

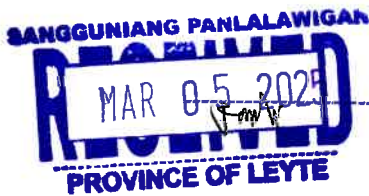
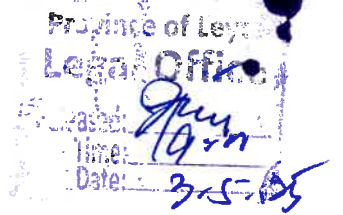
Item No.: 09

Date: 11.1 2025 MAR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 24-32 of the Sangguniang Bayan of Burauen, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 24-32 entitled: “An Ordinance amending certain provisions of Municipal Ordinance No. 11-06 , etc.”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power for it is within the powers of the Local Council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution¹. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

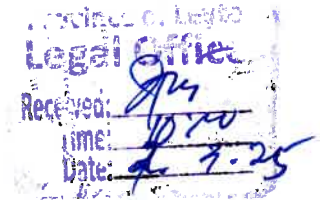
ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
31 January 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 24-32** of the **Municipality of Burauen, Leyte**, entitled: **An Ordinance amending certain provisions of Municipal Ordinance No. 11-06, otherwise known as the "Burauen Market Code of 2011"**.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF BURAUEN

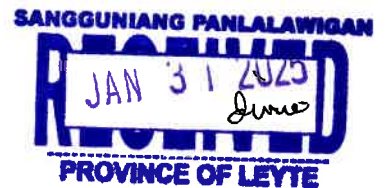


OFFICE OF THE SANGGUNIANG BAYAN

January 31, 2025

THE HONORABLE MEMBERS
Sangguniang Panlalawigan
Province of Leyte

ATTENTION: FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Province of Leyte
Palo, Leyte



Ladies/Gentlemen:

We transmit herewith 15 copies of **Municipal Ordinance No. 24-32**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, **“An Ordinance Amending Certain Provisions of Municipal Ordinance No. 11-06, Otherwise Known as the “Burauen Market Code of 2011”**”, for review and approval of the body.

Thank you and please acknowledge receipt hereof.

Respectfully yours,


ATTY. RUDEJANE S. TAN
Secretary to the Sanggunian



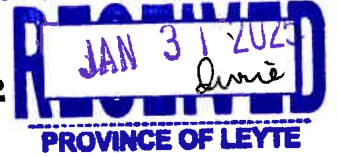
Republic of the Philippines
Province of Leyte
Municipality of Burauen



OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN

MUNICIPAL ORDINANCE NO. 24-32
Series of 2024



AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 11-06, OTHERWISE KNOWN AS THE "BURAUEAN MARKET CODE OF 2011"

WHEREAS, Municipal Ordinance No. 11-06, otherwise known as the "Burauen Market Code of 2011," was enacted to provide for the regulation and operation of the public market in the Municipality of Burauen, Leyte;

WHEREAS, there is a need to amend certain provisions of the said Ordinance to adapt to the changing needs and developments in the Municipality;

NOW, THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Burauen, Province of Leyte, in regular session assembled:

Section 1. Section 1.5(25) of Municipal Ordinance No. 11-06 is hereby amended as follows:

25)Occupancy Privilege Fee – refers to the amount of fee collected from new Occupants granted with the privilege to transfer and occupy stalls/booths of the Burauen Commercial Complex. It also refers to the minimum bid amount for a specified vacant stall imposed to interested and legitimate bidders during public bidding.

Section 2. Section 2.1 of Municipal Ordinance No. 11-06 is hereby amended as follows:

Section 2.1. Market Sections. For purposes of this Code, the Burauen Commercial Complex shall be divided into the following sections with the corresponding number/designation per stall:

Building	Booth / Stall Nos.	Market Sections
Building No. 1	1-1F-B1 to 8-1F-B1 (1 st Floor)	Textile, Pharmacy & Dry Goods
	9-2F-B1 to 16-2F-B1 (2 nd Floor)	Miscellaneous
Building No. 2	1C-B2 to 14C-B2	Carinderia, Bakery & Sari-Sari Store
	1RG-B2 to 14RG-B2	Rice, Grain & Sari-Sari Store
Building No. 3	1FV-B3 to 21FV-B3	Fruits & Vegetables
	1SS-B3 to 21SS-B3	Sari - Sari Store
Building No. 4	1-1F-B4 to 8-1F-B4 (1 st Floor)	Hardware, Groceries & Pharmacy
	9-2F-B4 to 16-2F-B4 (2 nd Floor)	Miscellaneous
Building No. 5	1DF-B5 to 11DF-B5	Dried Salted Fish

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Centennial Building	1-CP-CB – 20-CP-CB	Chicken and Poultry Products
	1-MS-CB – 24-MS-CB	Meat Section
	1-FS-CB – 20-FS-CB	Fish Section
The Veranda	1-RV to 9-RV	Food, Beverages, and Entertainment business activities

- 1) *Textile & Dry goods section - refers to the area where all kinds of textile: ready-made dresses and apparels, native products, toiletries, novelties, footwear, laces, kitchen wares or utensils, household articles or appliances, handbags, school, and office supplies could be sold.*
- 2) *Hardware section -refers to the area where all kinds of hardware materials for concrete works, electrical works, plumbing, lumber, steel, and other related materials for construction works could be sold.*
- 3) *Pharmacy section - refers to the area where pharmaceutical products could be sold.*
- 4) *Carinderia section - refers to the area where all kinds of cooked foods and delicacies could be sold This includes refreshment parlors, cafeterias, restaurants, panciterias, and similar kinds.*
- 5) *Rice and Grain section - refers to the area where rice, corn, feeds, hog mash, and other cereal could be sold.*
- 6) *Groceries section - refers to the area where all kinds of cakes, biscuits, pastries, crackers, butter, cheese, confections, candles, canned or bottled foods, wines/beverages, soft drinks, cigarettes, flour, oatmeal, ham, bacon, sugar, sauce, onions, garlic, potatoes, eggs, sausages, starch, smoked fish, dried fish, salt, soap, and other food products could be sold.*
- 7) *Fish section - refers to the area where fresh fish, seaweeds, or other marine product could be sold.*
- 8) *Meat section - refers to the area where chicken, pork, beef meat, dressed and all kinds of meat, properly inspected by the meat inspector could be sold.*
- 9) *Dried and salted fish - refers to the area where dried and salted fish shall be sold.*
- 10) *Fruit & Vegetable section - refers to the area where all kinds of fruit, leafy and fruit vegetables could be sold.*
- 11) *Sari-sari Store - Refers to the area designated for small retail stores selling a variety of everyday items in small quantities, such as packaged food and beverages, basic household supplies, toiletries, condiments, cigarettes, and other essential goods commonly found in sari-sari stores.*
- 12) *The Veranda - refers to the underground area of the public market where videoke establishments could be located for entertainment & recreation and where refreshment & liquor could only be sold.*

13) *Miscellaneous section - refers to the area where not classified businesses such as offices are allowed to occupy or where all kinds of wares not included in the above classification including ceramic wares, pots, vases, and garden tools or implements could be sold.*

Section 3. Section 2.2(A) of Municipal Ordinance No. 11-06 is hereby amended as follows:

A. STANDARD OF RENTALS OF FIXED MARKET BOOTH/STALLS.

Section 4. Section 2.4 of Municipal Ordinance No. 11-06 is hereby amended as follows:

Building	Description	Size m.	Area Sq. m.	Rate per sq. m.
Building No. 1	Textile, Pharmacy & Dry Goods (1 st Floor)	4 x 8	32	₱125.00
	Miscellaneous (2 nd Floor)	4 x 8	32	125.00
Building No. 2	Carindreria and Bakery	3 x 6	18	125.00
	Rice & Grain	3 x 4	12	125.00
Building No. 3	Sari-Sari / Fruit & Vegetable	3 x 3	9	125.00
Building No. 4	Hardware, Groceries & Pharmacy (1 st Floor)	8 x 4	32	125.00
	Miscellaneous (2 nd Floor)	8 x 4	32	125.00
Building No. 5	Dried Salted Fish	3 x 2	6	125.00
	Dried Salted Fish (6DF-B5)	5.5 x 2	11	125.00
Centennial Building	Chicken and Poultry Products, Meat and Fish Section	1 x 3.6	3.6	250.00
The Veranda	Food, Beverages, and Entertainment business activities	4 x 6	24	125.00

