed.


EL CID M. FAMILIARAN
Acting Presiding Officer

ATTESTED:

ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

By: 
HELEN P. LEGASPI
Board Secretary IV

APPROVED: May 16, 2013
April 2013


EVELIO R. LEONARDIA
City Mayor

VCP/HPL/jbz

SP
LEGISLATIVE SERVICES SECTION
DATE 5/30/13 TIME 10:40 AM
BY: Garzon