

14

Item No.: 14
Date: 21 MAR 2023

SP Records
MAR 09 2023

Republic of the Philippines
PROVINCE OF LEYTE

SANGGUNIANG PANLALAWIGAN
MAR 07 2023
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
February 27, 2023

Province of Leyte
Legal Office
Released: [Signature]
Time: 9:11
Date: 3.2.23

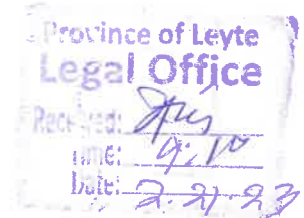
Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 18, S. 2022-2025 of the SB of Villaba, Leyte recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447 (3), (iii) of the Code, Provided, That, pursuant to Section 186 thereof, "Fees or Charges shall not be unjust, excessive, oppressive, confiscatory, or contrary to declared national policy".

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer [Signature]


Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
21 February 2023



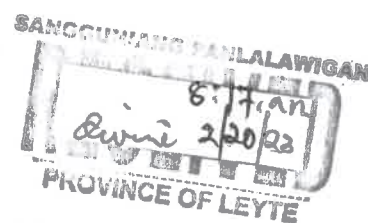
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 18, S. 2022-2025** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: AN ORDINANCE REGULATING THE AWARDING OF MARKET STALLS AND IMPOSING RENTALS THEREOF.


FLORINDA JILL S. UYVICO
Provl. Govt. Dept. Head



February 20, 2023

THE SANGGUNIANG PANLALAWIGAN MEMBERS
New Provincial Government Complex
Campetic, Palo, Leyte



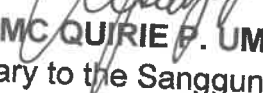
Honorable Sangguniang Panlalawigan Members:

We respectfully transmit herewith Fifteen (15) copies of:

Municipal Ordinance No. 18, S-2022-2025 "AN ORDINANCE REGULATING THE
AWARDING OF MARKET STALLS AND IMPOSING RENTALS THEREOF" for your
information and appropriate action.

God bless and more power.

Very truly yours,


MC QUIRIE P. UMPAD
Secretary to the Sangguniang Bayan



SANGGUNIANG PANLALAWIGAN

MUNICIPAL ORDINANCE NO. 18, S-2022-2025

Handwritten signature and date: *Divina 2/20/23*

AN ORDINANCE REGULATING THE AWARDING OF MARKET STALLS AND IMPOSING RENTALS THEREOF

EXPLANATORY NOTE

It is a declared policy of the Local Government Unit of Villaba 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.

The Local Government Code of 1991 states 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 Code which shall accrue exclusively to the local government unit consistent with the basic policy of local autonomy.

The local council was tasked by the Local Chief Executive to pass an Ordinance for the imposition of stall rights and monthly rentals in the newly constructed 20 stalls at Building No. 10 in the Municipal Public Market. Hence, the passage of this ordinance.

**CHAPTER I
GENERAL PROVISION**

SECTION 1. – TITLE. This ordinance shall be known as the “Regulation on the Awarding of Market Stalls of Villaba.”

SECTION 2. – SCOPE. The ordinance shall govern the public market stalls in Building 10 which is owned and managed by the local government unit of Villaba.

SECTION 3. – POLICY. It is the policy of the Local Government Unit of Villaba 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.

 ROGELIO J. BAAY Sangguniang Bayan Member/ Temporary Presiding Officer	 JULIA KATRINA L. CON-UI Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE CASASAS, SR. Sangguniang Bayan Member
 MERIAM P. UMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 FEDERICO ENSOY SK Federation Vice President
 MARIAN V. DE CLARO LNB President	 MC QUIRIE P. UMPAD Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

SECTION 4. – DEFINITION OF TERMS. As used in this Ordinance, the following terms are defined as follows:

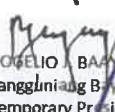
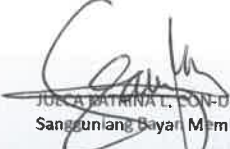
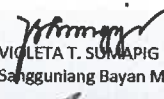

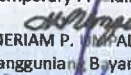
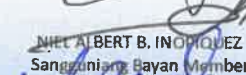


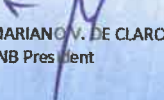
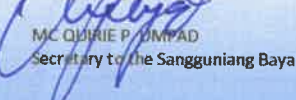
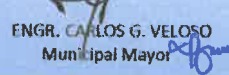
- a. **Public Market** – refers to any structure building or place of any kind which have been established, designated, or authorized by the Municipal Council, whether government or privately-owned and operated dedicated to the service of the general public where basic food items and other commodities are displayed and offered for sale.
- b. **Government-owned and/or Operated Markets** – are those established by any public funds or those lease/acquired by any legal modes or means from persons, natural, or juridical to be operated by the government either through its instrumentality, branch or political subdivisions.
- c. **Market Stalls** – 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 purposes of selling his/her goods or commodities or service.