2.4. Occupancy Privilege Fee. The following occupancy privilege fees are hereby imposed on qualified new occupants who are granted the privilege to lease a particular stall or booth in the Burauen Commercial Complex:

Building	Description	Size m.	Area Sq.m.	Occupancy Privilege Fee	Monthly Installment
Bldg No. 1	Textile, Pharmacy & Dry Goods (1 st Floor)	4 x 8	32	32,000.00	2,666.67
	Miscellaneous (2 nd Floor)	4 x 8	32	32,000.00	2,666.67
Bldg No. 2	Carenderia	3 x 6	18	18,000.00	1,500.00
	Rice & Grain	3 x 4	12	12,000.00	1,000.00
Bldg No. 3	Sari-Sari / Fruit & Vegetable	3 x 3	9	9,000.00	750.00
Bldg No. 4	Hardware, Groceries & Pharmacy (1 st Floor)	8 x 4	32	32,000.00	2,666.67
	Miscellaneous (2 nd Floor)	8 x 4	32	32,000.00	2,666.67
	Dried Salted Fish	3 x 2	6	6,000.00	500.00
	Dried Salted Fish (6DF-B5)	5.5 x 2	11	11,000.00	916.67
Centennial Building	Chicken and Poultry Products, Meat and Fish Section	1 x 3.6	3.6	3,600.00	300.00

(Handwritten signatures and initials)

The Veranda	Food, Beverages, and Entertainment business activities	4 x 6	24	24,000.00	2,000.00
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1) The occupancy privilege fee shall be paid in full or installment for one (1) year. (Less: refundable bidder's bond)

a. *In Full:* A 5% discount shall be granted to payments settled in full. The discount will be applied immediately upon payment.

b. *In Installments:* Equal monthly installments for a period of one (1) year. The installment payment option is not eligible for the discount.

2) Vacant market stalls/booth in the Bureau Commercial Complex shall be adjudicated to interested and qualified new applicants by public bidding only, where the corresponding occupancy privilege fee, plus one (1) year rental, for a particular stall shall be set as the minimum bid.

Section 5. Section 2.5(2) of Municipal Ordinance No. 11-06 is hereby amended as follows:

2) *Issuance of Official Receipts and Cash Tickets.* The Municipal Treasurer or his duly authorized representative shall issue a receipt as evidence of payment of rentals of fixed spaces, stalls or booths.

Section 6. Section 2.5(4) of Municipal Ordinance No. 11-06 is hereby amended as follows:

4) *Winning bidder/s in the conduct of public bidding for the adjudication of vacant market stalls/booth shall pay the following before the occupancy of the market stall or booth:*

a) *The winning bid amount for the Occupancy Privilege Fee less P5,000.00 Bidder's Bond*

b) *One (1) Month Rental Advance*

c) *Three (3) Months Rental Deposit*

Section 7. Section 2.8 of Municipal Ordinance No. 11-06 is hereby amended as follows:

Section 2.8. TOILET FEE – To regulate the sanitation and use of market comfort rooms, there is hereby imposed a fee of ₱5.00 for the use of the facility.

Section 8. Amendment of Idle or Inactive Stalls. – Section 3.4 of Municipal Ordinance No. 11-06 is hereby amended as follows:

Section 3.4. IDLE OR INACTIVE STALLS. – Any stall/space that shall be idle for three (3) months or 90 consecutive days for whatever reason shall be declared abandoned or vacant and shall be subject to bidding and be awarded to the qualified bidder upon payment of accrued rental dues and other fees.

The Market Supervisor shall submit the list of idle or inactive stalls and recommend to the Bureau Public Market Committee the adjudication of the said stalls.

Section 9. Section 4.1(4) of Municipal Ordinance No. 11-06 is hereby amended as follows:

Municipal Ordinance No. 24-32

An Ordinance Amending Certain Provisions of Municipal Ordinance No. 11-06

4) All applicants who wish to participate in the public bidding must pay first at the Municipal Treasurer's Office an amount of Five Hundred Pesos (P500.00) non-refundable registration fee and a refundable bidder's bond in the amount of Five Thousand Pesos (P5,000.00).

Section 10. SECTION 4.1(9) of Municipal Ordinance No. 11-06 is hereby amended as follows:

9) The highest bidder (the highest combined bid amount of the occupancy privilege fee plus total amount generated from rental for one (1) year shall automatically be the winning bidder in a particular stall/space. In case there is a tie of the highest bid, there shall be a re-bidding for those bidders who got the highest bid and that the re-bidding shall start from the highest bid amount.

Section 11. Section 4.2 of Municipal Ordinance No. 11-06 is hereby amended as follows:

Section 4.2. LEGAL RIGHTS TO OCCUPY AND OPERATE A PARTICULAR STALL OR SPACE. After the award of any stall/space, a contract of lease shall be executed by and between the LGU-Burauen represented by the Municipal Mayor and the AWARDDEE. The contract of lease is valid for a period of one (1) year and renewable every year. The Lessee is herewith guaranteed automatic renewal of contract as long as the Lessee has not committed any violation of the terms & conditions of lease that warrants termination or cancellation of the contract of lease.

There shall be an orientation on every renewal of contract (documentary requirements-certificate of participation).

Section 12. Section 4.3(4) of Municipal Ordinance No. 11-06 is hereby amended as follows:

4) That by occupying or leasing said space, the LESSEE shall at all times display the business permit and other government regulatory agencies' compliance certificates.

Section 13. Section 4.3(8) of Municipal Ordinance No. 11-06 is hereby amended as follows:

8) That the LESSEE shall use the leased premises exclusively for the business applied and shall have no right to use the same for dwelling purposes, sleeping quarter, 'BODEGA' or storage and the like. Moreover, the LESSEE is not allowed to conduct business other than those prescribed for the specific building.

Section 14. Amendment of Lease Term. - Section 4.3(12) of Municipal Ordinance No. 11-06 is hereby amended as follows:

12) That this contract of lease is only good for one (1) year and shall be renewed every year if the LESSEE is found to have religiously complied with the terms & conditions of this contract.

Section 15. The form of the Certificate of Award under Section 4.4 of Municipal Ordinance No. 11-06 is hereby amended as follows:

CERTIFICATE OF AWARD

(on vacant stall/booth lease to successful applicant)

This certificate is hereby issued to _____, a resident of _____, Burauen, Leyte, and a qualified applicant for the lease of Stall/s No. _____, at the public market by the Burauen Public Market Committee conducted last _____ at the Office of the **Municipal Mayor**.

This stall/booth is located/found in the _____ and is intended for the sale of _____.

Issued this ____ day of _____, 20____, Burauen, Leyte, Philippines.

Market Supervisor

Municipal Mayor

Section 16. Section 6.2 of Municipal Ordinance No. 11-06 is hereby amended as follows:

6.2. COMPOSITION. The Burauen Public Market Committee shall be composed of the following:

- | | |
|---|------------------------|
| <i>Municipal Mayor</i> | - <i>Chairman</i> |
| <i>Municipal Vice Mayor</i> | - <i>Vice Chairman</i> |
| <i>Municipal Agriculture Officer</i> | - <i>Member</i> |
| <i>Market Supervisor</i> | - <i>Member</i> |
| <i>Municipal Treasurer</i> | - <i>Member</i> |
| <i>SB Market Committee Chairman</i> | - <i>Member</i> |
| <i>SB Chairman on Ways and Means</i> | - <i>Member</i> |
| <i>SB Secretary</i> | - <i>Member</i> |
| <i>Business Permit and Licensing Officer</i> | - <i>Member</i> |
| <i>Municipal Legal Officer</i> | - <i>Member</i> |
| <i>Municipal Environment and Natural Resources Officer</i> | - <i>Member</i> |
| <i>Municipal Planning and Development Officer</i> | - <i>Member</i> |
| <i>Municipal Engineer</i> | - <i>Member</i> |
| <i>Municipal Health Officer</i> | - <i>Member</i> |
| <i>Municipal Assessor</i> | - <i>Member</i> |
| <i>DTI- Negosyo Center Business Counsellor</i> | - <i>Member</i> |
| <i>Bureau of Fire Protection Chief – LGU Burauen</i> | - <i>Member</i> |
| <i>PNP Chief of Police – LGU Burauen</i> | - <i>Member</i> |
| <i>Municipal General Services Officer</i> | - <i>Member</i> |
| <i>Local Economic Development and Investment Promotion Officer (LEDIPO)</i> | - <i>Member</i> |
| <i>President of Market Vendors Association</i> | - <i>Member</i> |

Section 17. Repealing Clause. – All provisions of Municipal Ordinance No. 11-06, which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 18. Effectivity Clause. – This Ordinance shall take effect after the required posting and publication are satisfied, as prescribed under the Local Government Code of 1991.

