

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 1009
October 19, 2022

AN ORDINANCE REGULATING VENDING IN THE CITY OF BACOLOD.

WHEREAS, Executive Order No. 452, s. 1997 states the declared policy of the State to pursue an all-out war against poverty and to improve the quality of life of every Filipino, including vendors and their consumers;

WHEREAS, Chapter II Sec. 16 of R.A. 7160 or the Local Government Code of the Philippines declares that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, DILG Memorandum Circular 2019-193 expresses that a local road, street, alley, park, and square may be closed by the LGU, through an enactment of an ordinance provided that there is a compelling reason or sufficient justification for the closure such as for public welfare;

WHEREAS, there is an urgent need to protect the vendors from being deprived of their source of livelihood, as well as the rights of consumers and citizens from the negative effects of the current economic and health crisis;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BACOLOD CITY IN SESSION ASSEMBLED:

Section 1. Title of Ordinance. - This ordinance shall be known as **“AN ORDINANCE REGULATING VENDING IN THE CITY OF BACOLOD”**;

Section 2. Scope of the Ordinance. - This Ordinance shall cover all vendors operating within the territorial jurisdiction of the City of Bacolod. As such, it shall not include registered vendors located inside public city markets who have established business locations, have permits and are paying appropriate business taxes to the City Government.

Section 3. Vending Policy. – Vending shall be allowed in designated areas specified in this ordinance.

Section 4. Definition of Terms. – As used in this ordinance:

- a. **Ambulant Vendors or Peddlers** – refer to vendors plying their trade using stalls or on mobile vehicles such as food trucks, motorcycles, tricycles, trisikads, and the like; selling food and non-food products and is directly or indirectly connected with food preparation and handling;

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- b. **Stall/Table** - selling area or table measuring 1 meter by 1 meter dimension;
- c. **Food Truck** - motorized vehicle or trailer, equipped to cook, prepare, serve, and/or sell food;
- d. **Market** – refers to a public place, whether privately or publicly-owned, where the act of buying and selling of goods and consumable articles are undertaken;
- e. **Cooked Foods** – shall refer to all kinds of food and drinks that are cooked and/or mixed, intended to be sold for public consumption such as but not limited to rice, viands, corn, fried banana, barbeque, log-log, lugaw, peanut, pakwan seeds and peace, dinuguan, gulaman, fruit juice, other ready mixed drinks and the like;
- f. **Dry Goods and Articles** – shall include, but are not limited to school supplies, school uniforms, shirts, pants, footwear, leather craft, socks, chucheria, ready-made dresses and clothing, kitchen wares, and accessories, metal and stone crafts, handicrafts, and the like;
- g. **Services** – shall include, but are not limited to shoe shine/repair, watch repair and rubber stamp making, locksmith, and the like.

Section 5. Responsibilities of the Local Market Committee

- a. Provide a simplified procedure for registering approved vendors
- b. Approve and review the applications of vendors
- c. Issue IDs and Certifications, as well as rescind aforementioned documents in case of violations;
- d. Validation and Accreditation of Street Vendors' Associations and its members;
- e. Assign vendors to their respective vending areas

Section 6. Documentary Requirements for Registration. Street vendors, ambulant vendors or peddlers shall, prior to their registration, present the following documents:

- 6.1 Voter's ID or Voter's Certification issued in Bacolod City;
- 6.2 A duly accomplished registration form indicating the location where such vendor is vending or intends to vend, prescribed time, and other details;
- 6.3 Health Card from Bacolod City Health Office

Section 7. Identification Card and Certification. Along with the Certification, all vendors are required to wear the ID Card prescribed by the Local Market Committee. The aforementioned documents shall be renewable annually on or before the last day of February and shall specify the following:



1. Vendor's personal data
2. The area where he or she is allowed to sell
3. Stall/area number
4. Product to be sold
5. The prescribed time for vending
6. 2x2 bust size photo of vendor
7. Vendor's Signature
8. Signature of the Chairperson of the Local Market Committee and the City Mayor

The ID Card is non-transferable. The Local Market Committee is hereby authorized to issue the ID card at the cost determined by the Local Market Committee. Instead of issuing a new ID card during the succeeding year, a special sticker with the year and Mayor's signature shall be posted on the old ID of the vendor after he or she has renewed his or her registration and paid the sticker fee determined by the Local Market Committee.