CHAPTER II
AWARDING OF STALLS AND CANCELLATION OF AWARDS

SECTION 5. – APPLICATION. Filipino citizens who are actual residents of the Municipality of Villaba 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 Municipal Treasurer in a form prescribed herein.

SECTION 6. – 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 Villaba or use or occupy any stall without first having been assigned as such in the manner prescribed in this Ordinance.
- b. Vendors shall be assigned to their respective stalls according to the nature of the merchandise intended for sale.
- c. Dwellings in stall 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.

 ROFELIO A. BAA Sangguniang Bayan Member/ Temporary Presiding Officer	 JUCA PATRINA L. SONDJI Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE S. CASAS, SR. Sangguniang Bayan Member
 MERIAM P. UMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROQUE M. COMBIA Sangguniang Bayan Member	 FEDERICO ENSOY SK Federation Vice President
 MARIANO V. DE CLARO LNB President	 MC QUIRIE P. UMPAD Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

SECTION 7. – PARTNERSHIP WITH STALLHOLDER. A market stallholder who enters into a business partnership with any part 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, that the partnership is registered to the Municipal Treasurer. 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.

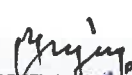







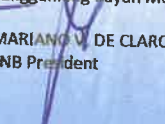
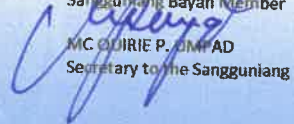

SECTION 8. –PROHIBITION FOR SUBLEASING OR SELLING OF PRIVILEGE TO OCCUPY STALL. No person shall be allowed to sublease to others to whom the stall is awarded. A person, other than the stallholder found sub-leasing or selling the stall to the latter shall be prima facie evidence of subleasing and shall subject the stallholder to outright revocation of his/her lease award.

SECTION 9. –NUMBER OF STALLS TO ONE PERSON. 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 allocated in the same section of the market. 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 and daughters to hold stalls unless the latter are already married and with their families of their own support or when they are already living by themselves.

SECTION 10. – DURATION OF REGULAR LEASE. Any awarded lease in any form upon approval of this Ordinance shall be five (5) years renewable contract subject to review by the Market Administrator, 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 the contract. In case of violations, said stall shall be declared vacant and will be declared available for occupancy to any new qualified applicant.

SECTION 11. – AWARDING OF VACANT STALLS. Vacant and newly constructed stall shall be awarded in the following manner:

- a. Notice of vacancy shall be placed or hung above the vacant newly constructed stalls so as to advise the public that such stall or booths are available for lease. The notice shall specify the number of the stall, the section where it is located and the deadline of filing an application for occupancy. The notice shall be printed on a cardboard or any other hard materials.
- b. The notice shall remain posted for a period of not less than ten (10) days immediately preceding the date of the award.
- c. The application for below shall be signed and submitted to the Municipal Treasurer by the applicant accompanied with two (2) copies of latest picture. The Municipal Treasurer shall acknowledge receipt of the said application form, setting forth therein the time and date of receipt and keep it in a record book

 ROGELIO J. BAYAN Sangguniang Bayan Member/ Temporary Presiding Officer	 JULIA KATRINA L. CON-UI Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE S. CASAS, SR. Sangguniang Bayan Member
 MERIAM P. OMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOCENCIO Sangguniang Bayan Member	 ROQUE M. COMPAD Sangguniang Bayan Member	 FEDERICO ENSOY SK Federation Vice President
 MARIANO V. DE CLARO LNB President	 MC ODJIE P. OMPAD Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

SECTION 12. – DEATH OF LESSEE AND SUCCESSION. Upon the death of the stallholders, the stall shall be declared ipso facto vacant. However, if the deceased leaves surviving spouse or legal heir who is not qualified under the provisions of this ordinance and who desired to continue the business of the deceased, the lease may be transferred to the deceased legal heir if qualified lease stall, upon application. Provided that the Market Administrator 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 ordinance.

