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Item No.: 18

Date: 21 2023 NOV

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

11/14/23  
1:57 PM  
PROVINCE OF LEYTE

**PROVINCIAL LEGAL OFFICE**

Province of Leyte  
Legal Office  
Released: [Signature]  
Time: 1:57 PM  
Date: 11-14-23

2<sup>nd</sup> INDORSEMENT  
November 13, 2023

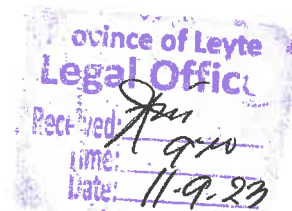
Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 45 2023-2025 of the Sangguniang Bayan of Villaba, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447 (2)(v)<sup>i</sup> of the Code.

  
**ATTY. JOSE RAYMUND A. ACOL**  
Asst. Provincial Legal Officer

<sup>i</sup> (v) Appropriate funds for the construction and maintenance or the rental of buildings for the use of the municipality and, upon the majority vote of all the members of the sangguniang bayan, authorize the municipal mayor to lease to private parties such public buildings held in a proprietary capacity, subject to existing laws, rules and regulations;

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**



**1<sup>ST</sup> INDORSEMENT**  
09 November 2023

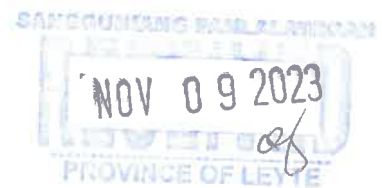
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 45, S. 2023-2025** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: **An Ordinance Regulating The Application To Lease Market Stalls And Imposing Fees Thereof.**

  
**ANDRES SANICO**  
Provl. Govt. Asst. Dept. Head



November 9, 2023

**THE VICE GOVERNOR**  
Province of Leyte  
New Provincial Government Complex  
Campetic, Palo, Leyte



Mr. Vice Governor,

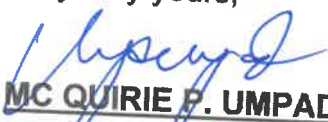
We respectfully transmit herewith Fifteen (15) copies of:

**Municipal Ordinance No. 45, S-2023-2025 "AN ORDINANCE REGULATING THE APPLICATION TO LEASE MARKET STALLS AND IMPOSING FEES THEREOF,"**

for your review and approval.

Best regards.

Very truly yours,

  
**MC QUIRIE P. UMPAD**  
Secretary to the Sanggunian

Copy furnished:

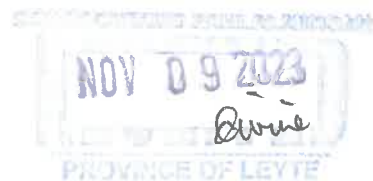
**THE LOCAL CHIEF EXECUTIVE OFFICE**  
**HRMO**  
**MUNICIPAL ACCOUNTING OFFICE**  
**MUNICIPAL TREASURY OFFICE**  
**MUNICIPAL BUDGET OFFICE**  
Local Government Unit  
Villaba, Leyte



**MUNICIPAL ORDINANCE NO. 45, S-2023-2025**

**AN ORDINANCE REGULATING THE APPLICATION TO LEASE MARKET STALLS  
AND IMPOSING FEES THEREOF**

Author: Meriam P. Umpad  
Sangguniang Bayan Member



**EXPLANATORY NOTE**

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.

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 Sangguniang Bayan was tasked by the Local Chief Executive to pass an Ordinance for the imposition of stall rights in the newly constructed 20 stalls at Building No. 10 in the Municipal Public Market relative to Municipal Ordinance No. 18, S-2022-2025.


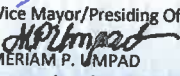
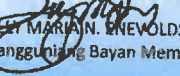


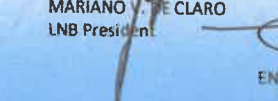





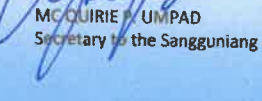
Hence, the passage of this ordinance.

**CHAPTER I  
GENERAL PROVISION**

**SECTION 1. – TITLE.** This ordinance shall be known as the “Regulation for the Application to Lease Market Stalls in Villaba.”

**SECTION 2. – SCOPE.** The ordinance shall govern all public market stalls in Building 10 which is owned and managed by the Municipality 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.