Section 8. Terms and Conditions for Identification Card and Certification. The aforementioned documents shall be governed by the following terms and conditions:

- a) that the vendors shall pay a fee to be determined by the Local Market Committee;
- b) that only stalls or tables allowed by the city for a given area will be used;
- c) that only allowed products will be sold in specific stalls or areas;
- d) that assigning or subleasing of stalls is not allowed;
- e) that all vendors are limited to selling only within their assigned stalls or areas;
- f) that the vendor and his or her immediate family members are limited to having only one stall;
- g) that the vendor shall regularly wear the ID prescribed by the Local Market Committee;
- h) that the vendor shall be responsible for maintaining the cleanliness of the premises and shall provide a waste can or basket within the stall area;
- i) that stalls should not be used for sleeping or drinking areas;
- j) that should the vendor not be able to sell his wares/products for at least five consecutive days, he or she is required to properly notify the Local Market Committee;



Section 9. Assignment of Vending Spaces. The Local Market Committee is authorized to assign vending spaces to qualified vendors along the specified allowable vending areas stated below:

LOCATION	PRESCRIBED TIME
From Gallardo St. cor La Salle Avenue up to University of St. La Salle Gate 1	8:00 am – 8:00 pm
Along North Capitol Road up to cor. of Aguinaldo St.	6:00 pm – 10:00 pm
Designated area along Gatuslao St., (Bounded by Jolibee Luzuriaga and cor Ballesteros)	8:00 am – 8:00 pm
Designated area along Gonzaga St. (Bounded by Amar Plaza and Chinky's)	8:00 am – 8:00 pm
Designated area along Luzuriaga St., (Bounded by PNB and Greenwich)	8:00 am – 8:00 pm
Inside Bacolod City Public Plaza	8:00 am - 6:00 pm
Bonifacio St.	4:00 pm - 10:00 pm
South side of Ballesteros Street	8:00 am - 9:00 pm

Section 10. Responsibility of Street Vendors. Registered vendors, ambulant vendors, peddlers must observe all laws, ordinances, and regulations with respect to health and sanitation, public safety, environment, transportation and traffic management, business, trade, and commerce. In addition, thereto, they shall:

- 10.1 Ensure and maintain their workplaces through proper waste segregation and disposal methods;
- 10.2 Ensure unobstructed flow of vehicular and pedestrian traffic;

Section 11. Responsibility of Vendors' Associations. It shall be the responsibility of duly accredited vendors association to police their own ranks and ensure that their members strictly comply with the requirements and provisions of this Ordinance. Vendors' Associations shall provide a list of their members to the Local Market Committee.

Section 12. Continuing Registration of Vendors. - The Local Market Committee shall establish a system of continuing registration of Bacolod resident vendors, ambulant vendors, or peddlers and market vendors.

Section 13. Penalties. Any person or persons found guilty of violating provisions of this ordinance shall be penalized by the following:

Violation	Fines/Penalties
1. Selling of wares/products in a public place without the required certification and ID;	<p>Automatic dismantling of stalls and impounding of products; the impounded products may be retrieved from the Local Market Committee after payment of the following fines:</p> <p>First Offense - P300.00 Second Offense - P500.00 Third Offense - P1000.00</p> <p>However, impounded products may only be retrieved based on the following schedule:</p> <p>Agricultural Products and Cooked Food - after four (4) hours but within five (5) days;</p> <p>Other Products - after One (1) day but within five (5) days</p> <p>Agricultural products and cooked food not retrieved after six hours shall be donated to charitable institutions.</p> <p>Other products not retrieved after (5) days shall be sold at a public auction.</p>
2. Failure to wear the prescribed ID 3. Failure to observe the proper time of selling 4. Selling of unauthorized goods 5. Vending outside prescribed areas 6. Construction of additional structures outside the prescribed limit 7. Inability to maintain cleanliness 8. Use of stalls as sleeping or drinking areas	<p>First Offense - Php 100.00</p> <p>Second Offense - Confiscation of Products</p> <p>Third Offense - Revocation of Certification</p>
9. Failure to pay the daily fee for 15 days 10. Assignment or subleasing of stalls 11. Construction / operation of additional stalls 12. Inability to sell for 5 consecutive days without properly notifying the Local Market Committee	<p>Automatic revocation of the Certification</p>

Section 14. Repealing Clause. - All ordinances and policies of the Government of Bacolod City contrary or inconsistent with this Ordinance are deemed repealed.

Section 15. Separability Clause. - Should any part of this Ordinance be declared unconstitutional or invalid by proper authority, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

Section 16. Effectivity. - This Ordinance shall take effect fifteen (15) days after its publication.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors : Jude Thaddeus A. Sayson, Israel P. Salanga, Cindy T. Rojas, Em L. Ang, Al Victor A. Espino, Vladimir S. Gonzalez, Renecito S. Novero, Jason Isidro S. Villarosa, Claudio Jesus Raymundo A. Puentevella, Simplicia Z. Distrito, Celia Matea R. Flor, Psyche Marie E. Sy, Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villaflor.

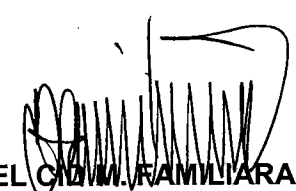
Negative : None.

Absent : None.

Author : Councilor Celia Matea R. Flor.

Passed : October 19, 2022 (16th Regular Session of the 11th Council).

Comments : Passed.


EL CID M. FAMILIARAN
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. VIGENTE C. PETIERRE III
Secretary to the Sanggunian

APPROVED: NOVEMBER 03, 2022.


ALFREDO ABELARDO B. BENITEZ
City Mayor

VCP/CGT/jbz

SP LEGISLATIVE
SERVICES SECTION
DATE: 11/3/2022 TIME: 11:30am
BY: 