SECTION 13. – 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 his/her. The Market Administrator or his duly authorized representative shall see to it that stalls are all accounted for.

SECTION 14. – LIMITATIONS ON CONSTRUCTION AND REMOVAL OF STRUCTURES. No stallholder shall construct, repair, renovate or undertake any kind of construction of stalls without first securing a permit from the Market Administrator. Stalls constructed/repared or renovated in violations of this section may be removed or destroyed by the Market Administrator and/or his employees. No lessee shall remove, construct, and alter the original structure of any stall or electrical wiring or water connection without prior permit from the Market Administrator.

SECTION 15. – EJECTED STALLHOLDERS DISQUALIFIED TO PARTICIPATE IN THE APPLICATION OF NEW STALLS. Should a stallholder be ejected from his/her stall for valid cause as provided in this Code, he/she and his/her helpers are disqualified from leasing again said stall or of any other stall in the market for a period of one (1) year.


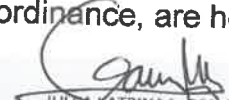






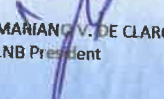
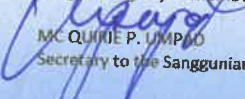

CHAPTER III MARKET STALL AND OTHER FEES

SECTION 16. – MARKET STALL AND OTHER FEES. Awardees of stall in the market owned and operated by the Municipality shall pay the fees as follows:

SECTION	RENTAL Per Month
1. Dry Goods and Sari-Sari	Php 1,500.00
2. Vegetables and Fruits	Php 1,200.00
3. Miscellaneous and other Special Services	Php 1,200.00

CHAPTER IV FINAL PROVISIONS

SECTION 17. – REPEALING CLAUSE. Any Ordinances which are in conflict with any provisions of this ordinance, are hereby repealed or modified accordingly.


 ROGELIO BAAY Sangguniang Bayan Member/ Temporary Presiding Officer	 IULCA KATRINAL CONCH Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELICE S. CASAS, SR. Sangguniang Bayan Member
 MERIAM P. UMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOPIITUEZ Sangguniang Bayan Member	 ROQUE M. COMBRA Sangguniang Bayan Member	 FEDERICO ENSOY SK Federation Vice President
 MARIANG V. DE CLARO LNB President	 MC QUIRRE P. UMPAD Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

SECTION 18. – SEPARABILITY CLAUSE. If for any reason, any section or provision of this ordinance shall be held to be unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

SECTION 19. – DATE OF EFFECTIVITY. This Ordinance shall take effect upon approval.

NOW THEREFORE, on motion for approval by the Sangguniang Bayan Member Meriam P. Umpad, duly seconded en masse, this ordinance was approved.

This Ordinance was approved by the Sangguniang Bayan on January 23, 2023.


MC QUIRIE P. UMPAD
Secretary to the Sanggunian

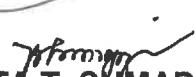
ATTESTED:

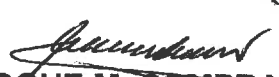
ROGELIO J. BAAY

Sangguniang Bayan Member/Temporary Presiding Officer


JULCA KATRINA L. CON-UI
Sangguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member



VIOLETA T. SUMAPIG
Sangguniang Bayan Member


ROQUE M. COMPRA
Sangguniang Bayan Member


FELIPE S. CASAS, SR.
Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


MERIAM P. UMPAD
Sangguniang Bayan Member


MARIANO V. DE CLARO
LNB President


FEDERICO ENSOY
SK Federation President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

COMMITTEE REPORT NO. 01, S-2023
Committee on Business and Development

The Committee on Business and Development conducted a Committee Hearing last December 12, 2022 at the Sangguniang Bayan Session Hall, which was attended by Hon. Meriam P. Umpad, Chairman Committee on Business and Development and author of the said ordinance, Mr Teddy L. Vapor, Municipal Administrator, Mrs. Alicia Devota, representative of the Municipal Treasurer's Office and some vendors who has the intentions to apply for the stall.

The committee hearing started at 1:36 in the afternoon which was presided by Hon. Meriam P. Umpad.