 <b>DENNIS L. SY</b> Vice Mayor/Presiding Officer  <b>MERIAM P. UMPAD</b> Sangguniang Bayan Member  <b>MARIAM ENEVOLDSEN</b> Sangguniang Bayan Member	 <b>JULIA KATRINA V. CON-UI</b> Sangguniang Bayan Member  <b>NIEL ALBERT E. INOPLAUEZ</b> Sangguniang Bayan Member  <b>MARIANO V. DE CLARO</b> LNB President	 <b>VIOLETA T. SUMAPIG</b> Sangguniang Bayan Member  <b>ROQUE M. COMPRÁ</b> Sangguniang Bayan Member  <b>FEDERICO DERAS</b> SK Federation Vice President <b>ENGR. CARLOS G. VELOSO</b> Municipal Mayor	 <b>FELIPE S. CASAS, SR.</b> Sangguniang Bayan Member  <b>ROBERTO J. BAAY</b> Sangguniang Bayan Member  <b>MCQUIRIE P. UMPAD</b> Secretary to the Sangguniang Bayan
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**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. 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.
- c. 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.
- d. Lease/Award – refers to the document that grants to lessee/tenant the right to occupy the stall. Lease or award as a term may be used interchangeably and shall mean the same.
- e. Stall Rights Fee – refers to the fee paid to and collected by the Municipal Government thru the Municipal Treasurer's Office for the rights and privilege of using the stalls in building 10.

**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.

A Stall Rights Fee of Ten Thousand Pesos (Php 10,000.00) shall be collected to cover the necessary expenses relative to the award and lease of the stall and any excess thereof shall form part of the general fund.

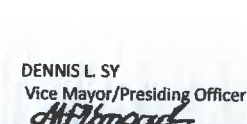
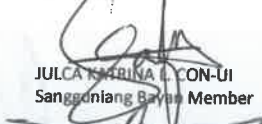
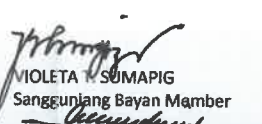

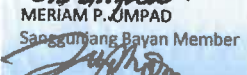

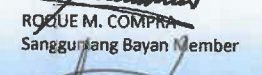

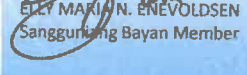


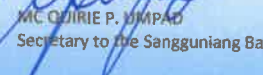

The application form to be issued by the Municipal Treasurer's Office shall be in the following form which shall be made under oath:

**"APPLICATION TO LEASE MARKET STALL**

**The Municipal Mayor**  
Villaba, Leyte

Mayor:

I have the honor of applying for the lease of Market Stall No. \_\_\_ at the building 10 of the Villaba Public Market. I am \_\_\_ years of age, \_\_\_ citizen, and a resident of Barangay \_\_\_\_\_ for \_\_\_ months/years.

 DENNIS L. SY Vice Mayor/Presiding Officer	 JULCA SABRINA L. CON-UI Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELICE S. CASAS, SR. Sangguniang Bayan Member
 MERIAM P. JUMPAD Sangguniang Bayan Member	 NIEL ALBERTO B. INOPIQUEZ Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 ROWEL J. BAA Sangguniang Bayan Member
 ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member	 MARIANDOY DE CLARO LNB President	 FEDERICO ENSUA SK Federation Vice President	 MC QUIRIE P. JUMPAD Secretary to the Sangguniang Bayan
	 ENGR. CARLO G. VELOSO Municipal Mayor		

Should the above-mentioned stall be awarded to me for lease in accordance with Municipal Ordinance No. 18, S-2022-02025, other ordinances, rules and regulations, I promise to hold the same under the terms and conditions of the contract of lease and subject to the following undertakings:

- (1) That while I am occupying the stall, I shall at all times have the right to possess the awarded stall;
- (2) That I shall keep the stall at all times in good, clean and sanitary condition and comply strictly with all market rules and regulations on sanitation now existing or which may hereafter be promulgated;
- (3) That I shall pay the corresponding application and market stall fees for the stall in the manner prescribed in this Ordinance or in other pertinent ordinances;
- (4) That I shall not sell or transfer my rights or privilege to lease the stall, or otherwise permit other persons to conduct business therein.

Any violation on my part to any of the undertakings shall be a sufficient cause for market administrator to cancel or revoke the contract of lease to be executed in my favor.

Respectfully yours,

**NAME OF APPLICANT**

**SUBSCRIBED AND SWORN** to before me this \_\_\_ day of \_\_\_\_\_ in \_\_\_\_\_, application exhibiting to me his \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

**NOTARY PUBLIC”**

**SECTION 6. – 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.

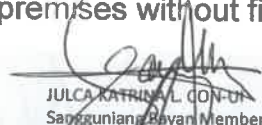
**SECTION 7. –PROHIBITION OF THE TRANSFER OF RIGHTS.** No lessee of any market shall convey, transfer, assign, mortgage, encumber or in any other manner dispose of his rights or interests thereto during the term of the contract. Any person other than the lessee, his helpers or registered partner/s or in case of death, the lessee’s surviving spouse or legal heir, found selling in the leased premises shall be prima facie evidence of transferring or sub-leasing. Such shall be a ground for the outright revocation of the contract of lease.