ENACTED AND APPROVED, December 23, 2024.


CERTIFIED CORRECT:

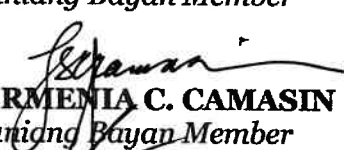

ATTY. RUDEJANE S. TAN
Secretary to the Sanggunian

ATTESTED:

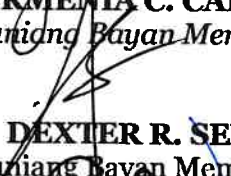

HON. NOEL P. ALPINO
Vice Mayor/Presiding Officer


HON. VINCENT G. ENERLAN
Sangguniang Bayan Member


HON. CIPRIANO R. RELATORRES, JR.
Sangguniang Bayan Member


HON. HERMENIA C. CAMASIN
Sangguniang Bayan Member

(absent)
HON. BRYAN R. CINCO
Sangguniang Bayan Member



HON. DEXTER R. SENO
Sangguniang Bayan Member


HON. ROBERT G. DEL PILAR
Sangguniang Bayan Member


HON. ELYSE A. CORAL
Sangguniang Bayan Member


HON. OSCAR A. CAGARA
Sangguniang Bayan Member


HON. FE S. RENOMERON
LnB President/ Ex-Officio SB Member


HON. JUSTINE MERG G. ANDRADE
SK Federation President/ Ex-Officio Member

APPROVED:


HON. JUANITO E. RENOMERON
Municipal Mayor



Republic of the Philippines
 PROVINCE OF LEYTE
 Burauen

*
 Office of the Sangguniang Bayan



EXCERPT FROM THE MINUTES OF THE 54TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BURAUEN, LEYTE, HELD AT THE SESSION HALL ON AUGUST 11, 2011

- | | | |
|-----------------|----------------------------|---------------------------------------|
| PRESENT: | Hon. Juanito E. Renomeron | Vice-Mayor/Presiding Officer |
| | Hon. Noel P. Alpino | Sangguniang Bayan Member/ |
| | Hon. Ann Dale R. Magsambol | Sangguniang Bayan Member |
| | Hon. Marissa D. Carilla | Sangguniang Bayan Member |
| | Hon. Luis Marlon U. Torres | Sangguniang Bayan Member/Floor Leader |
| | Hon. David M. Alcober | Sangguniang Bayan Member/ |
| | | Assistant Floor Leader |
| | Hon. Felipe E. Coral, Jr. | Sangguniang Bayan Member |
| | Hon. Tomas P. Barbosa | Sangguniang Bayan Member |
| | Hon. Roger P. Serdoncillo | LIGA President/Ex-Officio Member |
| | Hon. Andres Rey L. Cagara | SKF Vice-President/Ex-Officio Member |
| ABSENT: | Hon. Holland R. Refuerzo | Sangguniang Bayan Member |

MUNICIPAL RESOLUTION NO. 2011-123

A RESOLUTION ENACTING MUNICIPAL ORDINANCE NO. 11-06, SERIES OF 2011, OTHERWISE KNOWN AS THE "BURAUEN MARKET CODE OF 2011"

WHEREAS, among the duties and functions of the Sangguniang Bayan as provided under Section 447 of R.A. 7160 are:

- Fix and impose reasonable fees and charges for all services rendered by the municipal government to private persons or entities;
- Prescribe the norms and conditions under which public utilities owned by the municipality shall be operated by the municipal government or leased to private persons or entities, preferably cooperatives;

WHEREAS, this municipality's public market is one of the "public utilities" subject to regulations by the municipal government and for its operation the municipal government is authorized by law to impose the necessary rental fees and other reasonable charges;

WHEREAS, enactment by this Sangguniang Bayan of a "Market Code" which contains, among other things, the prescribed rental fees and other charges including the necessary rules and regulations for the operation of the public market cannot be overemphasized;

NOW, THEREFORE, on motion of Honorable Luis Marlon U. Torres, duly seconded by all Members of the Sangguniang Bayan present, it was -

RESOLVED, as it is hereby resolved, to enact Municipal Ordinance No. 11-06, otherwise known as the "Burauen Market Code of 2011" to wit:

MUNICIPAL ORDINANCE NO. 11-06

HON. LUIS MARLON U. TORRES
 Chairman, Committee on Ways & Means
 Principal Author

- Co-Authors:
- Hon. Noel P. Alpino
 - Hon. Ann Dale R. Magsambol
 - Hon. Marissa D. Carilla
 - Hon. David M. Alcober
 - Hon. Felipe E. Coral, Jr.
 - Hon. Tomas P. Barbosa
 - Hon. Roger P. Serdoncillo
 - Hon. Andres Rey L. Cagara

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**AN ORDINANCE ENACTING A MARKET CODE OF
THE MUNICIPALITY OF BURAUEN, LEYTE.**

BE IT ENACTED BY THE SANGGUNIANG BAYAN OF BURAUEN, LEYTE, that:

TITLE 1. GENERAL PROVISIONS

11-06-2011
SECTION 1.1. TITLE. This ordinance shall be known as the “Burauen Market Code of 2011”.

SECTION 1.2. SCOPE. This code shall govern the administration, and operation of the New Burauen Public Market as a self – reliant and viable economic enterprise including the classification, construction, repair, renovation of booths and stalls therein; imposition and collection of market rental fees and charges for occupancy thereof.

SECTION 1.3. AUTHORITY. This Code is enacted pursuant to Section 447 of RA 7160, otherwise known as the “Local Government Code of 1991” which empowers the municipality thru its legislative body known as Sangguniang Bayan to:

- 1) Prescribe the terms and conditions under which public utilities owned by the municipality shall be operated by the municipal government or leased to private persons or entities, preferably cooperatives;
- 2) Establish markets, slaughterhouses or animal corrals and authorize the operation thereof, and regulate the construction and operation of private markets, talipapas or other similar buildings and structures.
- 3) Requires that buildings and the premises thereof and any land within the municipality be kept and maintained in a sanitary condition; impose penalties for any violation thereof; or upon failure to comply with said requirements, have the work done and require the owner, supervisor or tenant concerned to pay the expenses of the same; or require the filling up of any land or premises to a grade necessary for proper sanitation.

SECTION 1.4. PURPOSE. This Code is enacted for the following purposes:

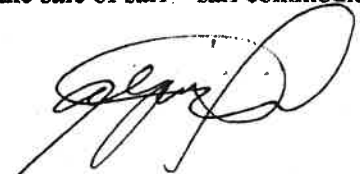
- 1) Guide, control, and regulate the growth and development of this municipality’s public market and slaughterhouse including its premises;
- 2) Protect the character and stability of the public market and slaughterhouse and its premises as well as promote an orderly and beneficial development of the same;
- 3) Promote and protect the health, safety, peace, comfort, convenience and general welfare of the occupants therein as well as the general public patronizing the public market;
- 4) Regulate the operation of all businesses or trade activities in the public market;
- 5) To regulate and restrict the location and use of stalls, booths or other structures inside the public market compound;
- 6) To regulate the alteration or remodeling of existing booths or structure in such a way as to avoid public hazards or inconvenience;
- 7) To eliminate the incompatible or non-conforming uses of the public market stalls and its premises.