Hon. Umpad discussed that whoever is a Filipino citizens and actual residents of the Municipality of Villaba shall be given preference in the award of public market stalls. All application to lease or rent shall be filled to the Office of the Municipal Treasurer in a form prescribed in the ordinance.

It was also discussed that no person shall sell, offer or exposed for sale any article or articles in any public market within the Municipality of Villaba or use to occupy any stall without first having been assigned as such in the manner prescribed in the ordinance.

She also discussed that dwellings in the stall or any place within the market premises is strictly prohibited and any person other than the stallholder or his, her partner or helpers found conducting any business at the stall shall be required to pay rent in addition to the corresponding rents collected from the from the regular holder or lease.

She also discussed that no person shall be allowed to sublease to others to whom the stall is awarded.

Hon. Umpad mentioned that any awarded lease upon approval of this ordinance shall be five (5) years renewable contract subject to review by the office of the Municipal Treasurer.

She also mentioned the following fees which will be paid by the awardee of stalls

SECTION	RENTAL PER MONTH
1.Dry Goods and Sari-sari	1,500.00
2.Vegetables and fruits	1,200.00
3.Miscellaneous and other Special Fees	1,200.00

The Committee hearing ended at 2:08 in the afternoon.


HON. MERIAM P. UMPAD
Chairman


HON. ELLY MARIA N. ENEVOLDSEN
Member


HON. NIEL ALBERT B. INOPIQUEZ
Member



Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 18, S-2022-2025

AN ORDINANCE REGULATING THE AWARDING OF MARKET STALLS AND IMPOSING RENTALS THEREOF

APPROVED:
(SGD)ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for (1) 04 consecutive weeks in its EV Mail _____
EV Mail Feb. 6-12, 2023 _____ issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this _____ day of _____, 20__ in Ormoc City.

JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this _____ day of _____ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc,
Municipalities of Ananga, Matagob,
Hermis and Isabel
MC No. 2012-22-12-00000, issued on 07/09/2012
Valid until Dec 31, 2024
PTR No. 7450200-0003/0221, Ormoc
IBF No. 3519210-0079/0221, Leyte
Roll of Attorney No. 51675
TIN 27-093-130
ICL Compliance No. VI 0014640
Valid until April 14, 2025

Doc No. : 291
Page No.: 09
Book No.: 43
Series of 20 23



Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 18, S-2022-2025

AN ORDINANCE REGULATING THE AWARDING OF MARKET STALLS AND IMPOSING RENTALS THEREOF

APPROVED:
(SGD)ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for (1) 014 consecutive weeks in its EV Mail _____
EV Mail Feb. 6-12, 2023 issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this _____ day of _____, 20__ in Ormoc City.


JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this _____ day of _____ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc,
Municipality of Sananga, Province of
Leyte and Iabel
PIC No. 24822-12-000002 issued on 07/09/2014
Valid until 07/09/2024
PTR No. 7456202-0003/023, Ormoc
BR No. 2559700-0001/0221, Leyte
Roll of Attorney No. 51625
IIN 27-093-130
JL Compliance No. VI 001490
Valid until April 14, 2025

Doc No. : 291
Page No.: 09
Book No.: 43
Series of 20 23



Republic of the Philippines
Province of Leyte

Municipality of Villaba

OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN

MUNICIPAL ORDINANCE NO. 18, S-2022-2025

8:17am
June 22, 2023

AN ORDINANCE REGULATING THE AWARDING OF MARKET STALLS AND IMPOSING RENTALS THEREOF

PROVINCE OF LEYTE

EXPLANATORY NOTE

It is a declared policy of the Local Government Unit of Villaba 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.

The Local Government Code of 1991 states 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 Code which shall accrue exclusively to the local government unit consistent with the basic policy of local autonomy.

The local council was tasked by the Local Chief Executive to pass an Ordinance for the imposition of stall rights and monthly rentals in the newly constructed 20 stalls at Building No. 10 in the Municipal Public Market. Hence, the passage of this ordinance.

CHAPTER I GENERAL PROVISION

SECTION 1. – TITLE. This ordinance shall be known as the "Regulation on the Awarding of Market Stalls of Villaba."

SECTION 2. – SCOPE. The ordinance shall govern the public market stalls in Building 10 which is owned and managed by the local government unit of Villaba.

SECTION 3. – POLICY. It is the policy of the Local Government Unit of Villaba 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.