**SECTION 8. – INSURANCE.** The lessee shall not take any fire insurance on properties within the leased premises without first securing a written approval from the Market

  
DENNIS L. SY  
Vice Mayor/Presiding Officer

  
MERIAM P. UMPAD  
Sangguniang Bayan Member

  
LILY MARIA N. ENEVOLDSEN  
Sangguniang Bayan Member

  
JULCA KATRINA L. CON-OF  
Sangguniang Bayan Member

  
NIEL ALBERT S. INOCENCIO  
Sangguniang Bayan Member

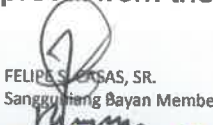
  
MARIANO T. DE CLARO  
LNB President

  
VIOLETA T. SUMAPIG  
Sangguniang Bayan Member

  
ROQUE M. COMBRA  
Sangguniang Bayan Member

  
FEDERICO LENSON  
SK President/Vice President

  
ENGR. CARLOS G. VELOSO  
Municipal Mayor

  
FELIPE S. ERASAS, SR.  
Sangguniang Bayan Member

  
ROGELIO J. BAAY  
Sangguniang Bayan Member

  
MC QUIRRE P. UMPAD  
Secretary to the Sangguniang Bayan

Administrator through the Municipal Treasurer. Neither shall the lessee insure his properties therein for an amount beyond the value thereof.

For this purpose, the lessee shall submit beforehand an inventory of the property or goods within the leased premises to be insured, subject to the inspection, review and verification by the Municipal Government through its duly authorized representatives.

**SECTION 9. - FORFEITURE OF RIGHTS.** Failure to occupy an awarded stall within sixty (60) days from the date of award shall mean automatic forfeiture of the right to lease the stall.

**SECTION 10. – REPEALING CLAUSE.** Any Ordinances which are in conflict with any provisions of this ordinance, are hereby repealed or modified accordingly.

**SECTION 11. – 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 12. – DATE OF EFFECTIVITY.** This Ordinance shall take effect upon its approval.

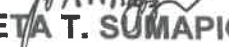
On motion by the Hon. Umpad, duly seconded by all the members of the Sangguniang Bayan, this ordinance was approved on July 17, 2023.


  
**MC QUIRIE P. UMPAD**  
Secretary to the Sanggunian Bayan

ATTESTED:


  
**DENNIS L. SY**  
Vice Mayor/Presiding Officer

  
**JULCA KATRINA L. CON-UI**  
Sangguniang Bayan Member

  
**VIOLETA T. SUMAPIG**  
Sangguniang Bayan Member

  
**MERIAM P. UMPAD**  
Sangguniang Bayan Member

  
**FELIPE S. CASAS, SR.**  
Sangguniang Bayan Member

  
**ROGELIO J. BAAY**  
Sangguniang Bayan Member

  
**NIEL ALBERT B. INOPIQUEZ**  
Sangguniang Bayan Member

  
**ROQUE M. COMPRA**  
Sangguniang Bayan Member

  
**ELLY MARIA N. ENEVOLDSEN**  
Sangguniang Bayan Member

  
**MARIANO V. DE CLARO**  
LNB President

  
**FEDERICO ENSOY**  
SK Federation President

APPROVED:

  
**ENGR. CARLOS G. VELOSO**  
Municipal Mayor

Date: SEP 07 2023



Republic of the Philippines  
Province of Leyte  
Municipality of Villaba

# OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE PUBLIC HEARING CONDUCTED BY THE COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT ON JULY 6, 2023 AT SANGGUNIANG BAYAN SESSION HALL.

**PRESENT:**

**HON. MERIAM P. UMPAD** - Chairman of the Committee on Business and Economic Development/Presiding Officer

**MRS. NICETA P. CONDES** - Municipal Treasurer

**MRS. ALICIA A. DEVOTA**- Municipal Local Revenue Collection Officer III/  
Designated BPLO

**APPLICANTS TO LEASE BUILDING 10 OF THE PUBLIC MARKET**

The Public Hearing was called to order by the Presiding Officer at 10:33 in the morning.

The Hon. Meriam P. Umpad led the singing of the Philippine National Anthem.

Hon. Elly Maria N. Enevoldsen led the prayer.

Roll call and Acknowledgment of the attendees.