SECTION 1.5. DEFINITIONS. When used in this Code, each of the following words and phrases shall be construed to mean as follows:

- 1) **Ambulant/Transient or Itinerant Vendors** – refers to a vendor or seller who does not permanently occupy a definite place in the public market but one who comes either daily or occasionally to sell goods or merchandise.
- 2) **Animal Feeds and Cereals** – refers to the area where all kinds of manufactured animal feeds and cereals, including rice and corn could be sold.
- 3) **Bagsakan** – refers to an open area, which served as a service landing area for goods in bulks delivered by suppliers and producers for wholesale purposes.
- 4) **Charge** – refers to a pecuniary liability imposed against property and persons in a form of rent or fee.
- 5) **Dealer** – means one whose business is to buy and sell merchandise, goods, and chattels as a merchant. He stands immediately between the producer or manufacturer and the consumer and depends for his profit not upon the labor he bestows upon his commodities but upon the skill and foresight with which he watches the market.

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- 6) **Dry Goods Section** – refers to the area where all kinds of textile; ready made dresses and apparels; native products; toiletries; novelties; footwear; laces; kitchen wares or utensils; household articles or appliances; handbags, school and office supplies or similar products could be sold.
- 7) **Carenderia Section** – refers to the area where all kinds of cooked foods and delicacies could be sold. This includes refreshment parlors, cafeterias, restaurants, panciterias and similar kinds.
- 8) **Fish Section** – refers to the area where only fresh fish, clams, oysters, lobsters, shrimps, seaweeds and other seafood and marine products could be sold by the stallholder or stall lessee.
- 9) **Government-Owned or Operated Public Markets** – refers to those markets established out of public funds or those leased/acquired by any legal means from private persons, natural or juridical, to be operated by the government either thru its instrumentality, branch or political subdivision.
- 10) **Groceries Section** – refers to the area where all kinds of cakes, biscuits, pastries, crackers, butter, cheese, confections, candles, canned or bottled foods, beverages, soft drinks, cigarettes, flour, oatmeal, ham, bacon, sugar, sauce, onions, garlic, potatoes, eggs, sausages, starch, smoked fish, dried fish, salt, soap and other food products could be sold.
- 11) **Lease** – refers to a written agreement through which the Municipality of Burauen conveys possession and occupancy for a specified period and for a specified rent of any portion of its market buildings or spaces to another person who binds and accepts the same.
- 12) **Lessee** – refers to a person having in his/her possession a duly executed contract of lease for a specified rental, granted in his/her favor by the Municipality of Burauen.
- 13) **Lessor** – refers to the Municipality of Burauen or its authorized representative who transfers, conveys and assigns the temporary possession and occupancy of any real property or any portion thereof, for specified rental and period by an agreement or contract of lease.
- 14) **License or Permit** – refers to a privilege or permission granted in accordance with law or ordinance by a competent authority to engage in some businesses, occupations or transactions.
- 15) **Market Building** – A constructed edifice designed to stand more or less permanently, covering space of land, usually covered by a roof, more or less enclosed by walls and supported by columns, and serving as a place for commercial or trade activities.
- 16) **Market Booth** -- refers to an enclosure built or erected on a market stall or space where merchandise of various kinds is being sold or offered for sale.
- 17) **Market Stall** – refers to any allotted space, with or without booth, inside the public market building.
- 18) **Market Premises** – refer to any open space in the market compound, the market lot consisting of bare ground not covered by the market buildings, usually occupied by transient vendors especially during market days, and the total area designated as the market place.
- 19) **Market Section** – refers to a subdivision of the public market housing one class or group of allied goods, commodities or merchandise.
- 20) **Meat Section** – refers to the area where meat of all kinds could be sold although pork, beef, or dressed chickens are separately displayed and properly labeled.
- 21) **Miscellaneous Section** – refers to the area where not classified businesses such as offices are allowed to occupy or where all kinds of wares not included in the above classification including ceramic wares; pots, vases and garden tools or implements could be sold.
- 22) **Stall Lessee (also known as stallholder)** – refers to the awardees of the lease contract that have been granted the permission or privilege to use a stall or booth, where they can display and sell their goods and pay rentals thereon inside the public market building.
- 23) **Market Rental Fee** – refers to the amount of rental fee for the privilege of occupying and utilizing a market stall or space for commercial activities.
- 24) **Old Occupant** – refers to previous occupants of the old and demolished public market and those currently occupying stalls/booth of the existing public market buildings of Burauen.
- 25) **Occupancy Privilege Fee** – refers to the amount of fee collected from Old Occupants granted with the privilege to transfer and occupy stalls/booth of the New Public Market. It also refers to the minimum bid amount for a specified vacant stall imposed to interested and legitimate bidders during public bidding.
- 26) **Sari-Sari Store** – a building or structure devoted exclusively to the sale of sari – sari commodities.



27) **Support Facilities** – refers to service areas provided, to support operations of the market including the Bagsakan, waste collection station, poultry dressing area, ice and cold storage facilities, warehouse and storage rooms, toilets, parking area, slaughterhouses, trading posts.

TITLE II. MARKET SECTIONS, FEES & OTHER CHARGES

SECTION 2.1. MARKET SECTIONS – for purposes of this Code, the New Public Market of Burauen, Leyte shall be divided into the following sections with the corresponding number / designation per stall:

Building No.	Booth / Stall Nos.	Market Sections
Building No. 1	1-1F-B1 to 8-1F-B1 (1 st Floor)	Textile, Pharmacy & Dry Goods
	9-2F-B1 to 16-2F-B1 (2 nd Floor)	Miscellaneous
Building No. 2	1C-B2 to 14C-B2	Carenderia
	1RG-B2 to 14RG-B2	Rice & Grain
Building No. 3	1FV-B3 to 21FV-B3	Fruits & Vegetables
	1SS-B3 to 21SS-B3	Sari – Sari Store
Building No. 4	1-1F-B4 to 8-1F-B4 (1 st Floor)	Hardware, Groceries & Pharmacy
	9-2F-B4 to 16-2F-B4 (2 nd Floor)	Miscellaneous
Building No. 5	1F-B5 to 20F-B5	Fish
	1M-B5 to 18M-B5	Meat
	1DF-B5 to 11DF-B5	Dried Salted Fish
Refreshment Veranda	1-RV to 9-RV	Refreshment, Liquor & Videoke

- 1) Textile & Dry goods section – refers to the area where all kinds of textile; readymade dresses and apparels; native products; toiletries; novelties; footwear; laces; kitchen wares or utensils; household articles or appliances; handbags, school and office supplies could be sold.
- 2) Hardware section --refers to the area where all kinds of hardware materials for concrete works, electrical works, plumbing, lumber, steel, and other related materials for construction works could be sold.
- 3) Pharmacy section – refers to the area where pharmaceutical products could be sold.
- 4) Carinderia section – refers to the area where all kinds of cooked foods and delicacies could be sold. This includes refreshment parlors, cafeterias, restaurants, panciterias and similar kinds.
- 5) Rice and Grain section – refers to the area where rice, corn, feeds, hog mash, and other cereal could be sold.
- 6) Groceries section – refers to the area where all kinds of cakes, biscuits, pastries, crackers, butter, cheese, confections, candles, canned or bottled foods, wines/beverages, soft drinks, cigarettes, flour, oatmeal, ham, bacon, sugar, sauce, onions, garlic, potatoes, eggs, sausages, starch, smoked fish, dried fish, salt, soap and other food products could be sold.
- 7) Fish section – refers to the area where fresh fish, seaweeds, or other marine product could be sold.
- 8) Meat section – refers to the area where chicken, pork, beef meat, dressed and all kinds of meat, properly inspected by the meat inspector could be sold.
- 9) Dried and salted fish – refers to the area where dried and salted fish shall be sold.
- 10) Fruit & Vegetable section – refers to the area where all kinds of fruit, leafy and fruit vegetables could be sold.
- 11) Refreshment Veranda section – refers to the underground area of the public market where videoke establishments could be located for entertainment & recreation and where refreshment & liquor could only be sold.
- 12) Miscellaneous section - refers to the area where not classified businesses such as offices are allowed to occupy or where all kinds of wares not included in the above classification including ceramic wares, pots, vases and garden tools or implements could be sold.