ROGELIO A. BAA
Sangguniang Bayan Member/
Temporary Presiding Officer

MERIAM R. UMPAD
Sangguniang Bayan Member

MARIANO V. DE CLARO
LNB President

JULCA KATRINA L. CON-UI
Sangguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member

MC QUIRIE R. UMPAD
Secretary to the Sangguniang Bayan

VIOLETA T. SUMAPIG
Sangguniang Bayan Member

ROQUE M. COMPA
Sangguniang Bayan Member

FELIPE S. CASAS, SR.
Sangguniang Bayan Member

FEDERICO D. ROSA
SK Federation Vice President

ENGR. CARLOS G. VELOSO
Municipal Mayor

SECTION 4. – DEFINITION OF TERMS. As used in this Ordinance, the following terms are defined as follows:

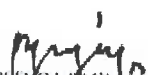



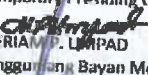
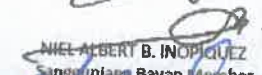
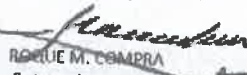

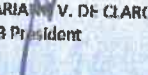
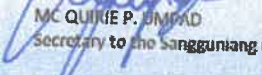

- a. Public Market – refers to any structure building or place of any kind which have been established, designated, or authorized by the Municipal Council, whether government or privately-owned and operated dedicated to the service of the general public where basic food items and other commodities are displayed and offered for sale.
- b. Government-owned and/or Operated Markets – are those established by any public funds or those lease/acquired by any legal modes or means from persons, natural, or juridical to be operated by the government either through its instrumentality, branch or political subdivisions.
- c. Market Stalls – 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 purposes of selling his/her goods or commodities or service.

CHAPTER II
AWARDING OF STALLS AND CANCELLATION OF AWARDS

SECTION 5. – APPLICATION. Filipino citizens who are actual residents of the Municipality of Villaba 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 Municipal Treasurer in a form prescribed herein.

SECTION 6. – 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 Villaba or use or occupy any stall without first having been assigned as such in the manner prescribed in this Ordinance.
- b. Vendors shall be assigned to their respective stalls according to the nature of the merchandise intended for sale.
- c. Dwellings in stall 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.

 ROGELIO I. BAY Sangguniang Bayan Member/ Temporary Presiding Officer	 ILIECA TRINIDAD I. CON-UI Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE S. CASAS, SR. Sangguniang Bayan Member
 MERIAM P. LIMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROGUE M. COMPRA Sangguniang Bayan Member	 FEDERICO FAJON SK Federation Vice President
 MARIAN V. DE CLARO INB President	 MC QUIQUE P. LIMPAD Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

SECTION 7. – PARTNERSHIP WITH STALLHOLDER. A market stallholder who enters into a business partnership with any part 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, that the partnership is registered to the Municipal Treasurer. 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.

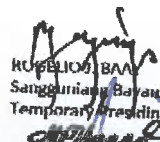


SECTION 8. –PROHIBITION FOR SUBLEASING OR SELLING OF PRIVILEGE TO OCCUPY STALL. No person shall be allowed to sublease to others to whom the stall is awarded. A person, other than the stallholder found sub-leasing or selling the stall to the latter shall be prima facie evidence of subleasing and shall subject the stallholder to outright revocation of his/her lease award.

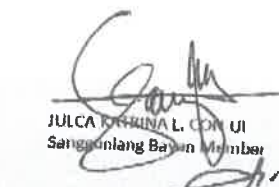
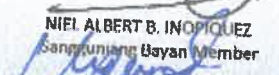
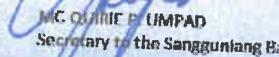
SECTION 9. –NUMBER OF STALLS TO ONE PERSON. No person shall be allowed to lease more than one stall. Provided, that when two stalls are leased to one person, such stall shall adjoin one another and shall be allocated in the same section of the market. Provided further, that it shall be a violation of this section for more than one member of a family consisting of a father, mother, sons and daughters to hold stalls unless the latter are already married and with their families of their own support or when they are already living by themselves.

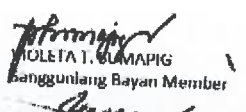
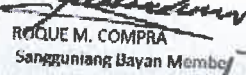
SECTION 10. – DURATION OF REGULAR LEASE. Any awarded lease in any form upon approval of this Ordinance shall be five (5) years renewable contract subject to review by the Market Administrator, who will determine if the conditions of the lease/award are faithfully complied with by the stallholder/awardee during his last five (5) years preceding the contract. In case of violations, said stall shall be declared vacant and will be declared available for occupancy to any new qualified applicant.