**AGENDA:**

**Proposed Ordinance Regulating the Awarding of Market Stalls and Imposing Rentals Thereof.**

Hon. Umpad informed and discussed the process for the application to lease a market stall.

In the proposed ordinance, the indicated stall rights fee which must be paid prior to the occupation is Php 10,000.00 and there will be an application letter which will be submitted to the Treasurer's Office that needs to be filled up and notarized. Here, the applicants suggested to reduce the rental to ₱ 7,500.00 due to the competition in the market. However, the Hon. Umpad explained the rationale on why PHP 10,000.00 is beneficial for both the Local Government Unit and to the lessees. Eventually, the applicants agreed to the said rate as indicated in the proposed ordinance.

On the other hand, the applicants also raised their concerns about the garbage collection because the collector failed to announce or inform them as to the schedule of their collections, which the Presiding Officer took notice.

Eventually, the applicants agreed to the said rate as indicated and to all other provisions in the proposed ordinance.

The Committee Hearing ended at 11:00 in the morning.



No other matters were discussed.

The committee hearing was adjourned at 11:00 in the morning.

Prepared:

  
**HON. MERIAM P. UMPAD**  
Presiding Officer  
Chairman, Committee on Business and Economic Development

  
**HON. ELLY MARIA N. ENEVOLDSEN**  
Vice-Chairman

  
**HON. NEIL ALBERT B. INOPIQUEZ**  
Member

# ATTENDANCE SHEET

## PUBLIC HEARING ON THE PROPOSED ORDINANCE, ENTITLED: "AN ORDINANCE REGULATING THE APPLICATION TO LEASE MARKET STALLS AND IMPOSING FEES"


NAME	DESIGNATION	SIGNATURE
1 Jennifer Lapore		J Lapore
2 Bebetyn Bobcaver		B Bobcaver
3 Maciana Collamat		M Collamat
4 Marilyn Jurado		M Jurado
5 Emelda Bagmit		E Bagmit
6 STEPHANI Ulimin		S Ulimin
7 Emelda S. Baring		E Baring
8 Johnny C. Salazar		J Salazar
9 Maribel Ariel		M Ariel
10 Wilbert Longobert		W Longobert
11 Desideria A. Lucernas		D Lucernas
12 NITA POBADOTA		N POBADOTA
13 Paquito Joel U. Bontor		P Bontor
14 CRISTIE ZUIDEN		C ZUIDEN
15 Virginia P. Mababos		V Mababos
16 Chelme Quid		C Quid
17 NICEA P. CONDES		N CONDES
18 FELICIA A. DEVOTA		F DEVOTA
19 JANE JAMSON JAPOL		J JAPOL
20 LIZEL GRACE A. CALOR		L CALOR
21 LYRA L. DURENAS		L DURENAS
22 ANA LOU DALAG		A DALAG
23 ROGER A. CADILAR		R CADILAR
24 FRANCIS ALMERA M.		F ALMERA
25 MERIAM P. UMPAD	SB MEMBER	M UMPAD
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# NOTICE OF PUBLIC HEARING

[July 3, 2023]

**SUBJECT: PUBLIC HEARING ON THE PROPOSED ORDINANCE, ENTITLED “AN ORDINANCE REGULATING THE APPLICATION TO LEASE MARKET STALLS AND IMPOSING FEES THEREOF”**

The Sangguniang Bayan Committee on Business and Economic Development is inviting all **concerned citizens** affected by the proposed ordinance to attend the **Public Hearing** on **July 4, 2023 (10:30 AM)** at the **Sangguniang Bayan Session Hall**.

  
**MC QUIRIE P. UMPAD**  
Secretary to the Sanggunian



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. 45, S-2023-2025


#### **AN ORDINANCE REGULATING THE APPLICATION TO LEASE MARKET STALLS AND IMPOSING FEES THEREOF**

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

was published in said newspaper for (1) one consecutive weeks in its EV Mail EV Mail Sept. 11-17, 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 SEP 19 day of 2023, 20\_\_ in Ormoc City.

  
JIMA ZANDRA J. VERGARA  
Affiant

### VERIFICATION

SWORN AND SUBSCRIBED before me this SEP 19 2023 day of 2023 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 Kananga, Matag-ob,  
Merida and Isabel  
NC No. ORM-22-12-028-101, Issued on 01/01/2023  
Valid until December 31, 2024.  
PTR No. 7450208, 01/03/2023, Ormoc City  
IBP No. 255920, 12/29/20221, Leyte  
Roll of Attorney No. 51625  
TIN 207-693-130  
MCLE Compliance No. VI-0014640  
Valid until April 14, 2025

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