SECTION 2.2. IMPOSITION OF FEES. There shall be collected the following market fees:

A. STANDARD RENTALS OF FIXED MARKET BOOTH/STALLS.

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Subor. 2 Burauen

Bldg. No.	Description	Size m.	Area Sq. m.	Monthly Rental Fee
1	Textile, Pharmacy & Dry Goods (1 st Floor)	4 x 8	32	P 3,200.00
	Miscellaneous (2 nd Floor)	4 x 8	32	3,200.00
2	Carenderia	3 x 6	18	1,800.00
	Rice & Grain	3 x 4	12	1,200.00
3	Sari-Sari / Fruit & Vegetable	3 x 3	9	900.00
4	Hardware, Groceries & Pharmacy (1 st Floor)	8 x 4	32	3,200.00
	Miscellaneous (2 nd Floor)	8 x 4	32	3,200.00
5	Fish & Meat	1 x 2	2	400.00
	Dried Salted Fish	3 x 2	6	600.00
	Dried Salted Fish (6DF-B5)	5.5 x 2	11	1,100.00
	Refreshment Veranda Beneath	4 x 6	24	2,400.00

- Fish & Meat Section is provided with electricity by the Municipality of Burauen. The monthly rental of P400.00 is broken down as follows: P200.00 monthly rental fee. P200.00 electric service charge (provided with a max. 50W lamp).

B. MARKET FEES FOR THE OCCUPANCY OF DESIGNATED MARKET PREMISES.

Fee for the occupancy of designated market premises, per square meter of space per day or a fraction thereof	P20.00
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C. GRADUATED DISCOUNT OF RENTAL FEE FOR OLD OCCUPANTS. For the purpose of promoting the growth and development of the New Burauen Public Market and attaining its vision of becoming a center of trade and commerce, a graduated discount in rental fees for the first three (3) consecutive years is hereby imposed to old occupants who applied and qualified for the right to lease market stalls of the new Burauen public market.

a. First Year (First 12 months) – 60% Discount

Bldg. No.	Description	Monthly Rental	Discount	Discounted Rental Fee
1	Textile, Pharmacy & Dry Goods (1 st Floor)	3,200.00	60%	1,280.00
	Miscellaneous (2 nd Floor)	3,200.00	60%	1,280.00
2	Carenderia	1,800.00	60%	720.00
	Rice & Grain	1,200.00	60%	480.00
3	Sari-Sari / Fruit & Vegetable	900.00	60%	360.00
4	Hardware, Groceries & Pharmacy (1 st Floor)	3,200.00	60%	1,280.00
	Miscellaneous (2 nd Floor)	3,200.00	60%	1,280.00
5	Fish & Meat	400.00	60%	280.00
	Dried Salted Fish	600.00	60%	240.00
	Dried Salted Fish (6DF-B5)	1,100.00	60%	440.00

- Fish & Meat Section: P200.00 with 60% discount is P80.00. Electric service charge is P200.00.

b. Second Year (13th to 24th month) – 40% Discount

Bldg. No.	Description	Monthly Rental	Discount	Discounted Rental Fee
1	Textile, Pharmacy & Dry Goods (1 st Floor)	3,200.00	40%	1,920.00
	Miscellaneous (2 nd Floor)	3,200.00	40%	1,920.00
2	Carenderia	1,800.00	40%	1,080.00
	Rice & Grain	1,200.00	40%	720.00
3	Sari-Sari / Fruit & Vegetable	900.00	40%	540.00
4	Hardware, Groceries & Pharmacy (1 st Floor)	3,200.00	40%	1,920.00
	Miscellaneous (2 nd Floor)	3,200.00	40%	1,920.00
5	Fish & Meat	400.00	40%	320.00
	Dried Salted Fish	600.00	40%	360.00
	Dried Salted Fish (6DF-B5)	1,100.00	40%	660.00

- Fish & Meat Section: P200.00 with 40% discount is P120.00. Electric service charge is P200.00.

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Signature

Signature *Signature* *Signature*

- 4) In case of a vendor from whom an entrance fee was collected occupies any table, cubicle or other space with an area in excess of what he paid for, he shall be required to pay the correct amount of fee due thereon.

SECTION 2.4. OCCUPANCY PRIVILEGE FEE. There is hereby imposed a corresponding occupancy privilege fee to qualified old occupant granted the privilege to lease a particular stall/s or booth of the New Burauen Public Market as follows:

Bldg. No.	Description	Size m.	Area Sq.m.	Occupancy Privilege Fee	Monthly Installment
1	Textile, Pharmacy & Dry Goods (1 st Floor)	4 x 8	32	32,000.00	888.89
	Miscellaneous (2 nd Floor)	4 x 8	32	32,000.00	888.89
2	Carenderia	3 x 6	18	18,000.00	500.00
	Rice & Grain	3 x 4	12	12,000.00	333.34
3	Sari-Sari / Fruit & Vegetable	3 x 3	9	9,000.00	250.00
4	Hardware, Groceries & Pharmacy (1 st Floor)	8 x 4	32	32,000.00	888.89
	Miscellaneous (2 nd Floor)	8 x 4	32	32,000.00	888.89
5	Fish & Meat	1 x 2	2	2,000.00	55.56
	Dried Salted Fish	3 x 2	6	6,000.00	166.67
	Dried Salted Fish (6DF-B5)	5.5 x 2	11	11,000.00	305.56

- The corresponding occupancy privilege fee shall be payable in thirty-six (36) equal monthly installments.
- Vacant market stalls/booth in the New Burauen Public Market shall be adjudicated to interested and qualified new applicants by public bidding only, where the corresponding occupancy privilege fee for a particular stall shall be set as the minimum bid, the highest winning bid paid in full.


SECTION 2.5. TIME AND MANNER OF PAYMENT.

- The rental fees imposed herein shall be paid to the Municipal Treasurer or his duly authorized representative within the first twenty (20) days of each month.
- Issuance of Official Receipts and Cash Tickets. The Municipal Treasurer or his duly authorized representative shall issue a receipt as evidence of payment of rentals of fixed spaces, stalls or booths. Cash tickets shall be issued for the collection of market entrance fees which shall be torn in half, one-half of which shall be given to the vendor, and the other half retained by the authorized market collector who shall deliver the same to the Municipal Treasurer and counter-check it against the records of cash tickets issued for that day.
- Old occupant/s granted with the privilege to lease a fixed market stall/s or booth of the new Burauen public market shall pay the following fees before the occupancy of the market stall/s or booth:
 - One (1) Month Rental Advance
 - Three (3) Months Rental Deposit (as provided under Section 2.2.C.a)
 - First Monthly Installment shown under Section 2.4 of this Code.
- Winning bidder/s in the conduct of public bidding for the adjudication of vacant market stalls/booth shall pay the following before the occupancy of the market stall or booth:
 - The winning bid amount for the Occupancy Privilege Fee less P5,000.00 Bidder's Bond
 - One (1) Month Rental Advance (Rental corresponding to his winning bid) and
 - Three (3) Months Rental Deposit (Rental corresponding to his winning bid)
- Payment of market fee for the occupancy of market premises shall be payable in advance before any commodity or merchandise is sold within the market premises.
- Any person found to be occupying more space than what is duly leased to him shall pay twice the regular rate for such extra space.

SECTION 2.6. TOILET FEE – To regulate the sanitation and use of market comfort rooms, there is hereby imposed a fee of PhP1.00 from market vendors & personnel and a fee of PhP2.00 from non-market personnel for the use of the facility.

SECTION 2.7. INCENTIVES AND REFUND SCHEME. Stall occupants acquiring stalls through the open public bidding who for one valid reason or another cease to operate his/her business, shall surrender his/her stall to the LGU of Burauen and upon presentation of documents, qualifies him/her to a REFUND of the portion of

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 SECTION 3.4. IDLE OR INACTIVE STALLS. – Any stall/space that shall be idle for three (3) months or 90 consecutive days for whatever reason shall be declared abandoned or vacant and shall be subject to bidding and be awarded to the qualified bidder upon payment of accrued rental dues and other fees.

SECTION 3.5. VACANCY OF STALLS BEFORE EXPIRATION OF LEASE. Should for any reason, stallholder or lessee discontinue his business before his lease term of the stall expires, such shall be considered vacant and its occupancy thereafter shall be adjudicated in the manner herein prescribed.