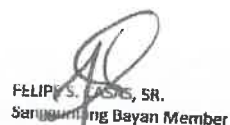
SECTION 11. – AWARDING OF VACANT STALLS. Vacant and newly constructed stall shall be awarded in the following manner:

- a. Notice of vacancy shall be placed or hung above the vacant newly constructed stalls so as to advise the public that such stall or booths are available for lease. The notice shall specify the number of the stall, the section where it is located and the deadline of filing an application for occupancy. The notice shall be printed on a cardboard or any other hard materials.
- b. The notice shall remain posted for a period of not less than ten (10) days immediately preceding the date of the award.
- c. The application for below shall be signed and submitted to the Municipal Treasurer by the applicant accompanied with two (2) copies of latest picture. The Municipal Treasurer shall acknowledge receipt of the said application form, setting forth therein the time and date of receipt and keep it in a record book


RUBEN B. BALA
Sangguniang Bayan Member/
Temporary Presiding Officer

MERIAM P. LUMPAD
Sangguniang Bayan Member

MARIANO V. DE CLARO
LNB President


JULCA RETHINA L. CON UL
Sangguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member

MC. LOURIE B. LUMPAD
Secretary to the Sangguniang Bayan


VIOLETA T. LUMPANG
Sangguniang Bayan Member

ROQUE M. COMPRA
Sangguniang Bayan Member


FELIPE S. CASPE, SR.
Sangguniang Bayan Member


FEDERICO
SK Federation Vice President


ENGR. CARLOS G. VELOSO
Municipal Mayor

SECTION 12. – DEATH OF LESSEE AND SUCCESSION. Upon the death of the stallholders, the stall shall be declared ipso facto vacant. However, if the deceased leaves surviving spouse or legal heir who is not qualified under the provisions of this ordinance and who desired to continue the business of the deceased, the lease may be transferred to the deceased legal heir if qualified lease stall, upon application. Provided that the Market Administrator 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 ordinance.

SECTION 13. – 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 his/her. The Market Administrator or his duly authorized representative shall see to it that stalls are all accounted for.

SECTION 14. – LIMITATIONS ON CONSTRUCTION AND REMOVAL OF STRUCTURES. No stallholder shall construct, repair, renovate or undertake any kind of construction of stalls without first securing a permit from the Market Administrator. Stalls constructed/repared or renovated in violations of this section may be removed or destroyed by the Market Administrator and/or his employees. No lessee shall remove, construct, and alter the original structure of any stall or electrical wiring or water connection without prior permit from the Market Administrator.

SECTION 15. – EJECTED STALLHOLDERS DISQUALIFIED TO PARTICIPATE IN THE APPLICATION OF NEW STALLS. Should a stallholder be ejected from his/her stall for valid cause as provided in this Code, he/she and his/her helpers are disqualified from leasing again said stall or of any other stall in the market for a period of one (1) year.

**CHAPTER III
MARKET STALL AND OTHER FEES**

SECTION 16. – MARKET STALL AND OTHER FEES. Awardees of stall in the market owned and operated by the Municipality shall pay the fees as follows:

SECTION	RENTAL Per Month
1. Dry Goods and Sari-Sari	Php 1,500.00
2. Vegetables and Fruits	Php 1,200.00
3. Miscellaneous and other Special Services	Php 1,200.00

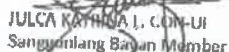
**CHAPTER IV
FINAL PROVISIONS**

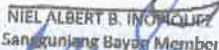
SECTION 17. – REPEALING CLAUSE. Any Ordinances which are in conflict with any provisions of this ordinance, are hereby repealed or modified accordingly.


RIGIDIO BAY
Sangguniang Bayan Member/
Temporary Presiding Officer

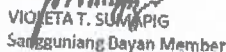

MERIAM P. UMPAD
Sangguniang Bayan Member


MARIANO MOF CLARO
LNB President


JULCA KATHIA L. CON-UI
Sangguniang Bayan Member

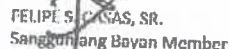

NIEL ALBERT B. INOPIQUIZ
Sangguniang Bayan Member


MC CLARIE V. UMPAD
Secretary to the Sangguniang Bayan


VIOLETA T. SUMPING
Sangguniang Dayan Member


ROQUE M. COMPIRA
Sangguniang Bayan Member


ENGR. CARLOS G. VELOSO
Municipal Mayor


FELIPE S. CASAS, SR.
Sangguniang Bayan Member



FEDERICO E. ERIC
SK Federation Vice President

SECTION 18. – SEPARABILITY CLAUSE. If for any reason, any section or provision of this ordinance shall be held to be unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

SECTION 19. – DATE OF EFFECTIVITY. This Ordinance shall take effect upon approval.

NOW THEREFORE, on motion for approval by the Sangguniang Bayan Member Meriam P. Umpad, duly seconded en masse, this ordinance was approved.

This Ordinance was approved by the Sangguniang Bayan on January 23, 2023.



MC QUIRIE P. UMPAD
Secretary to the Sanggunian

ATTESTED:

ROGELIO J. BAAY

Sangguniang Bayan Member/Temporary Presiding Officer


JULCA KATRINA L. CON-UI
Sangguniang Bayan Member



VIOLETA T. SUMAPIG
Sangguniang Bayan Member


FELIPE S. CASAS, SR.
Sangguniang Bayan Member

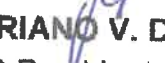

MERIAM P. UMPAD
Sangguniang Bayan Member


FEDERICO ENSOY
SK Federation President


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member


ROQUE M. COMPRA
Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


MARIANO V. DE CLARO
LNB President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

COMMITTEE REPORT NO. 01, S-2023
Committee on Business and Development

The Committee on Business and Development conducted a Committee Hearing last December 12, 2022 at the Sangguniang Bayan Session Hall, which was attended by Hon. Meriam P. Umpad, Chairman Committee on Business and Development and author of the said ordinance, Mr Teddy L. Vapor, Municipal Administrator, Mrs. Alicia Devota, representative of the Municipal Treasurer's Office and some vendors who has the intentions to apply for the stall.

The committee hearing started at 1:36 in the afternoon which was presided by Hon. Meriam P. Umpad.

Hon. Umpad discussed that whoever is a Filipino citizens and actual residents of the Municipality of Villaba shall be given preference in the award of public market stalls. All application to lease or rent shall be filled to the Office of the Municipal Treasurer in a form prescribed in the ordinance.

It was also discussed that no person shall sell, offer or exposed for sale any article or articles in any public market within the Municipality of Villaba or use to occupy any stall without first having been assigned as such in the manner prescribed in the ordinance.

She also discussed that dwellings in the stall or any place within the market premises is strictly prohibited and any person other than the stallholder or his, her partner or helpers found conducting any business at the stall shall be required to pay rent in addition to the corresponding rents collected from the from the regular holder or lease.

She also discussed that no person shall be allowed to sublease to others to whom the stall is awarded.

Hon. Umpad mentioned that any awarded lease upon approval of this ordinance shall be five (5) years renewable contract subject to review by the office of the Municipal Treasurer.

She also mentioned the following fees which will be paid by the awardee of stalls

SECTION	RENTAL PER MONTH
1. Dry Goods and Sari-sari	1,500.00
2. Vegetables and fruits	1,200.00
3. Miscellaneous and other Special Fees	1,200.00

The Committee hearing ended at 2:08 in the afternoon.


HON. MERIAM P. UMPAD
Chairman


HON. ELLY MARIA N. ENEVOLDSEN
Member


HON. NIEL ALBERT B. INOPIQUEZ
Member



Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 18, S-2022-2025

AN ORDINANCE REGULATING THE AWARDING OF MARKET STALLS AND IMPOSING RENTALS THEREOF

APPROVED:
(SGD)ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for (1) 01 consecutive weeks in its EV Mail EV Mail-Ech. 6-12, 2023 issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this _____ day of _____, 20__ in Ormoc City.

Jima Zandra Vergara
JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this _____ day of _____ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc,
Philippines of Sananga, Matag-ob,
Boracay Island
NC No. 12822-22-12-00000 issued on 01/01/2024
Valid until Dec 31, 2024
PTR No. 7456200-0003/2023, Ormoc
IBR No. 2519200-0000/2021, Leyte
Roll of Attorneys No. 51675
TIN: 27-093-110
LE Compliance No. VI 0014640
Valid until April 14, 2025

Doc No.: 291
Page No.: 99
Book No.: 43
Series of 20 23