TITLE IV. GUIDELINES FOR THE CONDUCT OF PUBLIC BIDDING AND GRANTING OF AWARD

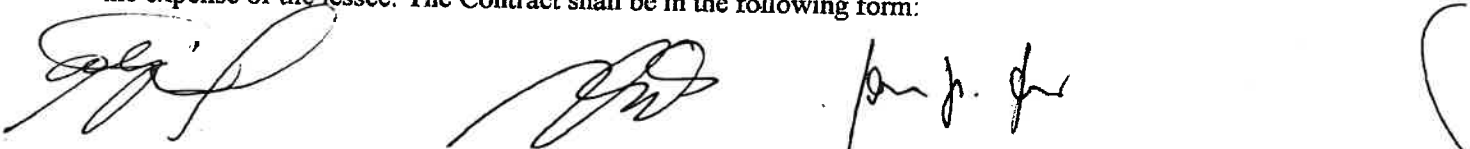
SECTION 4.1. There shall be established guidelines for the conduct of bidding of the stalls/spaces of the Burauen Public Market, to wit:

- 1) The bidding shall be conducted and supervised by Burauen Public Market Committee of the Municipal Government of Burauen and the bidding shall be made through *viva voce* (open bidding through word of mouth).
- 2) The Burauen Public Market Committee shall determine the date, time and venue of the bidding and that information and announcement of the same shall be posted in conspicuous places for a period of 15 days.
- 3) The bidding shall be conducted in a public place visible and accessible to the people.
- 4) All applicants who wish to participate in the public bidding must pay first at the Municipal Treasurer's Office an amount of Three Hundred Fifty Pesos (P350.00) non-refundable registration fee and a refundable bidder's bond in the amount of Five Thousand Pesos (P5,000.00).
- 5) The bidding payment shall be in cash basis or in a form of manager's checks.
- 6) All applicants/bidders should be of legal age, Filipino citizens and preferably residents of the municipality of Burauen, Leyte.
- 7) New applicant/bidder is only limited to one stall/space except as provided in Sec. 4.1.12.
- 8) Local businessmen and residents shall be given priority to bid, however, if local bidders lose interest to bid, the bidding shall be made open to all interested bidders elsewhere.
- 9) The highest bidder (*the highest combined bid amount of the occupancy privilege fee plus total amount generated from rental for two (2) years*) shall automatically be the winning bidder in a particular stall/space. In case there is a tie of the highest bid, there shall be a re-bidding for those bidders who got the highest bid and that the re-bidding shall start from the highest bid amount.
- 10) Winning bidders shall be notified and shall receive certificate of award as proof of their being granted the legal right to occupy a particular stall/space.
- 11) Failure or refusal by the winning bidder to accept the award or occupy the stall within Fifteen (15) days after the public bidding shall mean forfeiture of the bidder's bond and such stall shall be considered vacant.
- 12) National Government Agencies, GOCC's, and other public utilities who wishes to occupy vacant stalls located in the miscellaneous section and such other stalls designated by the LGU Burauen for occupancy of similar offices for the purpose of delivering services that will redound to the benefit of the municipality as a whole in terms of economic and social aspect shall be given preference for the right to offer a negotiated bid, provided the bid shall be advantageous to the LGU of Burauen.

SECTION 4.2. LEGAL RIGHTS TO OCCUPY AND OPERATE A PARTICULAR STALL OR SPACE.

After the award of any stall/space, contract of lease shall be executed by and between the LGU-Burauen represented by the Municipal Mayor and the AWARDEE. The contract of lease is valid for a period of two years and renewable for another two years with no bidding subject to the approval of the Market Board in order to prevent the lessee to sub-lease or sell his right to another person on the space/stall awarded and in order to assess the stallholders adherence to the terms and conditions of the lease contract and the rules and regulation provided herein. The Lessee is herewith guaranteed automatic renewal of contract as long as the Lessee has not committed any violation of the terms & conditions of lease that warrants termination or cancellation of the contract of lease.

SECTION 4.3. LEASE CONTRACT AGREEMENT – For every stall awarded, the successful applicant must sign a contract of lease and observe the terms and conditions set forth therein. Documentation shall be at the expense of the lessee. The Contract shall be in the following form:



CONTRACT OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

This **CONTRACT OF LEASE** made and entered into by and between:

The Municipality of Burauen represented by the Municipal Mayor and in his behalf as Chairman of the Burauen Public Market Committee hereinafter referred to as LESSOR and _____ of legal age, Filipino, single/married/widow resident of _____, Philippines hereinafter referred to as the LESSEE;

WITNESSETH

The Municipality of BURAUEN, LEYTE is the owner of Burauen Public Market,

That for and in consideration of the agreement hereinafter stipulated, the herein named LESSOR do hereby lease unto LESSEE, a space/stall/block at the _____ sector.

That under Ordinance No. _____ duly adopted and approved by the Sangguniang Bayan, the Burauen Public Market Committee through bidding conducted for the purpose has awarded to the LESSEE, subject to the following terms and conditions:

- 1) That the LESSEE shall occupy and engage business therein in accordance with the plans and programs of LESSOR, subject to the legal requirements on business;
- 2) That the LESSEE for and in consideration of its occupation shall pay monthly Rental of: _____
- 3) That the LESSEE must be prompt in paying his/her rentals in accordance with this contract, so that failure on the part of the LESSEE to pay his/her monthly rentals for a period of three (3) months, or found to have violated provisions of the Burauen Market Code of 2011 and any of the terms and conditions of this contract, will give rise to the right of the LESSOR to automatically terminate this contract through the Municipal Mayor upon the recommendation of the Burauen Public Market Committee and open the above-described property to public bidding on the right to occupy;
- 4) That by occupying or leasing said space, the LESSEE shall at all times have his/her picture conveniently framed and displayed conspicuously in the premises to include the business permit;
- 5) That the LESSEE shall keep the premises at all times in good sanitary condition and comply strictly with all sanitary market rules and regulations now existing or which may hereinafter be promulgated. Any violation thereof maybe subject to cancellation of the lease of contract;
- 6) Before any repair could be done, the LESSEE has to file an application specifying the area to be repaired which shall be indicated in the permit to repair issued by the Mayor thru the Market Supervisor;
- 7) Lease contract of the stall/space awarded is strictly non-transferable. If upon investigation the stakeholder / lessee have been found to have transferred, sub-leased and sold his rights to anybody, his lease contract shall automatically be terminated or revoked by the Municipal Mayor upon recommendation of the Burauen Public Market Committee and payments made shall not be refunded by the LGU.
- 8) That the LESSEE shall use the leased premises exclusively for the business applied and shall have no right to use the same for dwelling purposes, sleeping quarter, 'BODEGA' or storage and the like;
- 9) Buying of palay, copra and other nuisance items within the stalls and areas granted is strictly prohibited;
- 10) That the lease contract shall be subject to a three (3) months rental deposit, aside from the payment of the winning bid for the occupancy privilege fee which shall be refundable in accordance to the provision of Sec. 2.7 upon surrender and or termination of occupancy which shall answer for any unpaid obligation by the lessee in favor of the lessor;
- 11) That the LESSEE shall notify the LESSOR at least thirty (30) days in advance should the former decides to abandon and/or vacate the leased premises and surrender his/her business at the office of the Market Supervisor;
- 12) That this contract of lease is good only for two (2) years, and may be renewed for another two (2) years if the LESSEE is found to have religiously complied with the terms & conditions of this contract; and
- 13) That the LESSOR and LESSEE hereby agree and covenant to fully comply with the provisions of ordinance, laws, rules and regulations affecting the operations of the lessee's business/or occupancy in the market. All actions arising from this contract shall be brought and heard by the Burauen Public Market Committee.

For adjudication and resolution, any court action shall be filed only with the Municipal Circuit Trial Court of Burauen, Leyte. Documentation shall be at the expense of the Lessee.

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IN WITNESS WHEREOF, parties have hereunto set their hands this _____ day of _____, 20____ at Burauen, Leyte, Philippines.

MUNICIPALITY OF BURAUEN

Lessor

Lessee

By:

CTC No. _____

Issued at _____

On _____, 20____

Mayor

CTC No. _____

Issued at _____

On _____, 20____

SIGNED IN THE PRESENCE OF:

- 1. _____ 2. _____

Republic of the Philippines)
Province of Leyte)s.s.
Municipality of Burauen)

BEFORE ME, Notary Public for and in the Province of Leyte, this _____ day of _____, 20____ personally appeared _____ and _____ known to me to be the same person who executed the contract of Lease and acknowledges under oath that the same is their own free and voluntary act and deed.

WITNESS MY HAND AND SEAL on the day and place above written.

NOTARY PUBLIC

SECTION 4.4. CERTIFICATE OF AWARD TO SUCCESSFUL APPLICANT OF VACANT MARKET STALL - To authenticate the results of the adjudication of the vacant stall(s), a certificate of award shall be issued to the successful applicant.

The date of the issuance in the certificate of award shall be the basis of determining the start of payment of rental by the successful applicant, notwithstanding when the actual occupancy or start of business operation by stallholder begins.

The Certificate of Award shall be issued within 10 days after the 30 days processing of awards to old occupants or the conduct of public bidding to new applicants as the case maybe.

The Certificate shall be on the following form:

CERTIFICATE OF AWARD
(on vacant stall/booth lease to successful applicant)
This certificate is hereby issued to _____ a resident of _____, Burauen, Leyte, and a qualified applicant for the lease of Stall/s No. _____ at the public market by the Burauen Public Market Committee conducted last _____ at the Office of the Municipal Treasurer.
This stall/booth is located/found in the _____ and is intended for the sale of _____.
Issued this _____ day of _____, 20____, Burauen, Leyte, Philippines.
HARRIET I. FLORENCIO Municipal Treasurer
FE S. RENOMERON Municipal Mayor

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TITLE V. GUIDELINES IN THE AWARDING OF STALLS TO OLD OCCUPANTS OF THE BURAUEN PUBLIC MARKET

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SECTION 5.1. These guidelines as specified under Section 5.2 to Section 5.7 are specifically created for the purpose of granting **OLD OCCUPANTS** of the Burauen Public Market the privilege and priority for the right to lease market stalls of the New Burauen Public Market buildings.

SECTION 5.2. The Burauen Public Market Committee shall determine the date, time and venue of the awarding and announcement of the same shall be posted in conspicuous places for a period of 15 days and shall implement these specific guidelines for a period of **THIRTY (30) DAYS**. After the thirty (30) days period, the Burauen Public Market Committee shall then commence Public Bidding for the vacant market booth/stalls as provided for under Title IV--Guidelines for the Conduct of Public Bidding and Granting of Award.

SECTION 5.3. OLD OCCUPANTS are previous occupants of the old and demolished public market and those currently occupying stalls/booth of existing public market buildings of Burauen and whose name is listed under the Master List of Stall Holders of the Burauen Public Market as prepared by the Market Supervisor, with the concurrence by the Burauen Public Market Vendor's Association through it's President, certified correct by the Municipal Treasurer, and duly approved by the Municipal Mayor.

SECTION 5.4. OLD OCCUPANTS are hereby given the priority in the granting of awards for the right to lease the new market stalls/booth provided they shall:

1. Submit a duly notarized Application Form to Lease Market Stall
2. Submit recent Mayor's Business Permit
3. Have no outstanding delinquency in market rental fees and any other arrears and obligations from the Municipal Treasurer's Office.

SECTION 5.5. The Burauen Public Market Committee is hereby given the authority to prescribe applicable rules and regulations in the adjudication of stalls to **OLD OCCUPANTS** taking into consideration the preference which should be accorded to those who were on time in the payment of their taxes, fees and licenses due to the local government.

SECTION 5.6. OLD OCCUPANTS who fails to comply within the Thirty (30) Days period the provisions stipulated under Sec. 2.5.3 and Sec. 5.4 shall be disqualified from acquiring rights to lease market stalls.

SECTION 5.7. OLD OCCUPANTS who at present occupies two stalls shall be automatically awarded the same number of stalls provided the provisions stipulated under Sec.2.5.3 & Sec. 5.4 will be complied with.

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TITLE VI. THE BURAUEN PUBLIC MARKET COMMITTEE

SECTION 6.1. CREATION. For the attainment of the objectives enunciated by this Code, a permanent committee is hereby created which shall henceforth be known as the Burauen Public Market Committee.

SECTION 6.2. COMPOSITION. The Burauen Public Market Committee shall be composed of the following:

- | | |
|--|--------------------|
| Municipal Mayor | - Chairman |
| Municipal Vice Mayor | - Vice Chairman |
| Market Supervisor | - Member/Secretary |
| SB Market Committee Chairman | - Member |
| President of Market Vendors Association | - Member |
| SB Chairman on Ways and Means | - Member |
| Municipal Treasurer | - Member |
| Municipal Planning and Development Officer | - Member |
| Municipal Engineer | - Member |
| Municipal Health Officer | - Member |
| PNP Chief of Police - LGU Burauen | - Member |

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SECTION 6.3. POWERS AND FUNCTIONS.

- 1) Conduct the opening of bids in connection with the adjudication of vacant or newly constructed stalls or booth in the Municipal Market and award market stalls with a Certificate of Award to be given to qualified applicant.
- 2) Formulate policies, rules and regulations for market operations and administration.
- 3) Conduct periodic review of municipal market operation.

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Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF BURAUEN



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a Public Hearing for **Municipal Ordinance No. 24-32, Series of 2024** of the Sangguniang Bayan of Burauen, Leyte, entitled “*An Ordinance Amending Certain Provisions of Municipal Ordinance No. 11-06, Otherwise Known As The “Burauen Market Code of 2011”*”, was conducted on **December 11, 2024, 2:00** in the afternoon at the Burauen Commercial Complex (Burauen Public Market), Burauen, Leyte.

Burauen, Leyte, January 27, 2025.

ATTY. RUDEJANE S. TAN
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Burauen



OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE PUBLIC HEARING ON DECEMBER 11, 2024 OF PROPOSED ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 11-06, OTHERWISE KNOWN AS THE "BURAUEN MARKET CODE OF 2011" AT THE BURAUEN COMMERCIAL COMPLEX (BURAUEN PUBLIC MARKET)

SB MEMBERS PRESENT:

1. Hon. Vincent G. Enerlan – SB Member, Chairman Committee on Public Market, Trade, Labor, Commerce and Industry
2. Hon. Cipriano R. Relatorres, Jr. – SB Member
3. Hon. Robert G. del Pilar – SB Member
4. Hon. Oscar A. Cagara – SB Member
5. Hon. Bryan R. Cinco – SB Member

TIME STARTED: 2:00 PM

- The public hearing began with an opening statement by Hon. Vincent G. Enerlan, Chairman of the Committee on Public Market.
- Following his message, the floor was handed over to Hon. Cipriano R. Relatorres, Jr., who proceeded to present the provisions of the proposed amendment one by one.
- After explaining the provisions, Hon. Relatorres invited market stallholders and applicants to ask questions.
- The public appeared to understand the amendments and had no further questions regarding the provisions. However, a stallholder from the fish section raised a concern about fish peddlers from nearby towns who were selling fish illegally within the municipality.
- Mr. Eddie Vidal, another stallholder, complained about the lack of faucets for washing commodities such as vegetables and requested that faucets be provided to each stall.
- Another stallholder voiced concern about unauthorized fish vendors operating along Daguitan River (referred to as "tabok") who do not rent stalls at the market.
- Hon. Relatorres clarified that these vendors would be relocated to the new Wet Market and would be required to pay rent.
- Mr. Jaime Renomeron shared that these fish peddlers offer lower prices and save them transportation costs compared to the fish sold in the Wet Market, making it difficult to stop their activities.
- Hon. Bryan R. Cinco pointed out that there is already an ordinance prohibiting the sale of fish and other seafood products outside the Wet Market, particularly by peddlers.
- Hon. Relatorres assured the public, as well as the stallholders and applicants, that their concerns were being taken into account.

- Another stallholder raised the issue that carinderias (eateries) also lack access to faucets and water supply, causing them to bear the burden of buying and fetching water.
- Ms. Marissa Carilla also expressed concerns about the rough road near her store, gutter maintenance, security against theft, and the lack of water supply.
- The Municipal Mayor, Hon. Juanito E. Renomeron, arrived near the end of the public hearing, after the amendments had been discussed and questions had been raised. He acknowledged the various requests and complaints from the stallholders, such as concerns related to sanitation, road conditions, water supply, and security. He emphasized that market security should also be a priority for barangay officials and tanods (village watchmen) to address. Additionally, he shared updates on ongoing projects, including the completed renovations of the Centennial Building, the Municipal Sewerage and Septage Management Project being processed by Dr. Gerry de Cadiz of EVSU, and the proposed town mall, among other initiatives being undertaken in the municipality.

Prepared by:


CHARITY C. BARBOSA
Board Secretary II



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 Municipality of Burauen

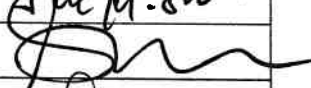
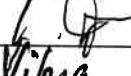

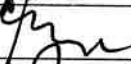




OFFICE OF THE SANGGUNILANG BAYAN

ATTENDANCE SHEET
 PUBLIC HEARING
 DECEMBER 11, 2024

NO.	FULL NAME	BARANGAY/OFFICE	POSITION	SIGNATURE
1.	Rosita N. Basilio	Dist 4	FR Rose/Hall owner	Rosita N. Basilio
2.	LOY A. CAIZO	Prty. Huga East	Stall owner	[Signature]
3.	Roman C. Igroc	Dist. 5	Stall owner	[Signature]
4.	RANDY P. BATAWON	DIST 2	STALL OWNER	[Signature]
5.	JASSTER G. LIBRADO	TAGADARAN	Stall owner	[Signature]
6.	Mae Ann G. Maraya	DIST. 8	Stall owner	[Signature]
7.	MARTIN G. EQUINALE	DIST. 6	Stall owner	[Signature]
8.	JASOL M. CANALES	DIST 4	Fish Vendor/owner	[Signature]
9.	Rhonie MONTABLAN	DIST. 8	owner/stall	[Signature]
10.	rhiny MONTABLAN	DIST. 8	STALL owner	[Signature]
11.	Eduard Vijan	Dist. 6	stall owner	EA. Vijan
12.	Royaldito S. Vinzons	D. 5	Meat shop	[Signature]
13.	Winitredo D. Canales	District 4	stall owner	[Signature]
14.	Rozanna a. Igroc	Dist 6	STel 8	[Signature]
15.	Jaime Benuron	Dist. 7		[Signature]
16.	Cresencia Espino	Dist 9	Cresencia Espino	[Signature]
17.	Ryan A. Igroc	DIST 6		[Signature]
18.	ma. diezl farina	Dist 8	stall owner	[Signature]
19.	GWENA Y ENABORE	" 8	STATION	Gwena Y. Enabore
20.	Roldan L. Amador	Dist 8		Roldan Amador
21.	ROBERT M. CABERAS	DIST. 7	STALL OWNER	[Signature]
22.	Rogel T. Cadako	Sgn Jose East	STALL OWNER	[Signature]
23.	ROMAN X. UNDAZ	DIST 8	STALL OWNER	[Signature]
24.	ALVIN C. LAGANAS	DIST 8	STALL OWNER	[Signature]
25.	Masilda a. Almodon	Prty Logpangan	Qui-Qui Store owner	Masilda a. Almodon
26.	Rody S. Decina	BRgy Lagaanga		Rody S. Decina
27.	NECHAS E. BORINES	DIST. II	STALL OWNER	[Signature]
28.	Adelito P. Nareda	Prty. Cansabon		[Signature]
29.	Maribeth N. Yam	(Prty) DIST. 8 P.D.	Rep. PINKY'S STORE	[Signature]
30.	MARIBETH M. TORONDA	Dist. 8		[Signature]
31.	JOEL M. TAN	DIST 7		[Signature]
32.	VICSAVENTES	DIST 9		[Signature]
33.	bbb A	MAGTUBAS		[Signature]

34.	KERNIG C. PUPARADO	PRLEY - DIST - 8	Stall Owner	[Signature]
35.	MARY ANN CALVARA	DRY. DIST. 8	Stall owner	[Signature]
36.	MAY M. DORO	DIST. 8	Stall Owner	[Signature]
37.	MARIA JENYIN M. DORO	DIST. 8	Stall Owner	[Signature]
38.	MARIANA CAMILLO	DIST. 8 Municipal	Stall owner	[Signature]
39.	MANIFES P. MENIANO	DIST 8	Stall owner	[Signature]
40.	ARNEL G. GERONA	Maghubar	Stall Owner	[Signature]
41.	MARIBETH G. GERNALI	DIST 4		[Signature]
42.	NETA M. RENDONKOL	DIST 3	MTD	[Signature]
43.	NARAH MAY GUMALEY	Maghubar		[Signature]
44.	CERRY COUDE	DIST 8		[Signature]
45.	LITO CRODY			[Signature]
46.	ORLANDO MAMIDLANG	DIST 3		
47.	CRIS A. MADRERO	DIST 3		[Signature]
48.	NILY T. ONTIMALE	Unated	M.S	[Signature]
49.	VERMIL C. MOCERO	DIST 1	oic-mtd	[Signature]
50.	LEXIL CALVARA	SAN ESTEBAN		[Signature]
51.	SUAWA M. CASIPO	DIST. 8	MTD	
52.	JOVY T. PADRON	PRBY. SAN JOSE WEST	MTD	[Signature]
53.	MAY FRANCIS GEMENTRA	PRBY. CABANGON	MTD	[Signature]
54.	POWIE JANE RENOMERON	DIST. 3	MTD	[Signature]
55.	MYLON MARDALO	CANTIMAWA	MARKET	[Signature]
56.	BENITA ANTOYA	CANTIMA	MARKET	[Signature]
57.	IRENEO ANTOYA	CANTIMA	MARKET	
58.	Diana R. Casakit	DIST 1	Owner	[Signature]
59.	WENOA TOLEDO	DIST II	Stall OWNER	[Signature]
60.	SERENIA R. TELLES	Dist VIII	Stall II	[Signature]
61.	ERMELYN RETUERO	DIST 6	St. OWNER	
62.	CESAR RETUERO	DIST 6		
63.	MENILLO RETUERO	DIST 6		
64.	EDMUNDO N. VIVAL	PRBY MALANCO	Stall No 3	[Signature]
65.	NECIAS BONDAS	DIST - 2	STALL OWNER	[Signature]
66.	ESTER JUDILLA	DIST. 6	Stall owner	[Signature]
67.	ALVIN LOGARIO	DIST 8	Stall owner	[Signature]
68.	CHEENIG F. ENFERNO	DIST 8	Stall owner	[Signature]
69.	ROCKY POE	DIST 8	Stall owner	[Signature]
70.	SEMERINO Q. T.	DIST - 8	Stall owner	[Signature]
71.	JENYIDA C. CABANGONAN	DIST - 8		[Signature]
72.	ROCHELLE MORIE Q. TORO	DIST - 8	Stall owner	[Signature]
73.	ROSMIE T. CADAP	DIST. 8	Stall owner	[Signature]
74.	PEDRO PEDROS JR.	II II	II II	[Signature]
75.	EVA N. LADEIRA			[Signature]

76.	Antonio M. Escala	Dist. 8	Stall owner	Antonio M. Escala
77.	Evangelina C. Refuerzo	Dist. 8	Stall owner	Evangelina Refuerzo
78.	JUEL M. TAN	Dist. 8	Stall owner	Juel M. Tan
79.	Phyllis Ana S. Veiga	Dist. 8		
80.	Arlene D. Molabak	Dist. 8	Stall owner	
81.	Vilma Tualla	Dist. 8	Stall owner	Vilma Tualla
82.	Just Aguir	Dist. 8	Stall owner	
83.	Ang Escala	Dist. 8		
84.	Rosalyn A. Lucenico	CO	Casual	
85.	CHARITY C. BARBOSA	CO	Board Secretary II	
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Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF BURAUEN



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **Municipal Ordinance No. 24-32**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled, “***An Ordinance Amending Certain Provisions of Municipal Ordinance No. 11-06, Otherwise Known as the “Burauen Market Code of 2011”***”, was enacted on December 23, 2024, approved on even date, and has been posted in two (2) conspicuous and publicly accessible places of the municipality from *December 26, 2024 to January 15, 2025*, in compliance with Section 59, paragraph (b) of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”.

Burauen, Leyte, January 27, 2025.


ATTY. RUDEJANE S. TAN
Secretary to the Sanggunian